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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

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OFFICE OF
PESTICIDES AND TOXIC SUBSTANCES

MEMORANDUM

SUBJECT: PP#7E3467 (RCB #2130). Benomyl in or on Pistachios.
Amendment dated 3/13/87.

FROM: Nancy Dodd, Chemist *Nancy Dodd*
Tolerance Petition Section II
Residue Chemistry Branch
Hazard Evaluation Division (TS-769C)

THRU: J. Onley, Ph.D, Section Head *J. Onley*
Tolerance Petition Section II
Residue Chemistry Branch
Hazard Evaluation Division (TS-769C)

TO: Hoyt Jamerson, PM #43
Registration Support and Emergency Response Branch
Registration Division (TS-767C)

and

Toxicology Branch
Hazard Evaluation Division (TS-769C)

The petitioner, IR-4, on behalf of the IR-4 National Director, Dr. R.H. Kupelian, and the Agricultural Experiment Station of California submits an amendment to PP#7E3467 concerning the proposed establishment of a tolerance for residues of the fungicide benomyl [methyl 1-(butylcarbamoyl)-2-benzimidazolecarbamate] and its metabolites containing the benzimidazole moiety (calculated as benomyl) in or on the raw agricultural commodity pistachio at 0.2 ppm. A letter dated 3/13/87 and a revised Section B/label are submitted in response to a deficiency cited in RCB's review of PP#7E3467 dated 3/5/87.

The deficiency listed in the 3/5/87 review is outlined below followed by the petitioner's response and RCB's discussions/conclusions.

RCB's Deficiency #3b from the 3/5/87 review

3b. Since the chemical is applied at bloom, RCB concludes that the petitioner should submit a revised Section B deleting reference to a 21-day PHI.

Petitioner's Response to Deficiency #3b

The petitioner has submitted a revised Section B/label which deletes the sentence "Do not harvest within 21 days of application."

RCB's Conclusion re: Deficiency #3b

Deficiency #3b is resolved by submission of the revised Section B/label.

Other Considerations

An International Residue Limit Status sheet was attached to the review of PP#7E3467 dated 3/5/87 (J. Mayes). There is no Codex tolerance or proposal above step 6 for residues of benomyl on nuts. There are no Canadian or Mexican tolerances for benomyl on pistachio nuts. Therefore, no compatibility questions exist with respect to Codex.

Recommendation

If TOX and EAB considerations permit, RCB recommends for establishment of the proposed tolerance for residues of the fungicide benomyl [methyl 1-(butylcarbamoyl)-2-benzimidazolecarbamate] and its metabolites containing the benzimidazole moiety (calculated as benomyl) in or on the raw agricultural commodity pistachio at 0.2 ppm for use in the state of CA only.

If the proposed use is restricted to pistachios grown in CA only, any future tolerance for benomyl on pistachios should be included in a separate subsection under 40 CFR 180.294 to avoid confusion regarding future 24(c) registrations and crop-grouping eligibility. The "tolerances with regional registration" would be referenced along with future regional registration tolerances in a new subsection (n) under 40 CFR 180.1 which would define the Agency's interpretation of "tolerances with regional registration." An appropriate interpretation for 40 CFR 180.1, subsection "n", would be:

Certain tolerances are based on geographically limited residue data. These "tolerances with regional registration" are included in separate subsections under 40 CFR 180.101 through 180.999. In order to expand the area of usage on these crops, additional residue data generated in these areas will be required. Persons seeking geographically broader registration on these crops should contact the appropriate EPA product manager concerning whether additional residue data are required.

cc: Circu, EAB, EEB, FDA, Reviewer-N.Dodd, TOX, RF, PM#43,
PP#7E3467, PMSD/ISB-Eldredge, F. Boyd (RCB)
RDI:J.H. Onley:4/16/87:R.D.Schmitt:4/16/87
TS-769:RCB:CM#2:RM810:557-1681:N.Dodd:nd:4/17/87