

**§ 174.480**

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]

EFFECTIVE DATE NOTE: At 72 FR 20434, Apr. 25, 2007, §174.479 was redesignated as §174.508, effective July 24, 2007

**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.

EFFECTIVE DATE NOTE: At 72 FR 20434, Apr. 25, 2007, §174.480 was redesignated as §174.700 and remains in subpart X, effective July 24, 2007.

**§ 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.

EFFECTIVE DATE NOTE: At 72 FR 20434, Apr. 25, 2007, §174.485 was redesignated as §174.705 and remains in subpart X, effective July 24, 2007.

**Subparts Y–Z [Reserved]**

**40 CFR Ch. I (7–1–07 Edition)**

**PART 176—TIME-LIMITED TOLERANCES FOR EMERGENCY EXEMPTIONS**

**Sec.**

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

SOURCE: 65 FR 64131, Oct. 25, 2000, unless otherwise noted.

**§ 176.1 Scope and applicability.**

This part describes the procedures and criteria under which EPA will establish time-limited tolerances and exemptions from the requirement of a tolerance for pesticide chemical residues associated with use of pesticides under emergency or crisis exemptions under FIFRA section 18. This part applies only to tolerances issued on the initiative of EPA as the result of the issuance of an emergency exemption or the declaration of a crisis exemption. This part does not cover time-limited tolerances in any other circumstances.

**§ 176.3 Definitions.**

The terms have the same meaning as in the Federal Insecticide, Fungicide, and Rodenticide Act section 2, and in the Federal Food, Drug, and Cosmetic Act section 201 and §166.3 of this chapter. In addition, the following terms are defined for the purposes of this part.

*Agency* means the U.S. Environmental Protection Agency.

*Applicant* means any entity authorized under section 18 of FIFRA to request an emergency exemption that requests such an exemption under §166.20 of this chapter, or issues a crisis exemption under §166.40 of this chapter.

*Crisis exemption* means an exemption authorized under FIFRA section 18, in accordance with §§166.40 through 166.53 of this chapter.

*Emergency exemption* means a specific, quarantine, or public health exemption