

B. International Residue Limits

Boscalid is a new fungicide. There are currently no pending or established Codex maximum residue limits (MRLs) for boscalid, and no established Canadian or Mexican MRLs either. The US EPA and PMRA/Canada jointly reviewed this subject petition (1F6313), and the forthcoming tolerances were harmonized to the extent possible with respect to the residues of concern and tolerance levels.

C. Conditions

Any conditions of registration will be specified in the Notice of Registration for the technical grade boscalid.

V. Comments

The Agency received the following comment. The Agency's response follows.

Comment. There should be zero tolerance for this chemical on food. We do not need more chemicals added to our food. We already have far too many approved by EPA and FDA. I say if there is anything over zero effect from this toxic, that the toxic should be denied use in the USA.

Response. The one comment received in response to the Notice of Filing contained no scientific data or evidence to rebut the Agency's conclusion that there is a reasonable certainty that no harm will result from aggregate exposure to boscalid, including all anticipated dietary exposure and all other exposures for which there is reliable information. General opposition to pesticides in food is not a sufficient reason to deny a tolerance petition.

VI. Conclusion

Therefore, tolerances are established for residues of boscalid, 3-pyridinecarboxamide, 2-chloro-N-(4'-chloro[1,1'-biphenyl]-2-yl), in or on vegetable, root, subgroup 1A, except sugar beet, garden beet, radish, and turnip at 0.7 ppm; vegetable, tuberous and corm, subgroup 1C at 0.05 ppm; vegetable, bulb, group 3 at 3.0 ppm; lettuce, head at 6.5 ppm; lettuce, leaf at 11.0 ppm; vegetable, Brassica leafy, head and stem, subgroup 5A at 3.0 ppm; vegetable, Brassica leafy, leafy greens, subgroup 5B at 18.0 ppm; vegetable, legume, edible-podded, subgroup 6A, at 1.6 ppm; vegetable, legume, succulent shelled pea and bean, subgroup 6B, except cowpea; at 0.6 ppm; vegetable, legume, dried shell pea and bean (except soybean), subgroup 6C, except cowpea, field pea, and grain lupin at 2.5 ppm; vegetable, fruiting, group 8 at 1.2 ppm; vegetable, cucurbit, group 9, except cucumber at 1.6 ppm; cucumber at 0.20 ppm; fruit, stone, group 12 at 1.7

ppm; berries, group 13 at 3.5 ppm; nut, tree, group 14 at 0.70 ppm; almond, hulls at 3.0 ppm; pistachio at 0.70 ppm; grape at 3.5 ppm; grape, raisin at 8.5 ppm; strawberry at 1.2 ppm; peanut at 0.05 ppm; peanut, meal at 0.15 ppm; peanut, refined oil at 0.15 ppm; canola, seed at 3.5 ppm; canola, refined oil at 5.0 ppm; sunflower, seed at 0.60 ppm; peppermint, tops at 30.0 ppm and spearmint, tops at 30.0 ppm.

Tolerances are established for indirect or inadvertent (crop rotation) residues of boscalid, 3-pyridinecarboxamide, 2-chloro-N-(4'-chloro[1,1'-biphenyl]-2-yl), in or on beet, garden, roots at 1.0 ppm; radish, roots, at 1.0 ppm; turnip, roots at 1.0 ppm; beet, sugar, roots at 1.0 ppm; vegetable, root and tuber, leaves, group 2 at 1.0 ppm; vegetable, leafy, group 4, except lettuce at 1.0 ppm; vegetable, legume, foliage, group 7, forage at 1.5 ppm; vegetable, legume, foliage, group 7, hay at 2.0 ppm; vegetable, legume, foliage, group 7, vines at 0.05 ppm; grain, cereal, group 15 at 0.20 ppm; rice, hulls at 0.50 ppm; grain, cereal, forage, fodder, and straw, group 16, fodder at 1.5 ppm; grain, cereal, forage, fodder, and straw, group 16, forage at 2.0 ppm; grain, cereal, forage, fodder, and straw, group 16, straw at 3.0 ppm; grass, forage, fodder, and hay, group 17, forage at 2.0 ppm; grass, forage, fodder, and hay, group 17, straw at 0.30 ppm; grass, forage, fodder, and hay, group 17, seed screenings at 0.20 ppm; animal feed, nongrass, group 18, forage at 1.0 ppm; animal feed, nongrass, group 18, hay at 2.0 ppm; animal feed, nongrass, group 18, seed at 0.05 ppm; cotton, gin byproducts at 0.30 ppm; soybean, seed, 0.10 ppm; soybean, hulls at 0.20 ppm; cowpea, seed at 0.1 ppm; lupin, grain, grain at 0.1 ppm; pea, field, seed at 0.1 ppm and flax seed at 3.5 ppm.

Tolerances are established for the combined residues of the fungicide 3-pyridinecarboxamide, 2-chloro-N-(4'-chloro[1,1'-biphenyl]-2-yl) and metabolites M510F01 2-chloro-N-(4'-chloro-5-hydroxy-biphenyl-2-yl) nicotinamide and M510F02 glucuronic acid conjugate of M510F01 in or on milk at 0.10 ppm; cattle, meat at 0.10 ppm; cattle, fat at 0.30 ppm; cattle, meat byproducts at 0.35 ppm; egg at 0.02 ppm; poultry, meat at 0.05 ppm; poultry, fat at 0.05 ppm; poultry, meat byproducts at 0.10 ppm; goat, meat at 0.10 ppm; goat, fat at 0.30 ppm; goat, meat byproducts at 0.35 ppm; hog, meat at 0.05 ppm; hog, fat at 0.10 ppm; hog, meat byproducts at 0.10 ppm; horse, meat at 0.10 ppm; horse, fat at 0.30 ppm; horse, meat byproducts at 0.35

ppm; sheep, meat at 0.10 ppm; sheep, fat at 0.30 ppm and sheep, meat byproducts at 0.35 ppm.

VII. Objections and Hearing Requests

Under section 408(g) of the FFDCA, as amended by the FQPA, any person may file an objection to any aspect of this regulation and may also request a hearing on those objections. The EPA procedural regulations which govern the submission of objections and requests for hearings appear in 40 CFR part 178. Although the procedures in those regulations require some modification to reflect the amendments made to the FFDCA by the FQPA, EPA will continue to use those procedures, with appropriate adjustments, until the necessary modifications can be made. The new section 408(g) of the FFDCA provides essentially the same process for persons to "object" to a regulation for an exemption from the requirement of a tolerance issued by EPA under new section 408(d) of FFDCA, as was provided in the old sections 408 and 409 of the FFDCA. However, the period for filing objections is now 60 days, rather than 30 days.

A. What Do I Need to Do to File an Objection or Request a Hearing?

You must file your objection or request a hearing on this regulation in accordance with the instructions provided in this unit and in 40 CFR part 178. To ensure proper receipt by EPA, you must identify docket ID number OPP-2003-0246 in the subject line on the first page of your submission. All requests must be in writing, and must be mailed or delivered to the Hearing Clerk on or before September 29, 2003.

1. *Filing the request.* Your objection must specify the specific provisions in the regulation that you object to, and the grounds for the objections (40 CFR 178.25). If a hearing is requested, the objections must include a statement of the factual issues(s) on which a hearing is requested, the requestor's contentions on such issues, and a summary of any evidence relied upon by the objector (40 CFR 178.27). Information submitted in connection with an objection or hearing request may be claimed confidential by marking any part or all of that information as CBI. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. A copy of the information that does not contain CBI must be submitted for inclusion in the public record. Information not marked confidential may be disclosed publicly by EPA without prior notice.

Mail your written request to: Office of the Hearing Clerk (1900C),