Programs' Document Processing Desk at the appropriate address as set forth in 40 CFR 150.17(a) or (b).

[66 FR 37814, July 19, 2001, as amended at 71 FR 35546, June 21, 2006]

Subparts E–F [Reserved]

Subpart G—Labeling [Reserved]

Subpart H—Data Requirements [Reserved]

Subpart I [Reserved]

Subpart J—Good Laboratory Practices [Reserved]

Subpart K—Export Requirements [Reserved]

Subparts L–T [Reserved]

Subpart U—Experimental Use Permits [Reserved]

Subpart V [Reserved]

Subpart W—Tolerances and Tolerance Exemptions

§ 174.451 Scope and purpose.

This subpart lists the tolerances and exemptions from the requirement of a tolerance for residues of plant-incorporated protectants in or on raw agricultural commodities, in food, and in animal feeds.

§ 174.452 Bacillus thuringiensis VIP3A protein and the genetic material necessary for its production; temporary exemption from the requirement of a tolerance.

Bacillus thuringiensis VIP3A protein and the genetic material necessary for its production is temporarily exempt from the requirement of a tolerance when used as a vegetative-insecticidal protein in cotton seed, cotton oil, cotton meal, cotton hay, cotton hulls, cotton forage, and cotton gin byproducts. Genetic material necessary for its production means the genetic material which comprise genetic encoding the VIP3A protein and its regulatory regions. Regulatory regions are the genetic material, such as promoters, terminators, and enhancers, that control expression of the genetic material encoding the VIP3A protein. This temporary exemption from the requirement of a tolerance expires May 1, 2007.

[71 FR 24586, Apr. 26, 2006]

§ 174.455 Bacillus thuringiensis Cry1F protein and the genetic material necessary for its production in cotton; exemption from the requirement of a tolerance.

Bacillus thuringiensis Cry1F protein and the genetic material necessary for its production in cotton are exempt from the requirement of a tolerance when used as a plant-incorporated protectant in food and feed commodities of cotton. ''Genetic material necessary for its production'' means the genetic material which comprise: Genetic material encoding the Cry1F protein and its regulatory regions. ''Regulatory regions'' are the genetic material, such as promoters, terminators, and enhancers, that control the expression of the genetic material encoding the Cry1F protein.

[69 FR 58284, Sept. 30, 2004]

§ 174.456 Bacillus thuringiensis modified Cry3A protein (mCry3A) and the genetic material necessary for its production in corn.

Bacillus thuringiensis modified Cry3A protein (mCry3A) and the genetic material necessary for its production in corn is temporarily exempt from the requirement of a tolerance when used as plant-incorporated protectant in the food and feed commodities of field corn, sweet corn and popcorn. Genetic material necessary for its production means the genetic material which comprise genetic material encoding the mCry3A protein and its regulatory regions. Regulatory regions are the genetic material, such as promoters, terminators, and enhancers, that control the expression of the genetic material encoding the mCry3A protein. This temporary exemption from the requirement of a tolerance will permit the use of the food commodities in this paragraph when treated in accordance with the provisions of the experimental use permit 67979–EUP–4 which is being

issued under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (7 U.S.C. 136). This temporary exemption from the requirement of a tolerance expires and is revoked October 15, 2007; however, if the experimental use permit is revoked, or if any experience with or scientific data on this pesticide indicate that the tolerance is not safe, this temporary exemption from the requirement of a tolerance may be revoked at any time.

[71 FR 13273, Mar. 15, 2006]

§ 174.457 Bacillus thuringiensis Cry34Ab1 and Cry35Ab1 proteins and the genetic material necessary for their production in corn; exemption from the requirement of a tolerance.

Bacillus thuringiensis Cry34Ab1 and Cry35Ab1 proteins and the genetic material necessary for their production in corn are exempted from the requirement of a tolerance when used as plant-incorporated protectants in the food and feed commodities of corn; corn, field; corn, sweet; and corn, pop.

[70 FR 55260, Sept. 21, 2005]

§ 174.475 Nucleic acids that are part of a plant-incorporated protectant; exemption from the requirement of a tolerance.

Residues of nucleic acids that are part of a plant-incorporated protectant are exempt from the requirement of a tolerance.

[66 FR 37830, July 19, 2001]

§ 174.479 Pesticidal substance from sexually compatible plant; exemption from the requirement of a tolerance.

Residues of a pesticidal substance that is part of a plant-incorporated protectant from a sexually compatible plant are exempt from the requirement of a tolerance if all the following conditions are met:

(a) The genetic material that encodes for the pesticidal substance or leads to the production of the pesticidal substance is from a plant that is sexually compatible with the recipient food plant.

(b) The genetic material has never been derived from a source that is not sexually compatible with the recipient food plant.

(c) The residues of the pesticidal substance are not present in food from the plant at levels that are injurious or deleterious to human health.

[66 FR 37854, July 19, 2001]

Subpart X—List of Approved Inert Ingredients

§ 174.480 Scope and purpose.

This subpart lists the inert ingredients that have been exempted from FIFRA and FFDCA section 408 requirements and may be used in a plant-incorporated protectant listed in subpart B of this part.

§ 174.485 Inert ingredients from sexually compatible plant.

An inert ingredient, and residues of the inert ingredient, are exempt if all of the following conditions are met:

(a) The genetic material that encodes the inert ingredient or leads to the production of the inert ingredient is derived from a plant sexually compatible with the recipient food plant.

(b) The genetic material has never been derived from a source that is not sexually compatible with the recipient food plant.

(c) The residues of the inert ingredient are not present in food from the plant at levels that are injurious or deleterious to human health.

Subparts Y–Z [Reserved]

PART 176—TIME-LIMITED TOLERANCES FOR EMERGENCY EXEMPTIONS

Sec.

176.1 Scope and applicability.
176.3 Definitions.
176.5 Establishment of a time-limited tolerance or exemption.
176.7 Information needed to establish a tolerance.
176.9 Publication of a tolerance.
176.11 Duration of a tolerance.
176.13 Modification of a time-limited tolerance.
176.15 Effect of a tolerance.

AUTHORITY: 21 U.S.C. 346a and 371.