

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.

### IX. 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 to 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 this final rule in the **Federal Register**. This final 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 practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and record keeping requirements.

Dated: July 21, 2003.

**James Jones,**

*Director, Office of Pesticide Programs.*

■ 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.

■ 2. Section 180.589 is added to read as follows:

#### § 180.589 Boscalid; tolerances for residues.

(a) *General.* (1) Tolerances are established for residues of the fungicide boscalid, 3-pyridinecarboxamide, 2-chloro-N-(4'-chloro[1,1'-biphenyl]-2-yl) in or on the following raw agricultural commodities:

Commodity	Parts per million
Almond hulls .....	3.0
Berries, group 13 .....	3.5
Canola, refined oil .....	5.0
Canola, seed .....	3.5
Cucumber .....	0.20
Fruit, stone, group 12 ....	1.7
Grape .....	3.5
Grape, raisin .....	8.5
Lettuce, head .....	6.5

Commodity	Parts per million
Lettuce, leaf .....	11.0
Nut, tree, group 14 .....	0.70
Peanut .....	0.05
Peanut, meal .....	0.15
Peanut, refined oil .....	0.15
Peppermint, tops .....	30.0
Pistachio .....	0.70
Spearmint, tops .....	30.0
Strawberry .....	1.2
Sunflower, seed .....	0.60
Vegetable, Brassica leafy, head and stem, subgroup 5A .....	3.0
Vegetable, Brassica leafy, leafy greens, subgroup 5B .....	18.0
Vegetable, bulb, group 3 .....	3.0
Vegetable, cucurbit, group 9, except cucumber .....	1.6
Vegetable, fruiting, group 8 .....	1.2
Vegetable, legume, dried shell pea and bean (except soybean), subgroup 6C, except cowpea, field pea, and grain lupin .....	2.5
Vegetable, legume, edible podded, subgroup 6A .....	1.6
Vegetable, legume, succulent shelled pea and bean, subgroup 6B, except cowpea .....	0.6
Vegetable, root, subgroup 1A, except sugar beet, garden beet, radish, and turnip .....	0.7
Vegetable, tuberous and corm, subgroup 1C .....	0.05

(2) Tolerances are established for the combined residues of the fungicide boscalid, 3-pyridinecarboxamide, 2-chloro-N-(4'-chloro[1,1'-biphenyl]-2-yl) and metabolites 2-chloro-N-(4'-chloro-5-hydroxy-biphenyl-2-yl)nicotinamide and glucuronic acid conjugate of 2-chloro-N-(4'-chloro-5-hydroxy-biphenyl-2-yl)nicotinamide in or on the following food commodities:

Commodity	Parts per million
Cattle, fat .....	0.30
Cattle, meat .....	0.10
Cattle, meat byproducts .....	0.35
Egg .....	0.02
Goat, fat .....	0.30
Goat, meat .....	0.10
Goat, meat, byproducts ..	0.35
Hog, fat .....	0.10
Hog, meat .....	0.05
Hog, meat byproducts ....	0.10
Horse, fat .....	0.30
Horse, meat .....	0.10
Horse, meat byproducts ..	0.35
Milk .....	0.10
Poultry, fat .....	0.05
Poultry, meat .....	0.05
Poultry, meat, byproduct ..	0.10
Sheep, fat .....	0.30

Commodity	Parts per million
Sheep, meat .....	0.10
Sheep, meat byproducts ..	0.35

(b) *Section 18 emergency exemptions.* [Reserved]

(c) *Tolerances with regional registration.* [Reserved]

(d) *Indirect or inadvertent residues.*

Tolerances are established for residues of the fungicide boscalid, 3-pyridinecarboxamide, 2-chloro-N-(4'-chloro[1,1'-biphenyl]-2-yl) in or on the following raw agricultural commodities when present therein as a result of application of boscalid to the growing crops in paragraph (a)(1) of this section:

Commodity	Parts per million
Animal feed, nongrass, group 18, forage .....	1.0
Animal feed, nongrass, group 18, hay .....	2.0
Animal feed, nongrass, group 18, seed .....	0.05
Beet, garden, roots .....	1.0
Beet, sugar, roots .....	1.0
Cotton, gin byproducts ...	0.30
Cotton, undelinted seed ..	0.05
Cowpea, seed .....	0.1
Flax seed .....	3.5
Grain, cereal, forage, fodder and straw, group 16, fodder .....	1.5
Grain, cereal, forage, fodder and straw, group 16, forage .....	2.0
Grain, cereal, forage, fodder and straw, group 16, straw .....	3.0
Grain, cereal, group 15 ..	0.20
Grass, forage, fodder, and hay, group 17, forage .....	2.0
Grass, forage, fodder, and hay, group 17, hay .....	8.0
Grass, forage, fodder, and hay, group 17, seed screenings .....	0.20
Grass, forage, fodder, and hay, group 17, straw .....	0.30
Lupin, grain, grain .....	0.1
Pea, field, seed .....	0.1
Radish, roots .....	1.0
Rice, hulls .....	0.50
Soybean, hulls .....	0.20
Soybean, seed .....	0.10
Turnip, roots .....	1.0
Vegetable, leafy, group 4, except lettuce .....	1.0
Vegetable, legume, foliage, group 7, forage ...	1.5
Vegetable, legume, foliage, group 7, hay .....	2.0
Vegetable, legume, foliage, group 7, vines ....	0.05
Vegetable, root and tuber, leaves, group 2 ..	1.0

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