

WORLD TRADE ORGANIZATION

G/SPS/N/USA/1188

4 January 2006

(06-0017)

Committee on Sanitary and Phytosanitary Measures

Original: English

NOTIFICATION

1. Member to Agreement notifying: <u>UNITED STATES</u> If applicable, name of local government involved:
2. Agency responsible: Environmental Protection Agency (EPA)
3. Products covered (provide tariff item number(s) as specified in national schedules deposited with the WTO; ICS numbers should be provided in addition, where applicable): Wheat (grain, straw, forage, and hay) and barley (grain, hay, and straw)
4. Regions or countries likely to be affected, to the extent relevant or practicable: Any US trade partners
5. Title, language and number of pages of the notified document: FINAL RULE. Acetic acid, [(5-chloro-8-quinolinyloxy)-, 1-methylhexyl ester (Cloquintocet-mexyl); Pesticide Tolerance (Available in English, 9 pages)
6. Description of content: EPA has reviewed the data and information submitted by the petitioner in support of the establishment of tolerances for the combined residues of cloquintocet-mexyl and its acid metabolite (5-chloro-8-quinolinoxycetic acid) in or on wheat (grain, straw, forage, and hay) and barley (grain, hay, and straw) as required in the Federal Register of 22 June 2000 (65 FR 38757 ; FRL-6592-4). The residue data show that residues are not expected to exceed 0.01 ppm in barley grain (LOQ) and 0.05 ppm in barley hay and straw. The Agency will establish permanent tolerances for the combined residues of cloquintocet-mexyl (acetic acid, [(5-chloro-8-quinolinyloxy)-, 1-methylhexyl ester)(CAS Reg. No. 99607-70-2) and its acid metabolite (5-chloro-8-quinolinoxycetic acid), in/on barley (straw, hay and grain) at 0.1 ppm. The available data indicate that no revisions to the current tolerance levels of 0.1 ppm on wheat, forage and wheat, hay are needed. EPA does not agree that grounds exist to increase the tolerance expressions for wheat forage and hay because residues of cloquintocet-mexyl will not exceed 0.1 ppm. EPA established tolerances for the combined residues of pinoxaden in or on barley and wheat in the Federal Register on July 27, 2005 (70 FR 43313) (FRL-7725-5). Therefore, EPA is granting the petition to allow the use of the safener cloquintocet-mexyl with pinoxaden in a 1:4 ratio of safener to active ingredient in or on wheat (grain, straw, forage, and hay) and barley (grain, hay, and straw).
7. Objective and rationale: <input checked="" type="checkbox"/> food safety, <input type="checkbox"/> animal health, <input checked="" type="checkbox"/> plant protection, <input checked="" type="checkbox"/> protect humans from animal/plant pest or disease, <input type="checkbox"/> protect territory from other damage from pests

8.	<p>International standard, guideline or recommendation: <input type="checkbox"/> Codex Alimentarius Commission, <input type="checkbox"/> World Organization for Animal Health (OIE), <input type="checkbox"/> International Plant Protection Convention, <input type="checkbox"/> None</p> <p>If an international standard, guideline or recommendation exists, give the appropriate reference and briefly identify deviations: There are no Codex tolerances established for cloquintocet mexyl. Australia has established maximum residue limits (MRLs) for cloquintocet-mexyl on wheat and barley at 0.1 ppm.</p>
9.	<p>Relevant documents and language(s) in which these are available: Federal Register: 16 December 2005 (Volume 70, Number 241), Pages 74679-74688, http://www.epa.gov/fedrgstr/EPA-PEST/2005/December/Day-16/p24097.htm (Available in English)</p>
10.	<p>Proposed date of adoption: TBA</p>
11.	<p>Proposed date of entry into force: TBA</p>
12.	<p>Final date for comments: This final rule is effective 16 December 2005. Objections and requests for hearings must be received on or before 14 February 2006.</p> <p>Agency or authority designated to handle comments: <input type="checkbox"/> National notification authority, <input checked="" type="checkbox"/> National enquiry point, or address, fax number and E-mail address (if available) of other body: Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001</p>
13.	<p>Texts available from: <input checked="" type="checkbox"/> National notification authority, <input type="checkbox"/> National enquiry point, or address, fax number and E-mail address (if available) of other body:</p> <p>Ms. Lashonda McLeod, United States SPS National Notification Authority, USDA Foreign Agricultural Service, Food Safety & Technical Services Division, Stop 1027, Washington, DC 20250. Tel: 202-720-5683; Fax 202-690-0677; Email fstsd@usda.gov</p>