

population, and to infants and children from aggregate exposure to thiacloprid residues.

IV. Other Considerations

A. Analytical Enforcement Methodology

The petitioner proposed a high performance liquid chromatography mass spectrometry (HPLC/MS/MS) method for determining thiacloprid, YRC-2894 amide and 4-hydroxy-YRC2894 amide in plants which has been found to be appropriate for use in the enforcement of the plant tolerances associated with this petition. The available radiovalidation and metabolism data supports this method. An adequate Independent Lab Validation (ILV) has been provided for the method and adequate confirmatory ions were also identified in the ILV.

The petitioner has proposed a HPLC/MS/MS method for determining thiacloprid in livestock tissues which has been found to be appropriate for use in the enforcement of the animal tissue tolerances associated with this petition. Existing radiovalidation and metabolism data supports this method as well as does an ILV. Mass spectrometry provides an adequate confirmatory method. This conclusion is based upon the successful use of mass spectrometry as a confirmatory method for thiacloprid in plants, the similarity between the HPLC/MS/MS methods for thiacloprid in plants and animals, and the Agency's familiarity with mass spectrometry in general. As a condition of registration, the registrant will be required to submit a description of the procedures for the use of mass spectrometry for thiacloprid in animals.

Thiacloprid, parent only, has been tested through the FDA PAM I multi-residue protocol. Upon request, the methods will be available prior to the harvest from: Chief, Analytical Chemistry Branch, Environmental Science Center, 701 Mapes Rd., Ft. Meade, MD 20755-5350; telephone number: (410) 305-2905; e-mail address: residuemethods@epa.gov.

B. International Residue Limits

There are no established Codex, Canadian or Mexican maximum residue limits (MRLs) for thiacloprid.

C. Conditions

The following information must be submitted as a condition for product registrations related to these tolerances: The registrant will be required to submit a description of the procedures for the use of mass spectrometry for thiacloprid in animals.

V. Conclusion

Therefore, tolerances are established for combined residues of thiacloprid and metabolites retaining the thiazolidine ring intact, measured and expressed as thiacloprid, *per se*, in or on apple, wet pomace at 0.6 ppm; cattle, sheep, goat, and horse meat at 0.03 ppm; cattle, sheep, goat and horse meat byproducts at 0.05 ppm; cattle, sheep, goat, and horse liver at 0.15 ppm; cattle, sheep, goat, and horse kidney at 0.05 ppm; and cattle sheep, goat, and horse fat at 0.02 ppm; cotton, undelinted seed at 0.02 ppm; cotton, gin byproducts at 11.0 ppm; fruit, pome, group 11 at 0.3 ppm; and milk at 0.03 ppm.

VI. 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-2003-0304 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 November 25, 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), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001. You may also deliver your request to the Office of the Hearing Clerk in Rm.104, Crystal Mall #2, 1921 Jefferson Davis Hwy., Arlington, VA. The Office of the Hearing Clerk is open from 8 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Office of the Hearing Clerk is (703) 603-0061.

2. *Tolerance fee payment.* If you file an objection or request a hearing, you must also pay the fee prescribed by 40 CFR 180.33(i) or request a waiver of that fee pursuant to 40 CFR 180.33(m). You must mail the fee to: EPA Headquarters Accounting Operations Branch, Office of Pesticide Programs, P.O. Box 360277M, Pittsburgh, PA 15251. Please identify the fee submission by labeling it "Tolerance Petition Fees."

EPA is authorized to waive any fee requirement "when in the judgement of the Administrator such a waiver or refund is equitable and not contrary to the purpose of this subsection." For additional information regarding the waiver of these fees, you may contact James Tompkins by phone at (703) 305-5697, by e-mail at tompkins.jim@epa.gov, or by mailing a request for information to Mr. Tompkins at Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001.

If you would like to request a waiver of the tolerance objection fees, you must mail your request for such a waiver to: James Hollins, Information Resources and Services Division (7502C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001.

3. *Copies for the Docket.* In addition to filing an objection or hearing request with the Hearing Clerk as described in Unit VI.A., you should also send a copy of your request to the PIRIB for its inclusion in the official record that is described in Unit I.B.1. Mail your