

included in the public docket and EPA's electronic public docket without prior notice. If you have any questions about CBI or the procedures for claiming CBI, please consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

#### *E. What Should I Consider as I Prepare My Comments for EPA?*

You may find the following suggestions helpful for preparing your comments:

1. Explain your views as clearly as possible.
2. Describe any assumptions that you used.
3. Provide copies of any technical information and/or data you used that support your views.
4. If you estimate potential burden or costs, explain how you arrived at the estimate that you provide.
5. Provide specific examples to illustrate your concerns.
6. Make sure to submit your comments by the deadline in this notice.
7. To ensure proper receipt by EPA, be sure to identify the docket ID number assigned to this action in the subject line on the first page of your response. You may also provide the name, date, and **Federal Register** citation.

#### **II. What Action is the Agency Taking?**

EPA has received a pesticide petition as follows proposing the establishment and/or amendment of regulations for residues of a certain pesticide chemical in or on various food commodities under section 408 of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a. EPA has determined that this petition contains data or information regarding the elements set forth in FFDCA section 408(d)(2); however, EPA has not fully evaluated the sufficiency of the submitted data at this time or whether the data support granting of the petition. Additional data may be needed before EPA rules on the petition.

#### **List of Subjects**

Environmental protection, Agricultural commodities, Feed additives, Food additives, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: March 13, 2003.

**Debra Edwards,**

*Acting Director, Registration Division, Office of Pesticide Programs.*

#### **Summaries of Petitions**

The petitioner summaries of the pesticide petitions are printed below as required by FFDCA section 408(d)(3). The summaries of the petitions were

prepared by the petitioners and represent the views of the petitioners. The petition summary announces the availability of a description of the analytical methods available to EPA for the detection and measurement of the pesticide chemical residues or an explanation of why no such method is needed.

#### **Interregional Research Project Number 4 (IR-4)**

*PP 3E6527, 3E6528, and 3E6533*

EPA has received pesticide petitions 3E6527, 3E6528, and 3E6533 from the Interregional Research Project Number 4 (IR-4), 681 U.S. Highway #1 South, North Brunswick, NJ 08902-3390 proposing, pursuant to section 408(d) of the FFDCA, 21 U.S.C. 346a(d), to amend 40 CFR part 180 by establishing tolerances for residues of methoxyfenozide in or on the raw agricultural commodities (RAC): Vegetable, cucurbit, group 9 at 0.3 parts per million (ppm) (3E6527), pea, blackeyed, seed and pea, southern, seed at 4.0 ppm (3E6528), okra at 2.0 ppm (3E6533), and turnip, greens at 30 ppm (3E6533). EPA has determined that the petitions contain data or information regarding the elements set forth in section (408)(d)(2) of the FFDCA; however, EPA has not fully evaluated the sufficiency of the submitted data at this time or whether the data support granting of the petitions. Additional data may be needed before EPA rules on the petitions. This notice includes a summary of the petitions prepared by Rohm and Haas Company, 100 Independence Mall West, Philadelphia, PA 19106-2399.

#### *A. Residue Chemistry*

1. *Plant metabolism.* The qualitative nature of methoxyfenozide residues in plants and animals is adequately understood and was previously published in the **Federal Register** of July 5, 2000 (65 FR 41355) (FRL-6497-5).

2. *Analytical method.* Adequate enforcement methods are available for determination of methoxyfenozide residues in plant commodities. The available Analytical Enforcement Methodology was previously reviewed in the **Federal Register** of (September 20, 2002 67 FR 59193).

3. *Magnitude of residues.* Complete residue data for methoxyfenozide on okra; turnip greens; cucurbit vegetables; pea, blackeyed; and pea, southern have been submitted. The requested tolerances are adequately supported.

#### *B. Toxicological profile*

The toxicological profile and endpoints for methoxyfenozide which supports this petition to establish tolerances were previously published in the **Federal Register** of September 20, 2002 (67 FR 59193) (FRL-7198-5).

#### *C. Aggregate Exposure*

1. *Dietary exposure.* Assessments were conducted to evaluate potential risks due to chronic and acute dietary exposure of the U.S. population subgroups to residues of methoxyfenozide. These analysis cover all registered crops, as well as, uses pending with the Agency, active and proposed section 18 uses, and proposed IR-4 minor uses. There are no registered residential nonfood uses of methoxyfenozide.

i. *Food—*a. *Acute exposure.* No appropriate toxicological endpoint attributable to a single exposure was identified in the available toxicology studies on methoxyfenozide including the acute neurotoxicity study in rats, the developmental toxicity study in rats and the developmental toxicity study in rabbits. Since no acute toxicological endpoints were established, Dow AgroSciences considers acute aggregate risk to be negligible.

b. *Chronic exposure.* Dow AgroSciences assumed 100% of crops would be treated and contain methoxyfenozide residues at the tolerance level. Dow AgroSciences used the Dietary Exposure Evaluation Model (DEEM™, Novigen Sciences, Washington, DC) software for conducting a chronic dietary (food) risk analysis. DEEM™ is a dietary exposure analysis system that is used to estimate exposure to a pesticide chemical in foods comprising the diets of the U.S. population, including population subgroups. DEEM™ contains food consumption data as reported by respondents in the Department of Agriculture (USDA) continuing surveys of food intake by individuals conducted in 1994-1996.

ii. *Drinking water—Acute exposure.* Because no acute dietary endpoint was determined, Dow AgroSciences concludes that there is a reasonable certainty of no harm from acute exposure from drinking water.

ii. *Chronic exposure.* Tier II screening-level assessments can be conducted using the simulation models screening constriction in ground water (SCI-GROW) and EPA's pesticide root zone model/exposure analysis modeling system (PRZM/EXAMS) to generate estimated environmental concentrations (EECs) for ground water and surface