

- (iii) An ingredient in the end-use formulation other than the active ingredient is expected to enhance the toxicity of the active ingredient or to cause toxicity to aquatic organisms.
- (8) Required if significant concentrations of the active ingredient and/or its principal degradation products are likely to occur in aquatic environments and may accumulate in aquatic organisms.

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§ 158.540 Plant protection data requirements.

(a) *Table.* Sections 158.50 and 158.100 through 158.102 describe how to use this table to determine the plant protection data requirements and the substance to be tested.

Kind of data required	(b) Notes	General use patterns										Test substance		Guide-lines reference No.			
		Terrestrial		Aquatic		Greenhouse		Forestry	Domestic outdoor	Indoor	Data to support MP	Data to support EP					
		Food crop	Nonfood	Food crop	Nonfood	Food crop	Nonfood										
Target area phytotoxicity ..	(1)	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	121-1	
Non-target area phytotoxicity.		.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Tier I:		.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Seed germination/seedling emergence.	(2)	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	122-1
Vegetative vigor	(2)	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	122-1
Aquatic plant growth	(2)	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	122-2
Tier II:		.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Seed germination/seedling emergence.	(3)	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	123-1
Vegetative vigor	(3)	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	123-1
Aquatic plant growth	(4)	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	123-2
Tier III:		.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Terrestrial field	(3)	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	124-1
Aquatic field	(4)	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	124-2

Key: CR=Conditionally required; TGA=Technical grade of the active ingredient; EP=End-use product; TEP=Typical end-use product.

(b) NOTES: The following notes are referenced in column two of the table contained in paragraph (a) of this section.

- (1) Data are required for Special Review and certain public health situations.
- (2) Data are required for pesticides to be used in forests and natural grasslands. For herbicide used in forest site preparation; the aquatic plant growth tests will be required. Data are required to support products to be used in other locations when any of the following conditions are met:
 - (i) Phytotoxicity problems concerning the product arise and open literature data are not available to address the problems.
 - (ii) The product may pose hazards to endangered or threatened species.
 - (iii) Special Review has been initiated on the product.
- (3) Required if a 25 percent or greater detrimental effect was found in 1 or more plant species in the corresponding test of the previous tier.
- (4) Required if a 50 percent or greater detrimental effect was found on any plant species in the corresponding test of the previous tier.

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