

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 section 408(n)(4) of the FFDCA. 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.

### 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 recordkeeping  
requirements.

Dated: September 23, 2003.

**Debra Edwards,**

*Director, Registration Division, 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 180.473 is revised to read as  
follows:

#### § 180.473 Glufosinate ammonium; tolerances for residues.

(a) *General.* (1) Tolerances are  
established for residues of the herbicide  
glufosinate ammonium (butanoic acid,  
2-amino-4-(hydroxymethylphosphinyl)-,  
monoammonium salt) and its  
metabolites, 2-acetamido-4-  
methylphosphinico-butanoic acid and  
3-methylphosphinico-propionic acid,  
expressed as 2-amino-4-  
(hydroxymethylphosphinyl)butanoic  
acid equivalents, in or on the following  
food commodities:

Commodity	Parts per million
Almond, hulls .....	0.50
Apple .....	0.05
Banana .....	0.30
Banana, pulp .....	0.20
Bushberry subgroup 13B .....	0.15
Cattle, fat .....	0.40
Cattle, meat .....	0.15
Cattle, meat byproducts .....	6.0
Cotton, gin byproducts ...	15
Cotton, undelinted seed .....	4.0
Egg .....	0.15
Goat, fat .....	0.40
Goat, meat .....	0.15
Goat, meat byproducts ...	6.0
Grape .....	0.05
Hog, fat .....	0.40
Hog, meat .....	0.15
Hog, meat byproducts ....	6.0
Horse, fat .....	0.40
Horse, meat .....	0.15
Horse, meat byproducts .....	6.0
Juneberry .....	0.10
Lingonberry .....	0.10
Milk .....	0.15
Nut, tree, group 14 .....	0.10
Potato .....	0.80
Potato, chips .....	1.60

Commodity	Parts per million
Potato granules and flakes .....	2.00
Poultry, fat .....	0.15
Poultry, meat .....	0.15
Poultry, meat byproducts .....	0.60
Salal .....	0.10
Sheep, fat .....	0.40
Sheep, meat .....	0.15
Sheep, meat byproducts .....	6.0

(2) Tolerances are established for  
residues of the herbicide glufosinate  
ammonium (butanoic acid, 2-amino-4-  
(hydroxymethylphosphinyl)-,  
monoammonium salt) and its  
metabolites, 2-acetamido-4-  
methylphosphinico-butanoic acid and  
3-methylphosphinico-propionic acid,  
expressed as 2-amino-4-  
(hydroxymethylphosphinyl)butanoic  
acid equivalents, in or on the following  
food commodities derived from  
transgenic canola, transgenic cotton,  
transgenic field corn, transgenic rice,  
transgenic soybean and transgenic sugar  
beet that are tolerant to glufosinate  
ammonium:

Commodity	Parts per million
Aspirated grain fractions .....	25.0
Beet, sugar, molasses .....	5.0
Beet, sugar, roots .....	0.9
Beet, sugar, tops (leaves) .....	1.5
Canola, meal .....	1.1
Canola, seed .....	0.4
Corn, field, forage .....	4.0
Corn, field, grain .....	0.2
Corn, field, stover .....	6.0
Cotton, gin byproducts .....	15
Cotton, undelinted seed .....	4.0
Rice, grain .....	1.0
Rice, hull .....	2.0
Rice, straw .....	2.0
Soybean .....	2.0
Soybean, hulls .....	5.0

(b) *Section 18 emergency exemptions.*

[Reserved]

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

(d) *Indirect or inadvertent residues.*

[Reserved]

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 180

[OPP-2003-0218; FRL-7318-2]

### Quinoxifen; Pesticide Tolerance

**AGENCY:** Environmental Protection  
Agency (EPA).

**ACTION:** Final rule.