

## Environmental Protection Agency

## § 174.454

as amended (7 U.S.C. 136). This temporary exemption from the requirement of a tolerance expires and is revoked May 1, 2008. However, if the EUP is revoked, or if any experience with or scientific data on this pesticide indicate that the temporary tolerance exemption is not safe, this temporary exemption from the requirement of a tolerance may be revoked at any time.

[72 FR 26304, May 9, 2007]

EFFECTIVE DATE NOTE: At 72 FR 20434, Apr. 25, 2007, §174.452 was redesignated as §174.501 and revised, effective July 24, 2007. For the convenience of the user, the revised text is set forth as follows:

### **§ 174.501 *Bacillus thuringiensis* VIP3A protein; temporary exemption from the requirement of a tolerance.**

Residue of *Bacillus thuringiensis* VIP3A protein are temporarily exempt from the requirement of a tolerance when used as a plant-incorporated protectant in cotton seed, cotton oil, cotton meal, cotton hay, cotton hulls, cotton forage, and cotton gin byproducts. This temporary exemption from the requirement of a tolerance expires May 1, 2007.

### **§ 174.453 *Bacillus thuringiensis* Cry1A.105 protein and the genetic material necessary for its production in corn.**

*Bacillus thuringiensis* Cry1A.105 protein and the genetic material necessary for its production in corn is exempt from the requirement of a tolerance when used as plant-incorporated protectant in the food and feed commodities of field corn, sweet corn and popcorn. Genetic material necessary for its production means the genetic material which comprise genetic material encoding the Cry1A.105 protein and its regulatory regions. Regulatory regions are the genetic material, such as promoters, terminators, and enhancers, that control the expression of the genetic material encoding the Cry1A.105 protein. This temporary exemption from the requirement of a tolerance will permit the use of the food commodities in this paragraph when treated in accordance with the provisions of the experimental use permit 524-EUP-97 which is being issued under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (7 U.S.C. 136). This temporary exemption from the requirement of a tolerance expires and is revoked June 30,

2009; however, if the experimental use permit is revoked, or if any experience with or scientific data on this pesticide indicate that the tolerance is not safe, this temporary exemption from the requirement of a tolerance may be revoked at any time.

[71 FR 40431, July 17, 2006]

EFFECTIVE DATE NOTE: At 72 FR 20434, Apr. 25, 2007, §174.453 was redesignated as §174.502 and revised, effective July 24, 2007. For the convenience of the user, the revised text is set forth as follows:

### **§ 174.502 *Bacillus thuringiensis* Cry1A.105 protein in corn; temporary exemption from the requirement of a tolerance.**

Residues of *Bacillus thuringiensis* Cry1A.105 protein in corn are exempt from the requirement of a tolerance when used as plant-incorporated protectant in the food and feed commodities of corn; corn, field; corn, sweet; and corn, pop. This temporary exemption from the requirement of a tolerance will permit the use of the food commodities in this paragraph when treated in accordance with the provisions of the experimental use permit 524-EUP-97 which is being issued under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (7 U.S.C. 136). This temporary exemption from the requirement of a tolerance expires and is revoked June 30, 2009; however, if the experimental use permit is revoked, or if any experience with or scientific data on this pesticide indicate that the tolerance is not safe, this temporary exemption from the requirement of a tolerance may be revoked at any time.

### **§ 174.454 *Bacillus thuringiensis* Cry2Ab2 protein and the genetic material necessary for its production in corn.**

*Bacillus thuringiensis* Cry2Ab2 protein and the genetic material necessary for its production in corn is exempt from the requirement of a tolerance when used as plant-incorporated protectant in the food and feed commodities of field corn, sweet corn and popcorn. Genetic material necessary for its production means the genetic material which comprise genetic material encoding the Cry2Ab2 protein and its regulatory regions. Regulatory regions are the genetic material, such as promoters, terminators, and enhancers, that control the expression of the genetic material encoding the Cry2Ab2 protein. This temporary exemption from the requirement of a tolerance will permit the use

§ 174.455

of the food commodities in this paragraph when treated in accordance with the provisions of the experimental use permit 524-EUP-97 which is being issued under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (7 U.S.C. 136). This temporary exemption from the requirement of a tolerance expires and is revoked June 30, 2009; however, if the experimental use permit is revoked, or if any experience with or scientific data on this pesticide indicate that the tolerance is not safe, this temporary exemption from the requirement of a tolerance may be revoked at any time.

[71 FR 40436, July 17, 2006]

EFFECTIVE DATE NOTE: At 72 FR 20434, Apr. 25, 2007, §174.454 was redesignated as §174.503 and revised, effective July 24, 2007. For the convenience of the user, the revised text is set forth as follows:

**§ 174.503 *Bacillus thuringiensis* Cry2Ab2 protein in corn; temporary exemption from the requirement of a tolerance.**

Residues of *Bacillus thuringiensis* Cry2Ab2 protein in corn are exempt from the requirement of a tolerance when used as plant-incorporated protectant in the food and feed commodities of corn; corn, field; corn, sweet; and corn, pop. This temporary exemption from the requirement of a tolerance will permit the use of the food commodities in this paragraph when treated in accordance with the provisions of the experimental use permit 524-EUP-97 which is being issued under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (7 U.S.C. 136). This temporary exemption from the requirement of a tolerance expires and is revoked June 30, 2009; however, if the experimental use permit is revoked, or if any experience with or scientific data on this pesticide indicate that the tolerance is not safe, this temporary exemption from the requirement of a tolerance may be revoked at any time.

**§ 174.455 *Bacillus thuringiensis* Cry1F protein and the genetic material necessary for its production in cotton; exemption from the requirement of a tolerance.**

*Bacillus thuringiensis* Cry1F protein and the genetic material necessary for its production in cotton are exempt from the requirement of a tolerance when used as a plant-incorporated protectant in food and feed commodities of cotton. "Genetic material necessary for its production" means the genetic

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

material which comprise: Genetic material encoding the Cry1F protein and its regulatory regions. "Regulatory regions" are the genetic material, such as promoters, terminators, and enhancers, that control the expression of the genetic material encoding the Cry1F protein.

[69 FR 58284, Sept. 30, 2004]

EFFECTIVE DATE NOTE: At 72 FR 20434, Apr. 25, 2007, §174.455 was redesignated as §174.504 and revised, effective July 24, 2007. For the convenience of the user, the revised text is set forth as follows:

**§ 174.504 *Bacillus thuringiensis* Cry1F protein in cotton; exemption from the requirement of a tolerance.**

Residues of *Bacillus thuringiensis* Cry1F protein in cotton are exempt from the requirement of a tolerance when used as a plant-incorporated protectant in food and feed commodities of cotton.

**§ 174.456 *Bacillus thuringiensis* modified Cry3A protein (mCry3A) and the genetic material necessary for its production in corn.**

*Bacillus thuringiensis* modified Cry3A protein (mCry3A) and the genetic material necessary for its production in corn is exempt from the requirement of a tolerance when used as plant-incorporated protectant in the food and feed commodities of field corn, sweet corn and popcorn. Genetic material necessary for its production means the genetic material which comprise genetic material encoding the mCry3A protein and its regulatory regions. Regulatory regions are the genetic material, such as promoters, terminators, and enhancers, that control the expression of the genetic material encoding the mCry3A protein.

[71 FR 64132, Nov. 1, 2006]

EFFECTIVE DATE NOTE: At 72 FR 20434, Apr. 25, 2007, §174.456 was redesignated as §174.505 and revised, effective July 24, 2007. For the convenience of the user, the revised text is set forth as follows:

**§ 174.505 *Bacillus thuringiensis* modified Cry3A protein (mCry3A) in corn; exemption from the requirement of a tolerance.**

Residues of *Bacillus thuringiensis* modified Cry3A protein (mCry3A) in corn are exempt from the requirement of a tolerance when used as plant-incorporated protectant in the food and feed commodities of corn; corn, field; corn, sweet; and corn, pop.