

the use of special characters and any form of encryption.

2. *By mail.* Send your comments to: Public Information and Records Integrity Branch (PIRIB) (7502C), Office of Pesticide Programs (OPP), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001, Attention: Docket ID Number OPP-2003-0166.

3. *By hand delivery or courier.* Deliver your comments to: Public Information and Records Integrity Branch (PIRIB), Office of Pesticide Programs (OPP), Environmental Protection Agency, Rm. 119, Crystal Mall #2, 1921 Jefferson Davis Hwy., Arlington, VA, Attention: Docket ID Number OPP-2003-0166. Such deliveries are only accepted during the docket's normal hours of operation as identified in Unit I.B.1.

D. How Should I Submit CBI to the Agency?

Do not submit information that you consider to be CBI electronically through EPA's electronic public docket or by e-mail. You may claim information that you submit to EPA as CBI by marking any part or all of that information as CBI (if you submit CBI on disk or CD ROM, mark the outside of the disk or CD ROM as CBI and then identify electronically within the disk or CD ROM the specific information that is CBI). Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

In addition to one complete version of the comment that includes any information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket and EPA's electronic public docket. If you submit the copy that does not contain CBI on disk or CD ROM, mark the outside of the disk or CD ROM clearly that it does not contain CBI. Information not marked as CBI will be 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: June 16, 2003.

Debra Edwards,

Director, Registration Division, Office of Pesticide Programs.

Summary of Petition

The petitioner summary of the pesticide petition is printed below as required by FFDCA section 408(d)(3). The summary of the petition was prepared by the petitioner and represents the view of the petitioner. 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.

Valent U.S.A. Corporation

PP 0F6164

EPA has received a request from Valent U.S.A. Corporation at 1333 North California Boulevard, Suite 600, Walnut Creek, California 94596-8025 pursuant to section 408(d) of FFDCA, 21 U.S.C. 346a(d), to amend 40 CFR part 180 to

establish tolerances for residues of the herbicide chemical flufenpyr-ethyl, ethyl [2-chloro-4-fluoro-5-(5-methyl-6-oxo-4-trifluoromethyl-1,6-dihydropyridazin-1-yl)phenoxy]acetate, in or on the raw agricultural commodities corn, field, grain; soybean, seed; and sugarcane, cane at 0.01 parts per million (ppm) and for the combined residues of the herbicide chemical flufenpyr-ethyl, and its metabolite, S-3153-acid-4-OH, [2-chloro-4-hydroxy-5-(5-methyl-6-oxo-4-trifluoromethyl-1,6-dihydropyridazin-1-yl)phenoxy]acetic acid, free and conjugated, in or on the raw agricultural commodities corn, field, forage and corn, field, stover at 0.05 ppm. EPA has determined that the request contains data or information consistent with 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 request.

A. Residue Chemistry

Plant and animal metabolism studies with ¹⁴C-flufenpyr-ethyl have demonstrated that the residue of concern is adequately understood for the purposes of these tolerances. Practical, validated residue methodology is available to analyze all appropriate matrices for flufenpyr-ethyl residues with an LOQ (limit of quantitation) of 0.01 ppm, and for S-3153-acid-4-OH metabolite with an LOQ of 0.02 ppm, adequate to enforce all proposed tolerances. The potential for residues of flufenpyr-ethyl has been evaluated in field corn grain, forage, and stover; soybeans; sugarcane; feed items; in appropriate processed products; and animals. These studies are adequate to support appropriate tolerances and dietary risk analyses.

1. *Plant metabolism.* Metabolism of flufenpyr-ethyl radiolabeled with ¹⁴C in the phenyl and in the pyridazinyl rings has been studied in corn and soybean plants and in lactating goats, laying hens, and rats. The major metabolic pathway in plants is hydrolysis of the ethyl ester, followed by further metabolism into more polar products by formation of phenolic glycones. At the proposed pre-harvest intervals total radiocarbon residue in grain samples was very low and adequately represented by parent. However, in plant material and forage samples, a conjugated carboxylic acid phenolic metabolite was present, the aglycone of which, S-3153-acid-4-OH, was not detected as an animal metabolite. This metabolite was not detected in any raw