

§ 180.435

40 CFR Ch. I (7-1-04 Edition)

expressed as parent compound, in connection with use of the pesticide under section 18 emergency exemptions granted by EPA. Residues in these commodities not in excess of the established tolerances resulting from the uses described in this paragraph remaining after expiration of the time-limited tolerances will not be considered to be actionable if the pesticide is applied during the term of and in accordance with the provisions of this paragraph. The tolerances are specified in the following table. These tolerances expire on the date specified in the table.

Commodity	Parts per million	Expiration/Revocation Date
Blueberry	1.0	12/31/03
Cranberry	1.0	12/31/05
Dry bean	0.5	12/31/05
Dry bean forage	8.0	12/31/05
Dry bean hay	8.0	12/31/05
Grain, aspirated fractions	20	6/30/05
Raspberry	1.0	12/31/01
Sorghum, grain, grain	0.2	6/30/05
Sorghum, grain, stover	1.5	6/30/05

(c) *Tolerances with regional registrations.* A tolerance with regional registration, as defined in §180.1(n), is established for residues of 1-[[2-(2,4-dichlorophenyl)-4-propyl-1,3-dioxolan-2-yl]methyl]-1*H*-1,2,4-triazole and its metabolites determined as 2,4-dichlorobenzoic acid and expressed as parent compound, in or on the following commodities:

Commodities	Parts per million
Mint, tops (leaves and stems)	0.3
Wild rice	0.5

(d) *Indirect or inadvertent residues.* [Reserved]

[62 FR 17716, Apr. 11, 1997; 62 FR 24045, May 2, 1997; 62 FR 32230, June 13, 1997; 62 FR 43291, Aug. 13, 1997; 63 FR 16439, Apr. 3, 1998; 63 FR 19410, Apr. 20, 1998; 64 FR 3002, Jan. 20, 1999; 64 FR 13086, 13105, Mar. 17, 1999; 64 FR 41297, July 30, 1999; 64 FR 41815, Aug. 2, 1999; 65 FR 49927, Aug. 16, 2000; 66 FR 19870, Apr. 18, 2001; 66 FR 37598, July 19, 2001; 66 FR 64774, Dec. 14, 2001; 67 FR 14869, Mar. 28, 2002; 67 FR 35048, May 17, 2002; 67 FR 49617, July 31, 2002; 68 FR 37764, June 25, 2003; 69 FR 6567, Feb. 11, 2004]

§ 180.435 Deltamethrin; tolerances for residues.

(a) *General.* (1) Tolerances are established for the combined residues of the pesticide chemical deltamethrin [(1*R*,3*R*)-3-(2,2-dibromovinyl)-2,2-dimethylcyclopropanecarboxylic acid (*S*)-*alpha*-cyano-3-phenoxybenzyl ester and its major metabolites, *trans* deltamethrin [(*S*)-*alpha*-cyano-*m*-phenoxybenzyl(1*R*,3*S*)-3-(2,2-dibromovinyl)-2,2-dimethylcyclopropanecarboxylate] and *alpha*-*R*-deltamethrin [(*R*)-*alpha*-cyano-*m*-phenoxybenzyl-(1*R*,3*R*)-3-(2,2-dibromovinyl)-2,2-dimethylcyclopropanecarboxylate] in or on the following agricultural commodities:

Commodity	Parts per million
Cotton, undelinted seed	0.04
Cotton, oil	0.2
Tomato	0.2
Tomato, concentrated products	1.0

(2) A tolerance of 0.05 ppm is established for residues of the insecticide deltamethrin [(1*R*,3*R*)-3-(2,2-dibromovinyl)-2,2-dimethylcyclopropanecarboxylic acid (*S*)-*alpha*-cyano-3-phenoxybenzyl ester and its major metabolites, *trans* deltamethrin [(*S*)-*alpha*-cyano-*m*-phenoxybenzyl-(1*R*,3*R*)-3-(2,2-dibromovinyl)-2,2-dimethylcyclopropanecarboxylate and *alpha*-*R*-deltamethrin[(*R*)-*alpha*-cyano-*m*-phenoxybenzyl-(1*R*,3*R*)-3-(2,2-dibromovinyl)-2,2-dimethylcyclopropanecarboxylate] as follows:

(i) In or on all food/feed items (other than those covered by a higher tolerance as a result of use on growing crops) in food/feed handling establishments.

(ii) The insecticide may be present as a residue from application of deltamethrin in food handling establishments, including food service, manufacturing and processing establishments, such as restaurants, cafeterias, supermarkets, bakeries, breweries, dairies, meat slaughtering and packing plants, and canneries, feed handling establishments including feed manufacturing and processing establishments,

Environmental Protection Agency

§ 180.436

in accordance with the following prescribed conditions:

(A) Application shall be limited to general surface and spot and/or crack and crevice treatment in food/feed handling establishments where food/feed and food/feed products are held, processed, prepared and served. General surface application may be used only when the facility is not in operation provided exposed food/feed has been covered or removed from the area being treated. Spot and/or crack and crevice application may be used while the facility is in operation provided exposed food/feed is covered or removed from the area being treated prior to application. Spray concentration shall be limited to a maximum of 0.06 percent active ingredient. Contamination of food/feed or food/feed contact surfaces shall be avoided.

(B) To assure safe use of the insecticide, its label and labeling shall conform to that registered with the U.S. Environmental Protection Agency and shall be used in accordance with such label and labeling.

(b) *Section 18 emergency exemptions.* [Reserved]

(c) *Tolerances with regional registrations.* [Reserved]

(d) *Indirect or inadvertent residues.* [Reserved]

[62 FR 63001, Nov. 26, 1997, as amended at 63 FR 45414, Aug. 26, 1998]

§ 180.436 Cyfluthrin; tolerances for residues.

(a) *General.* (1) Tolerances are established for residues of the insecticide cyfluthrin (cyano(4-fluoro-3-phenoxyphenyl)methyl-3-(2,2-dichloroethenyl)-2,2-dimethylcyclopropane-carboxylate; CAS No. 68359-37-5) in or on the following raw agricultural commodities:

Commodity	Parts per million
Alfalfa	5.0
Alfalfa, hay	10.0
Barley, bran	5.0
Brassica, head and stem, subgroup 5A	2.5
Carrot, roots	0.20
Cattle, fat	10.0
Cattle, meat	0.40
Cattle, meat byproducts	0.40
Citrus, dried pulp	0.3
Citrus, oil	0.3
Corn, field, forage	3.0
Corn, field, milled byproducts	7.0

Commodity	Parts per million
Corn, field, refined oil	30.0
Corn, field, stover	6.0
Corn, pop. stover	6.0
Corn, sweet, forage	15.00
Corn, sweet, kernel plus cob with husks removed	0.05
Corn, sweet, stover	30.00
Cotton, hulls	2.0
Cotton, refined oil	2.0
Cotton, seed	1.0
Egg	0.01
Fruit, citrus, group 10	0.2
Goat, fat	10.0
Goat, meat	0.40
Goat, meat byproducts	0.40
Grain, aspirated fractions	600
Grain, cereal, group 15	4.0
Hog, fat	10.0
Hog, meat	0.40
Hog, meat byproducts	0.40
Hop, dried cones	20.0
Hop, vine	4.0
Horse, fat	10.0
Horse, meat	0.40
Horse, meat byproducts	0.40
Lettuce, head	2.0
Lettuce, leaf	3.0
Milk	1.0
Milk, fat	30.0
Mustard greens	7.0
Oat, bran	5.0
Pea, dry, seed	0.15
Pea, southern, succulent	0.25
Pepper	0.50
Potato	0.01
Poultry, fat	0.01
Poultry, meat	0.01
Poultry, meat byproducts	0.01
Radish, roots	1.0
Rice, bran	6.0
Rice, hulls	18.0
Rye, bran	5.0
Sheep, fat	10.0
Sheep, meat	0.40
Sheep, meat byproducts	0.40
Sorghum, grain, forage	2.0
Sorghum, grain, stover	5.0
Soybean, forage	8.0
Soybean, hay	4.0
Soybean, seed	0.03
Sugarcane, cane	0.05
Sugarcane, molasses	0.20
Sunflower, forage	5.0
Sunflower, seed	0.02
Tomato	0.20
Tomato, paste	0.5
Tomato, pomace	5.0
Wheat milled byproducts, except flour	5.0

(2) A tolerance of 0.05 ppm is established for residues of the insecticide cyfluthrin (cyano(4-fluoro-3-phenoxyphenyl)methyl-3-(2,2-dichloroethenyl)-2,2-dimethylcyclopropanecarboxylate; CAS Reg. No. 69359-37-5) in food commodities exposed to the insecticide during treatment of food-handling establishments where food and food products are held, processed, prepared, or served. Treatments may be made by