

Environmental Protection Agency

§ 180.1154

of a tolerance when used as a plant-incorporated protectant in potatoes.

§ 180.1148 Occlusion Bodies of the Granulosis Virus of *Cydia pomonella*; tolerance exemption.

An exemption from the requirement of a tolerance is established for residues of the microbial pest control agent Occlusion Bodies of the Granulosis Virus of *Cydia pomonella* (codling moth) in or on all raw agricultural commodities.

[60 FR 42450, Aug. 16, 1995]

§ 180.1149 Inclusion bodies of the multi-nuclear polyhedrosis virus of *Anagrapha falcifera*; exemption from the requirement of a tolerance.

The microbial pest control agent inclusion bodies of the multi-nuclear polyhedrosis virus of *Anagrapha falcifera* is exempted from the requirement of a tolerance in or on all raw agricultural commodities when used to control certain lepidopteran pest species.

[60 FR 37020, July 19, 1995]

§ 180.1150 6-Benzyladenine; exemption from the requirement of a tolerance.

The biochemical plant regulator 6-benzyladenine (6-BA) is exempt from the requirement of a tolerance in or on apple and pear when applied at a rate of ≤182 grams of active ingredient per acre per season, and in or on pistachio when applied at a rate of ≤60 grams of active ingredient per acre per season.

[72 FR 13179, Mar. 21, 2007]

§ 180.1151 Phosphinothricin Acetyltransferase (PAT) and the genetic material necessary for its production all plants; exemption from the requirement of a tolerance.

Phosphinothricin Acetyltransferase (PAT) and the genetic material necessary for its production in all plants are exempt from the requirement of a tolerance when used as plant-pesticide inert ingredients in all plant raw agricultural commodities. "Genetic material necessary for its production" means the genetic material which comprise genetic material encoding the PAT protein and its regulatory re-

gions. "Regulatory regions" are the genetic material that control the expression of the genetic material encoding the PAT protein, such as promoters, terminators, and enhancers.

[62 FR 17719, Apr. 11, 1997]

EFFECTIVE DATE NOTE: At 72 FR 20434, 20435, Apr. 25, 2007, §180.1151 was redesignated as §174.522 and revised, effective July 24, 2007. For the convenience of the user, the revised text is set forth as follows:

§ 174.522 Phosphinothricin Acetyltransferase (PAT); exemption from the requirement of a tolerance.

Residues of the Phosphinothricin Acetyltransferase (PAT) enzyme are exempt from the requirement of a tolerance when used as plant-incorporated protectant inert ingredients in all food commodities.

§ 180.1153 Lepidopteran pheromones; exemption from the requirement of a tolerance.

Lepidopteran pheromones that are naturally occurring compounds, or identical or substantially similar synthetic compounds, designated by an unbranched aliphatic chain (between 9 and 18 carbons) ending in an alcohol, aldehyde or acetate functional group and containing up to 3 double bonds in the aliphatic backbone, are exempt from the requirement of a tolerance in or on all raw agricultural commodities. This exemption only pertains to those situations when the pheromone is: Applied to growing crops at a rate not to exceed 150 grams active ingredient/acre/year in accordance with good agricultural practices; and applied as a post-harvest treatment to stored food commodities at a rate not to exceed 3.5 grams active ingredient/1,000 ft²/year (equivalent to 150 grams active ingredient/acre/year) in accordance with good agricultural practices.

[71 FR 45399, Aug. 9, 2006]

§ 180.1154 CryIA(c) and CryIC derived delta-endotoxins of *Bacillus thuringiensis* var. *kurstaki* encapsulated in killed *Pseudomonas fluorescens*, and the expression plasmid and cloning vector genetic constructs.

CryIA(c) and CryIC derived delta-endotoxins of *Bacillus thuringiensis* var. *kurstaki* encapsulated in killed

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Pseudomonas fluorescens and the expression plasmid and cloning vector genetic constructs are exempt from the requirement of a tolerance when used in or on all raw agricultural commodities.

[60 FR 47489, Sept. 13, 1995]

§ 180.1155 *Bacillus thuringiensis* subspecies *Kurstaki* CryIA(c) and the genetic material necessary for its production in all plants; exemption from the requirement of a tolerance.

Bacillus thuringiensis subspecies *kurstaki* CryIA(c) delta-endotoxin and the genetic material necessary for its production in all plants are exempt from the requirement of a tolerance when used as plant-pesticides in all plant raw agricultural commodities. "Genetic material necessary for its production" means the genetic material which comprise genetic material encoding the CryIA(c) delta-endotoxin and its regulatory regions. "Regulatory regions" are the genetic material that control the expression of the genetic material encoding the CryIA(c) delta-endotoxin, such as promoters, terminators, and enhancers.

[62 FR 17722, Apr. 11, 1997]

EFFECTIVE DATE NOTE: At 72 FR 20434, 20435, Apr. 25, 2007, § 180.1155 was redesignated as § 174.510 and revised, effective July 24, 2007. For the convenience of the user, the revised text is set forth as follows:

§ 174.510 *Bacillus thuringiensis* Cry1Ac protein in all plants; exemption from the requirement of a tolerance.

Residues of *Bacillus thuringiensis* Cry1Ac protein in all plants are exempt from the requirement of a tolerance when used as plant-incorporated protectants in all food commodities.

§ 180.1156 Cinnamaldehyde; exemption from the requirement of a tolerance.

Cinnamaldehyde (3-phenyl-2-propenal) is exempted from the requirement of a tolerance in or on all food commodities, when used as a fungicide, insecticide, and algicide in accordance with good agricultural practices.

[64 FR 7804, Feb. 17, 1999; 64 FR 14099, Mar. 24, 1999]

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§ 180.1157 Cytokinins; exemption from the requirement of a tolerance.

An exemption from the requirement of a tolerance is established for residues of cytokinins (specifically: aqueous extract of seaweed meal and kinetin) in or on all food commodities when used as plant regulators on plants, seeds, or cuttings and on all food commodities after harvest in accordance with good agricultural practices.

[64 FR 31505, June 11, 1999]

§ 180.1158 Auxins; exemption from the requirement of a tolerance.

An exemption from the requirement of a tolerance is established for residues of auxins (specifically: indole-3-acetic acid and indole-3-butyric acid) in or on all food commodities when used as plant regulators on plants, seeds, or cuttings and on all food commodities after harvest in accordance with good agricultural practices.

[64 FR 31505, June 11, 1999]

§ 180.1159 Pelargonic acid; exemption from the requirement of tolerances.

(a) An exemption from the requirement of a tolerance is established for residues of pelargonic acid in or on all food commodities when used as a plant regulator on plants, seeds, or cuttings and on all food commodities after harvest in accordance with good agricultural practices.

(b) Pelargonic acid when used as an herbicide is exempt from the requirement of a tolerance on all plant food commodities provided that:

(1) Applications are not made directly to the food commodity except when used as a harvest aid or desiccant to: any root and tuber vegetable, bulb vegetable or cotton.

(2) When pelargonic acid is used as a harvest aid or desiccant, applications must be made no later than 24 hours prior to harvest.

(c) An exemption from the requirement of a tolerance is established for residues of pelargonic acid in or on all raw agricultural commodities and in processed commodities, when such residues result from the use of pelargonic acid as an antimicrobial treatment in solutions containing a diluted end-use