

Kind of data required	(b) Notes	General use patterns									Test substance		Guide-lines reference No.
		Terrestrial		Aquatic		Greenhouse		Forestry	Domestic outdoor	Indoor	Data to support MP	Data to support EP	
		Food crop	Nonfood	Food crop	Nonfood	Food crop	Nonfood						
Target area phytotoxicity ..	(1)	.....	.....	.....	.....	.....	.....	.....	.....	.....	EP	EP	121-1
Nontarget area phytotoxicity.													
Tier I:													
Seed germination/ seedling emergence.	(2)	.....	R	.....	R	.....	.....	R	.....	.....	TGAI	TGAI	122-1
Vegetative vigor	(2)	.....	R	.....	R	.....	.....	R	.....	.....	TGAI	TGAI	122-1
Aquatic plant growth	(2)	.....	R	.....	R	.....	.....	R	.....	.....	TGAI	TGAI	122-2
Tier II:													
Seed germination/ seedling emergence.	(3)	.....	CR	.....	CR	.....	.....	CR	.....	.....	TGAI	TGAI	123-1
Vegetative vigor	(3)	.....	CR	.....	CR	.....	.....	CR	.....	.....	TGAI	TGAI	123-1
Aquatic plant growth	(4)	.....	CR	.....	CR	.....	.....	CR	.....	.....	TGAI	TGAI	123-2
Tier III:													
Terrestrial field	(3)	.....	CR	.....	CR	.....	.....	CR	.....	.....	TEP	TEP	124-1
Aquatic field	(4)	.....	CR	.....	CR	.....	.....	CR	.....	.....	TEP	TEP	124-2

Key: CR=Conditionally required; TGAI=Technical grade of the active ingredient; EP=End-use product; TEP=Typical end-use product.

(b) NOTES. The following notes are referenced in column two of the table contained in paragraph (a) of this section.

(1) Data are required for Special Review and certain public health situations.

(2) Data are required for pesticides to be used in forests and natural grasslands. For herbicide used in forest site preparation; the aquatic plant growth tests will be required. Data are required to support products to be used in other locations when any of the following conditions are met:

(i) Phytotoxicity problems concerning the product arise and open literature data are not available to address the problems.

(ii) The product may pose hazards to endangered or threatened species.

(iii) Special Review has been initiated on the product.

(3) Required if a 25 percent or greater detrimental effect was found in 1 or more plant species in the corresponding test of the previous tier.

(4) Required if a 50 percent or greater detrimental effect was found on any plant species in the corresponding test of the previous tier.

[49 FR 42881, Oct. 24, 1984. Redesignated at 53 FR 15993, May 4, 1988, and amended at 58 FR 34203, June 23, 1993]

§ 158.590 Nontarget insect data requirements.

(a) *Table.* Sections 158.50 and 158.100 through 158.102 describe how to use this table to determine the nontarget insect data requirements and the substance to be tested.

Kind of data required	(b) Notes	General use pattern									Test substance		Guide-lines reference No.
		Terrestrial		Aquatic		Greenhouse		Forestry	Domestic outdoor	Indoor use	Data to support MP	Data to support EP	
		Food crop	Nonfood	Food crop	Nonfood	Food crop	Nonfood						
Nontarget insect testing—pollinators													
Honey bee acute contact LD ₅₀ .	(1)	[CR]	[CR]	[CR]	[CR]	.....	.....	[CR]	[CR]	.....	TGAI	TGAI	141-1
Honey bee—toxicity of residues on foliage.	(1), (2)	CR	CR	CR	CR	.....	.....	CR	CR	.....	TEP	TEP	141-2
Honey bee subacute feeding study.	(3)	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	141-4
Field testing for pollinators	(4)	CR	CR	CR	CR	.....	.....	CR	CR	.....	TEP	TEP	141-5
Nontarget insect testing—aquatic insects													
Acute toxicity to aquatic insects.	(5)	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	142-1
Aquatic insect life-cycle study.	(5)	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	142-1
Simulated or actual field testing for aquatic insects.	(5)	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	142-3
Nontarget insect testing—predators and parasites.	(5)	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	143-1 thru 143-3

Key: CR=Conditionally required; []=Brackets (ie, [CR]) indicate data requirements that apply to products for which an experimental use permit is being sought; TGAI=Technical grade of the active ingredient; TEP=Typical end-use product.

(b) NOTES. The following notes are referenced in column two of the table contained in paragraph (a) of this section.

(1) Required only if proposed use will result in honey bee exposure.

(2) Required only when formulation contains one or more active ingredients having an acute LD₅₀ of less than 1 microgram/bee.

(3) This requirement is reserved pending development of test methodology.

(4) May be required under the following conditions:

(i) Data from the honey bee subacute feeding study indicate adverse effects on colonies, especially effects other than acute mortality (reproductive, behavioral, etc.).

(ii) Data from residual toxicity studies indicate extended residual toxicity.

(iii) Data derived from studies with organisms other than bees indicate properties of the pesticide beyond acute toxicity, such as the ability to cause reproductive or chronic effects.

(5) This requirement is reserved pending further evaluation to determine what and when data should be required, and to develop appropriate test methods.

[49 FR 42881, Oct. 24, 1984. Redesignated at 53 FR 15993, May 4, 1988, and amended at 58 FR 34203, June 23, 1993]

§ 158.640 Product performance data requirements.

(a) *Table.* Sections 158.50 and 158.100 through 158.102 describe how to use this table to determine the product performance data requirements and the substance to be tested.