

§ 180.4

40 CFR Ch. I (7-1-08 Edition)

(ethyl-sulfonyl)ethyl] *O,O*-dimethyl phosphorothioate).

Fenthion (*O,O*-dimethyl *O*-[3-methyl-4-(methylthio)phenyl]phosphorothioate and its cholinesterase-inhibiting metabolites.

Malathion.

*N*-(Mercaptomethyl)phthalimide *S*-(*O,O*-dimethyl phosphorodithioate).

*N*-(Mercaptomethyl)phthalimide *S*-(*O,O*-dimethyl phosphorothioate).

Methomyl (*S*-methyl *N*-[(methylcarbamoyl)oxy]thioacetimidate).

1-Methoxycarbonyl-1-propen-2-yl dimethyl phosphate and its beta isomer.

*m*-(1-Methylbutyl)phenyl methylcarbamate.

Methyl parathion.

Naled (1,2-dibromo-2,2-dichloroethyl dimethyl phosphate).

Oxamyl (methyl *N,N'*-dimethyl-*N*-[(methylcarbamoyl)oxy]-1-thiooxamimidate)

Parathion.

Phorate (*O,O*-diethyl *S*-(ethylthio)methyl phosphorodithioate) and its cholinesterase-inhibiting metabolites.

Phosalone (*S*-(6-chloro-3-mercaptopmethyl)-2-benzoxazolinone) *O,O*-diethyl phosphorodithioate).

Phosphamidon (2-chloro-2-diethylcarbamoyl-1-methylvinyl dimethyl phosphate) including all of its related cholinesterase-inhibiting compounds.

Pirimiphos-methyl *O*-[2-diethylamino-6-methyl-pyrimidinyl] *O,O*-dimethyl phosphorothioate

Ronnel.

Schradan (octamethylpyrophosphoramide).

Tetraethyl pyrophosphate.

*O,O,O',O'*-Tetramethyl *O,O'*-sulfinyldi-*p*-phenylene phosphorothioate.

*O,O,O',O'*-Tetramethyl *O,O'*-thiodi-*p*-phenylene phosphorothioate.

Tributyl phosphorotrithioate.

*S,S,S*-Tributyl phosphorotrithioate.

3,4,5-Trimethylphenyl methylcarbamate and its isomer 2,3,5-trimethylphenyl methylcarbamate.

(6) The following pesticides are members of the class of dinitrophenols:

2,4-Dinitro-6-octylphenyl crotonate and 2,6-dinitro-4-octylphenyl crotonate, mixture of.

4,6-Dinitro-*o*-cresol and its sodium salt.

Dinoseb (2-*sec*-butyl-4,6-dinitrophenol) and its alkanolamine, ammonium, and sodium salts.

[41 FR 8969, Mar. 2, 1976, as amended at 41 FR 10605, Mar. 12, 1976; 41 FR 20660, May 20, 1976; 41 FR 51401, Nov. 22, 1976; 42 FR 6582, Feb. 3, 1977; 43 FR 12682, Mar. 27, 1978; 49 FR 44465, Nov. 7, 1984; 49 FR 45852, Nov. 21, 1984; 50 FR 18485, May 1, 1985; 50 FR 26684, June 27, 1985; 51 FR 28228, Aug. 6, 1986; 54 FR 31835, Aug. 2, 1989; 57 FR 1649, Jan. 15, 1992; 58 FR 65555, Dec. 15, 1993]

§ 180.4 Exceptions.

The substances listed in this section are excepted from the definitions of "pesticide chemical" and "pesticide chemical residue" under FFDC section 201(q)(3) and are therefore exempt from regulation under FFDC section 402(a)(2)(B) and 408. These substances are subject to regulation by the Food and Drug Administration as food additives under FFDC section 409.

(a) Inert ingredients in food packaging impregnated with an insect repellent when such inert ingredients are the components of the food packaging material (e.g., paper and paperboard, coatings, adhesives, and polymers).

(b) [Reserved]

[63 FR 10720, Mar. 4, 1998]

§ 180.5 Zero tolerances.

A zero tolerance means that no amount of the pesticide chemical may remain on the raw agricultural commodity when it is offered for shipment. A zero tolerance for a pesticide chemical in or on a raw agricultural commodity may be established because, among other reasons:

(a) A safe level of the pesticide chemical in the diet of two different species of warm-blooded animals has not been reliably determined.

(b) The chemical is carcinogenic to or has other alarming physiological effects upon one or more of the species of the test animals used, when fed in the diet of such animals.

(c) The pesticide chemical is toxic, but is normally used at times when, or in such manner that, fruit, vegetables, or other raw agricultural commodities will not bear or contain it.

(d) All residue of the pesticide chemical is normally removed through good agricultural practice such as washing or brushing or through weathering or other changes in the chemical itself, prior to introduction of the raw agricultural commodity into interstate commerce.