

§ 180.128

40 CFR Ch. I (7-1-07 Edition)

cotton bags of 50 pounds or more capacity constructed with waxed paper liners.

(iv) To assure safe use of the pesticide, its label and labeling shall conform to that registered with the U.S. Environmental Protection Agency.

(v) Where tolerances are established on both the raw agricultural commodities and food, processed made therefrom, the total residues of piperonyl butoxide in or on the processed food shall not be greater than that permitted by the larger of the two tolerances.

(b) *Section 18 emergency exemptions.* [Reserved]

(c) *Tolerances with regional registrations.* [Reserved]

(d) *Indirect or inadvertent residues.* [Reserved]

[71 FR 74813, Dec. 13, 2006]

§ 180.128 **Pyrethrins; tolerances for residues.**

(a) *General.* (1) Tolerances for residues of the insecticide pyrethrins (insecticidally active principles of *Chrysanthemum cinerariaefolium*) are established in or on the following food commodities:

Commodity	Parts per million
Almond, postharvest	1
Apple, postharvest	1
Barley, postharvest	3
Bean, postharvest	1
Birdseed, mixtures, postharvest	3
Blackberry, postharvest	1
Blueberry, postharvest	1
Boysenberry, postharvest	1
Buckwheat, grain, postharvest	3
Cattle, fat	0.1(N)
Cattle, meat byproducts	0.1(N)
Cattle, meat	0.1(N)
Cherry, sweet, postharvest	1
Cherry, tart, postharvest	1
Cacao bean, roasted bean, postharvest	1
Coconut, copra, postharvest	1
Corn, field, grain, postharvest	3
Corn, pop, grain, postharvest	3
Cotton, undelinted seed, postharvest	1
Crabapple, postharvest	1
Currant, postharvest	1
Dewberry, postharvest	1
Egg	0.1(N)
Fig, postharvest	1
Flax, seed, postharvest	1
Goat, fat	0.1(N)
Goat, meat byproducts	0.1(N)
Goat, meat	0.1(N)
Gooseberry, postharvest	1
Grape, postharvest	1
Guava, postharvest	1
Hog, fat	0.1(N)

Commodity	Parts per million
Hog, meat byproducts	0.1(N)
Hog, meat	0.1(N)
Horse, fat	0.1(N)
Horse, meat byproducts	0.1(N)
Horse, meat	0.1(N)
Loganberry, postharvest	1
Mango, postharvest	1
Milk, fat	0.5
Muskmelon, postharvest	1
Oat, grain, postharvest	1
Orange, postharvest	1
Peach, postharvest	1
Peanut, postharvest	1
Pea, postharvest	1
Pear, postharvest	1
Pineapple, postharvest	1
Plum, prune, fresh, postharvest	1
Potato, postharvest	0.05
Poultry, fat	0.2
Poultry, meat byproducts	0.2
Poultry, meat	0.2
Raspberry, postharvest	1
Rice, grain, postharvest	3
Rye, postharvest	3
Sheep, fat	0.1(N)
Sheep, meat byproducts	0.1(N)
Sheep, meat	0.1(N)
Sorghum, grain, grain, postharvest	1
Sweet potato, postharvest	0.05
Tomato, postharvest	1
Walnut, postharvest	1
Wheat, postharvest	3

(2) Pyrethrins may be safely used in accordance with the following prescribed conditions:

(i) It is used or intended for use in combination with piperonyl butoxide for control of insects:

(A) In cereal grain mills and in storage areas for milled cereal grain products, whereby the amount of pyrethrins is from 10 percent to 100 percent of the amount of piperonyl butoxide in the formulation.

(B) On the outer ply of multiwall paper bags of 50 pounds or more capacity in amounts not exceeding 6 milligrams per square foot, whereby the amount of pyrethrins is equal to 10 percent of the amount of piperonyl butoxide in the formulation. Such treated bags are to be used only for food, dried.

(C) On cotton bags of 50 pounds or more capacity in amounts not exceeding 5.5 milligrams per square foot of cloth, whereby the amount of pyrethrins is equal to 10 percent of the amount of piperonyl butoxide in the formulation. Such treated bags are constructed with waxed paper liners and are to be used only for food, dried that contain 4 percent fat or less.

(D) In two-ply bags consisting of cellophane/polyolefin sheets bound together by an adhesive layer when it is incorporated in the adhesive. The treated sheets shall contain not more than 10 milligrams of pyrethrins per square foot (107.6 milligrams per square meter). Such treated bags are to be used only for packaging plum, prune, dried; grape, raisin; and other fruit, dried, and are to have a maximum ratio of 0.31 milligram of pyrethrins per ounce of fruit (0.01 milligram of pyrethrins per gram of product).

(E) In food processing areas and food storage areas: *Provided*, That the food is removed or covered prior to such use.

(ii) It is used or intended for use in combination with piperonyl butoxide and *N*-octylbicycloheptene dicarboximide for insect control in accordance with §180.367(a)(2).

(iii) A tolerance of 1 part per million is established for residues of pyrethrins in or on:

(A) Grain, cereal, milled fractions when present as a result of its use in cereal grain mills and in storage areas for grain, cereal, milled products.

(B) Food, dried when present as the result of migration from its use on the outer ply of multiwall paper bags of 50 pounds or more capacity.

(C) Food treated in accordance with §180.367(a)(2).

(D) Food, dried that contain 4 percent fat, or less, when present as a result of migration from its use on the cloth of cotton bags of 50 pounds or more capacity constructed with waxed paper liners.

(E) Food treated in accordance with paragraphs (a)(2)(i)(D) and (a)(2)(i)(E)) of this section.

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

(v) Where tolerances are established on both the raw agricultural commodities and food, processed made therefrom, the total residues of pyrethrins in or on the food, processed shall not be greater than that permitted by the larger of the two tolerances.

(3) Pyrethrins may be safely used in accordance with the following prescribed conditions:

(i) It is used or intended for use in combination with piperonyl butoxide for control of insects:

(A) On the outer ply of multiwall paper bags of 50 pounds or more capacity in amounts not exceeding 6 milligrams per square foot.

(B) On cotton bags of 50 pounds or more capacity in amounts not exceeding 5.5 milligrams per square foot of cloth. Such treated bags are constructed with waxed paper liners and are to be used only for feed, dried that contain 4 percent fat or less.

(ii) It is used in combination with piperonyl butoxide, whereby the amount of pyrethrins is equal to 10 percent of the amount of piperonyl butoxide in the formulation. Such treated bags are to be used only for feed, dried.

(iii) A tolerance of 1 part per million is established for residues of pyrethrins when present as the result of migration:

(A) In or on feed, dried from its use on the outer ply of multiwall paper bags of 50 pounds or more capacity.

(B) In or on feed, dried that contain 4 percent fat, or less, from its use on cotton bags of 50 pounds or more capacity constructed with waxed paper liners.

(iv) To assure safe use of the pesticide, its label and labeling shall conform to that registered with the U.S. Environmental Protection Agency.

(v) Where tolerances are established on both raw agricultural commodities and food, processed made therefrom, the total residues of pyrethrins in or on the food, processed shall not be greater than that permitted by the larger of the two tolerances.

(b) *Section 18 emergency exemptions.* [Reserved]

(c) *Tolerances with regional registrations.* [Reserved]

(d) *Indirect or inadvertent residues.* [Reserved]

[71 FR 74814, Dec. 13, 2006]

§ 180.129 *o*-Phenylphenol and its sodium salt; tolerances for residue.

Tolerances are established for combined residues of the fungicide *o*-