

Environmental Protection Agency

§ 178.3

§ 176.9 Publication of a tolerance.

(a) If EPA issues an emergency exemption or crisis exemption under FIFRA section 18, and EPA concludes that the tolerance for residues resulting from use of the pesticide under the exemption will be safe, then EPA will establish the tolerance by publishing an amendment to 40 CFR part 180 in the FEDERAL REGISTER.

(b) A tolerance under this part may be established without prior publication of a proposed tolerance or comment period.

§ 176.11 Duration of a tolerance.

(a) Tolerances issued under this part will become effective upon publication in the FEDERAL REGISTER, unless otherwise specified by the Administrator.

(b) Unless extended, tolerances will automatically expire and be revoked, without further action by EPA, at the time set out in the final rule published in FEDERAL REGISTER.

(c) The Administrator may revoke a tolerance at any time if the Administrator determines that the tolerance is no longer safe.

§ 176.13 Modification of a time-limited tolerance.

If additional emergency or crisis exemptions are authorized that would extend use beyond the date originally authorized, or if EPA determines that the duration of a time-limited tolerance is insufficient to allow treated commodities to clear the channels of trade, EPA may modify the time-limited tolerance by publication of a final rule in the FEDERAL REGISTER. EPA will use the same criteria and procedures for modification as for establishing tolerances under this part.

§ 176.15 Effect of a tolerance.

The establishment of a tolerance under this part does not alter the requirement that any applicant comply with procedures established in part 166 of this chapter for emergency exemptions of FIFRA.

PART 178—OBJECTIONS AND REQUESTS FOR HEARINGS

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AUTHORITY: 21 U.S.C. 346a, 371(a); Reorg. Plan No. 3 of 1970.

SOURCE: 55 FR 50291, Dec. 5, 1990, unless otherwise noted.

Subpart A—General Provisions

§ 178.3 Definitions.

For the purposes of this part:

Administrator means the Administrator of the Agency, or any officer or employee of the Agency to whom the Administrator delegates the authority to perform functions under this part.

Agency means the United States Environmental Protection Agency.

Assistant Administrator means the Agency's Assistant Administrator for Prevention, Pesticides and Toxic Substances, or any officer or employee of the Agency's Office of Prevention, Pesticides and Toxic Substances to whom the Assistant Administrator delegates the authority to perform functions under this part.

FFDCA means the Federal Food, Drug, and Cosmetic Act, as amended, 21 U.S.C. 301-392.

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