

Environmental Protection Agency

§ 180.1017

Polymer	CAS No.
Vinyl chloride-vinyl acetate copolymers	None
Vinyl pyrrolidone-acrylic acid copolymer, minimum number average molecular weight (in amu), 6,000	28062-44-4
Vinyl pyrrolidone-dimethylaminoethylmethacrylate copolymer, minimum number average molecular weight (in amu), 20,000	30581-59-0
Vinyl pyrrolidone-styrene copolymer	25086-29-7

[67 FR 36528, May 24, 2002, as amended at 68 FR 8850, Feb. 26, 2003; 68 FR 10986, Mar. 7, 2003; 68 FR 15967, Apr. 2, 2003; 68 FR 23072, Apr. 30, 2003; 69 FR 4073, Jan. 28, 2004; 69 FR 50077, Aug. 13, 2004; 71 FR 42277, 42281, 42285, 42288, 42291, 42295, July 26, 2006; 71 FR 45424, Aug. 9, 2006; 71 FR 57439, Sept. 29, 2006; 71 FR 58521, Oct. 4, 2006; 72 FR 8916, Feb. 28, 2007; 72 FR 10077, Mar. 7, 2007]

§ 180.1011 Viable spores of the microorganism *Bacillus thuringiensis* Berliner; exemption from the requirement of a tolerance.

(a) For the purposes of this section the microbial insecticide for which exemption from the requirement of a tolerance is being established shall have the following specifications:

(1) The microorganism shall be an authentic strain of *Bacillus thuringiensis* Berliner conforming to the morphological and biochemical characteristics of *Bacillus thuringiensis* as described in Bergey's Manual of Determinative Bacteriology, Eighth Edition.

(2) Spore preparations of *Bacillus thuringiensis* Berliner shall be produced by pure culture fermentation procedures with adequate control measures during production to detect any changes from the characteristics of the parent strain or contamination by other microorganisms.

(3) Each lot of spore preparation, prior to the addition of other materials, shall be tested by subcutaneous injection of at least 1 million spores into each of five laboratory test mice weighing 17 grams to 23 grams. Such test shall show no evidence of infection or injury in the test animals when observed for 7 days following injection.

(4) Spore preparations shall be free of the *Bacillus thuringiensis* β-exotoxin when tested with the fly larvae toxicity test ("Microbial Control of In-

sects and Mites," R.P.M. Bond et al., p. 280 ff., 1971). This specification can be satisfied either by determining that each master seed lot brought into production is a *Bacillus thuringiensis* strain which does not produce β-exotoxin under standard manufacturing conditions or by periodically determining that β-exotoxin synthesized during spore production is eliminated by the subsequent spore-harvesting procedure.

(b) Exemption from the requirement of a tolerance is established for residues of the microbial insecticide *Bacillus thuringiensis* Berliner, as specified in paragraph (a) of this section, in or on beeswax and honey and all other raw agricultural commodities when it is applied either to growing crops, or when it is applied after harvest in accordance with good agricultural practices.

[36 FR 22540, Nov. 25, 1971, as amended at 38 FR 19045, July 17, 1973; 42 FR 28540, June 3, 1977; 45 FR 43721, June 30, 1980; 45 FR 56347, Aug. 25, 1980]

§ 180.1016 Ethylene; exemption from the requirement of a tolerance.

Ethylene is exempted from the requirement of a tolerance for residues when:

(a) For all food commodities, it is used as a plant regulator on plants, seeds, or cuttings and on all food commodities after harvest and when applied in accordance with good agricultural practices.

(b) Injected into the soil to cause premature germination of witchweed in bean (lima and string), cabbage, cantaloupe, collard, corn, cotton, cucumber, eggplant, okra, onion, pasture grass, pea (field and sweet), peanut, pepper, potato, sweet potato, sorghum, soybean, squash, tomato, turnip, and watermelon fields as part of the U.S. Department of Agriculture witchweed control program.

[39 FR 33315, Sept. 17, 1974, as amended at 40 FR 19477, May 5, 1975; 64 FR 31505, June 11, 1999]

§ 180.1017 Diatomaceous earth; exemption from the requirement of a tolerance.

(a) Diatomaceous earth is exempted from the requirement of a tolerance for residues when used in accordance with

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good agricultural practice in pesticide formulations applied to growing crops, to food commodities after harvest, and to animals.

(b) Diatomaceous earth may be safely used in accordance with the following conditions. Application shall be limited solely to spot and/or crack and crevice treatments in food or feed processing and food or feed storage areas in accordance with the prescribed conditions:

(1) It is used or intended for use for control of insects in food or feed processing and food or feed storage areas: *Provided*, That the food or feed is removed or covered prior to such use.

(2) To assure safe use of the insecticide, its label and labeling shall conform to that registered by the U.S. Environmental Protection Agency, and it shall be used in accordance with such label and labeling.

[65 FR 33716, May 24, 2000]

§ 180.1019 Sulfuric acid; exemption from the requirement of a tolerance.

(a) Residues of sulfuric acid are exempted from the requirement of a tolerance when used in accordance with good agricultural practice when used as a herbicide in the production of garlic and onions, and as a potato vine desiccant in the production of potatoes.

(b) Residues of sulfuric acid are exempted from the requirement of a tolerance in meat, milk, poultry, eggs, fish, shellfish, and irrigated crops when it results from the use of sulfuric acid as an inert ingredient in a pesticide product used in irrigation conveyance systems and lakes, ponds, reservoirs, or bodies of water in which fish or shellfish are cultivated. The sulfuric acid is not to exceed 10% of the pesticide formulation (non-aerosol formulations only).

[69 FR 40787, July 7, 2004]

§ 180.1020 Sodium chlorate; exemption from the requirement of a tolerance.

(a) Sodium chlorate is exempted from the requirement of a tolerance for residues in or on the following raw agricultural commodities when used as a defoliant, desiccant, or fungicide in accordance with good agricultural practice.

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COMMODITY

Beans, dry, edible	Peppers, chili
Corn, fodder	Potatoes
Corn, forage	Rice
Corn, grain	Rice, straw
Cottonseed	Safflower, grain
Flaxseed	Sorghum, grain
Flax, straw	Sorghum, fodder
Guar beans	Sorghum, forage
Peas, southern	Soybeans
	Sunflower seed

(b) A time-limited exemption from the requirement of a tolerance is established for residues of the defoliant/desiccant in connection with use of the pesticide under section 18 emergency exemptions granted by EPA. The exemption will expire and is revoked on the date specified in the following table:

Commodity	Parts per million	Expiration/revocation date
Wheat	NA	12/31/06

[54 FR 9800, Mar. 8, 1989, as amended at 60 FR 4862, Jan. 25, 1995; 62 FR 63863, Dec. 3, 1997; 63 FR 35846, July 1, 1998; 64 FR 42849, Aug. 6, 1999; 65 FR 48639, Aug. 9, 2000; 68 FR 2247, Jan. 16, 2003; 69 FR 71717, Dec. 10, 2004]

§ 180.1021 Copper; exemption from the requirement of a tolerance.

(a) Copper is exempted from the requirement of a tolerance in meat, milk, poultry, eggs, fish, shellfish, and irrigated crops when it results from the use of:

(1) Copper sulfate as an algicide or herbicide in irrigation conveyance systems and lakes, ponds, reservoirs, or bodies of water in which fish or shellfish are cultivated.

(2) Basic copper carbonate (malachite) as an algicide or herbicide in impounded and stagnant bodies of water

(3) Copper triethanolamine and copper monoethanolamine as an algicide or herbicide in fish hatcheries, lakes, ponds, and reservoirs

(4) Cuprous oxide bearing antifouling coatings for control of algae or other organisms on submerged concrete or other (irrigation) structures.

(b) The following copper compounds are exempt from the requirement of a tolerance when applied (primarily) as a fungicide to growing crops using good