

Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use (66 FR 28355, May 22, 2001). This final rule does not contain any information collections subject to OMB approval under the Paperwork Reduction Act (PRA), 44 U.S.C. 3501 *et seq.*, or impose any enforceable duty or contain any unfunded mandate as described under Title II of the Unfunded Mandates Reform Act of 1995 (UMRA) (Public Law 104-4). Nor does it require any special considerations under Executive Order 12898, entitled *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations* (59 FR 7629, February 16, 1994); or OMB review or any Agency action under Executive Order 13045, entitled *Protection of Children from Environmental Health Risks and Safety Risks* (62 FR 19885, April 23, 1997). This action does not involve any technical standards that would require Agency consideration of voluntary consensus standards pursuant to section 12(d) of the National Technology Transfer and Advancement Act of 1995 (NTTAA), Public Law 104-113, section 12(d) (15 U.S.C. 272 note). Pursuant to section 605(b) of the Regulatory Flexibility Act (RFA) (5 U.S.C. 601 *et seq.*), the Agency hereby certifies that these proposed actions will not have significant negative economic impact on a substantial number of small entities. As noted above, this action will have no substantive or procedural effect on the tolerance exemptions affected. However, by grouping tolerance exemptions that have qualified as minimal risk inerts in one location in the CFR, this action will make it easier for small entities to efficiently use EPA's tolerance regulations. In addition, the Agency has determined that this action will not have a substantial direct effect on States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132, entitled *Federalism* (64 FR 43255, August 10, 1999). Executive Order 13132 requires EPA to develop an accountable process to ensure "meaningful and timely input by State and local officials in the development of regulatory policies that have federalism implications." "Policies that have federalism implications" is defined in the Executive order to include regulations that have "substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and

responsibilities among the various levels of government." This final rule directly regulates growers, food processors, food handlers and food retailers, not States. This action does not alter the relationships or distribution of power and responsibilities established by Congress in the preemption provisions of FFDCA section 408(n)(4). For these same reasons, the Agency has determined that this rule does not have any "tribal implications" as described in Executive Order 13175, entitled *Consultation and Coordination with Indian Tribal Governments* (65 FR 67249, November 6, 2000). Executive Order 13175, requires EPA to develop an accountable process to ensure "meaningful and timely input by tribal officials in the development of regulatory policies that have tribal implications." "Policies that have tribal implications" is defined in the Executive order to include regulations that have "substantial direct effects on one or more Indian tribes, on the relationship between the Federal Government and the Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes." This rule will not have substantial direct effects on tribal governments, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes, as specified in Executive Order 13175. Thus, Executive Order 13175 does not apply to this rule.

IV. Congressional Review Act

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the Agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and the Comptroller General of the United States. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. This rule is not a "major rule" as defined by 5 U.S.C. 804(2).

List of Subjects in 40 CFR Part 180

Environmental protection, administrative practices and procedures, pesticides and pests, reporting and recordkeeping requirements.

Dated: April 8, 2003.

Peter Caulkins,

Acting Director, Registration Division.

■ Therefore, 40 CFR chapter I is amended as follows:

PART 180—[AMENDED]

■ 1. The authority citation for part 180 continues to read as follows:

Authority: 21 U.S.C. 321(q), 346(a) and 371.

§ 180.2 [Amended]

■ 2. In § 180.2, paragraph (a), is amended by removing the terms "citric acid," "fumaric acid," and "sodium chloride."

■ 3. In § 180.950 the table to paragraph (e) is amended by adding alphabetically the following entries.

§ 180.950 Tolerance exemptions for minimal risk active and inert ingredients.

* * * * *

Chemical	CAS No.
Acetic acid, sodium salt ..	127-09-3
Animal glue	None
Carob gum (locust bean gum)	9000-40-2
Castor oil	8001-79-4
Castor oil, hydrogenated	8001-78-3
Cellulose	9004-34-6
Cellulose acetate	9004-35-7
Cellulose, carboxy methyl ether, sodium salt	9004-32-4
Cellulose, 2-hydroxyethyl ether	9004-62-0
Cellulose, 2-hydroxypropyl ether	9004-64-2
Cellulose, 2-hydroxypropyl methyl ether	9004-65-3
Cellulose, methyl ether ...	9004-67-5
Cellulose, mixture with cellulose carboxymethyl ether, sodium salt	51395-75-6
Cellulose, pulp	65996-61-4
Cellulose, regenerated ...	68442-85-3
Citric acid	77-92-9
Citric acid, calcium salt ...	7693-13-2
Citric acid, calcium salt (2:3)	813-94-5
Citric acid, dipotassium salt	3609-96-9
Citric acid, disodium salt	144-33-2
Citric acid, monohydrate	5949-29-1
Citric acid, monopotassium salt	866-83-1
Citric acid, monosodium salt	18996-35-5
Citric acid, potassium salt	7778-49-6
Citric acid, tripotassium salt	866-84-2
Citric acid, tripotassium salt, monohydrate	6100-05-6
Citric acid, sodium salt ...	994-36-5
Citric acid, trisodium salt	68-04-2
Citric acid, trisodium salt, dihydrate	6132-04-3