

(c) One document of name change. If your current legal name is the same as that during the marriage, this section does not apply. Spouses whose current legal name is different than that used when married should submit a document or affidavits to corroborate the name change.

(d) One document of evidence of guardianship. If you are executing this document as the guardian of the spouse, you must submit evidence of your authority. If you are a legally-appointed guardian, submit a certificate executed by the proper official of the court appointment. If you are not such a legally-appointed guardian, submit an affidavit describing your relationship to the spouse and the extent to which you are responsible for the care of the spouse or your position as an officer of the institution in which the spouse is institutionalized.

For the Surviving Children

In addition to documents described in PART C items (1) through (7), above, each surviving child should submit the following:

(10) *One document as evidence of your relationship to your parent* (the deceased person described in PART A, above), as follows:

If A Natural Child

(a) Birth certificate showing that the deceased person was your parent.

(b) If the birth certificate does not show the deceased person as your parent, a certified copy of:

- (i) An acknowledgment in writing signed by the deceased person;
- (ii) A judicial decree ordering the deceased person to contribute to your support;
- (iii) The public record of birth or a religious record showing that the deceased person was named as your parent;
- (iv) Affidavit of a person who knows that the deceased person accepted you as his child; or
- (v) Public records, such as records of school or welfare agencies, which show that with the deceased person's knowledge, the deceased individual was named as your parent.

If An Adopted Child

An adopted child must submit a certified copy of the decree of adoption.

If A Step-Child

Submit all three of the following documents as evidence of the step-child relationship:

(a) One document as evidence of birth to the spouse of the deceased person, or other evidence that reasonably supports the existence of a parent-child relationship between you and the spouse of the deceased person;

(b) One document as evidence that you were either living with or in a parent-child relationship with the deceased person at the time of his death; and

(c) One document as evidence of the marriage of the deceased person and the spouse, such as a certified copy of the record of marriage, or an abstract of the public records containing sufficient information to identify the parties and the date and place of marriage issued by the officer having custody

of the record, or a certified copy of a religious record of marriage.

(11) *In addition, submit the following documents about yourself:*

(a) Identification. A document with your current legal name and address plus two or more sworn affidavits from individuals having personal knowledge of your identify (these should be submitted in addition to the document with current name and address).

(b) One document of date of birth. A Birth certificate, or if unavailable, other proof of birth (e.g., passport).

(c) One document of name change. If your current legal name is the same as that shown on documents attesting to your birth, this section does not apply. Persons whose current legal name is different than that used on such documents should submit a document or affidavit to corroborate the name change.

(d) One document of evidence of guardianship. If you are executing this document as the guardian of the person identified as a surviving child of a deceased person, you must submit evidence of your authority. If you are a legally-appointed guardian, submit a certificate executed by the proper official of the court appointment. If you are not such a legally-appointed guardian, submit an affidavit describing your relationship to the child and the extent to which you are responsible for the care of the child, or your position as an officer of the institution in which the child is institutionalized.

Read the following statement carefully before signing this document. A false statement may be grounds for punishment by fine or imprisonment or both.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Signature

Date

Name (Print or Type)

Dated: July 21, 1997.

Patricia L. Toppings,

Alternate OSD Federal Register, Liaison Officer Department of Defense.

[FR Doc. 97-19565 Filed 7-24-97; 8:45 am]

BILLING CODE 5000-04-M

POSTAL SERVICE

39 CFR Part 111

Changes in Preferred Postage Rates—Periodicals and Standard Mail (A)

AGENCY: Postal Service.

ACTION: Postage rate changes.

SUMMARY: Public Law 103-123 authorizes annual changes in the reduced rates formerly financed by appropriations for revenue forgone. This action implements these changes for FY 1998.

EFFECTIVE DATE: The changes pertaining to postage rates will be implemented effective 12:01 a.m., Sunday, October 5, 1997.

FOR FURTHER INFORMATION CONTACT: Patricia Bennett, (202) 268-6350 or Thomas DeVaughan, (202) 268-4491.

SUPPLEMENTARY INFORMATION: Under 39 U.S.C. 3626(a) and 3642, the Postal Service is authorized to make annual adjustments in the Periodicals Preferred In-County per piece rates, the nonadvertising pound rates and per piece rates for Preferred Nonprofit publications, the nonadvertising pound rates and the per piece rates for Preferred Classroom publications; and postal rates for Nonprofit Standard Mail, Nonprofit Enhanced Carrier Route Standard Mail, and Library Mail. These adjustments are necessary to phase up the institutional-costs contribution of this mail to the levels required by law by FY 1999.

The rates for Periodicals Science-of-Agriculture publications zones 1 and 2 will remain the same at 75 percent of the rates charged on advertising in regular-rate publications, as specified by law. These rates will not change until regular Periodicals advertising rates change through a general rate case.

On June 2, 1997, the Board of Governors of the Postal Service, pursuant to its authority under 39 U.S.C. 3625(f), determined to implement the permanent rate changes for Classroom Periodicals approved by the Governors effective at 12:01 a.m. on October 5, 1997 (Resolution No. 97-9). The Board also determined in Resolution No. 97-9 to exercise its authority under 39 U.S.C. 3642 to establish temporary phased rates for Classroom Periodicals for FY 1998 at Step 5 of phasing schedule attached to the Resolution. The Step 5 rates for Classroom Periodicals will be implemented on October 5, 1997. Due to rounding adjustments, there are no changes to Library Mail rates.

Under both the new permanent and temporary rate schedules for Classroom Periodicals, no discount will be available for ZIP+4 letter mail. In this respect, Classroom will join the other preferred subclasses of Periodicals, for which the ZIP+4 letter discount category was eliminated in the earlier portions of Docket No. MC96-2. In the past, only a minute portion of Classroom mail has qualified for the ZIP+4 letter discount.

All references to Domestic Mail Manual (DMM) are based on DMM Issue 52 (July 1, 1997).

List of Subjects in 39 CFR Part 111

Postal Service.

For the reasons discussed above, the Postal Service hereby adopts the following amendments to the Domestic Mail Manual, which is incorporated by reference in the Code of Federal Regulations (see 39 CFR Part 111).

PART 111—[AMENDED]

1. The authority citation for 39 CFR part 111 continues to read as follows:

Authority: 5 U.S.C. 552(a); 39 U.S.C. 101, 401, 403, 404, 3001–3011, 3201–3219, 3403–3406, 3621, 3626, 5001.

2. Revise the following sections of the Domestic Mail Manual as set forth below:

Domestic Mail Manual (DMM)

C CHARACTERISTICS AND CONTENT

C800 Automation-Compatible Mail

C810 Letters and Cards

* * * * *

2.0 DIMENSIONS

* * * * *

2.3 Maximum Weight

[Amend 2.3a and 2.3f to read as follows:]

Maximum weight limits are as follows:

a. 2.5 ounces: upgradable Presorted First-Class Mail and upgradable nonautomation Standard Mail.

* * * * *

f. 3.3362 ounces: automation First-Class Mail, automation Periodicals, and automation Nonprofit Standard Mail heavy letters, subject to 7.5.

* * * * *

C840 Barcoding Standards

* * * * *

2.0 BARCODE LOCATION—LETTER-SIZE PIECE

2.1 Barcode Clear Zone

[Amend the first sentence of 2.1 by removing “each piece of ZIP+4 Classroom Periodicals” to read as follows:]

Each letter-size piece in an automation rate mailing and each piece of upgradable Presorted First-Class Mail or upgradable Standard Mail (A) must have a barcode clear zone unless the piece bears a DPBC in the address block. * * *

* * * * *

E ELIGIBILITY

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E200 Periodicals

* * * * *

E240 Automation Rates

1.0 BASIC STANDARDS

1.1 All Pieces

[Amend the introductory sentence to read as follows:]

All pieces in an automation Periodicals mailing must:

* * * * *

[Revise the heading of 2.0 to read as follows:]

2.0 RATE APPLICATION

[Revise the heading of 2.1 to read as follows:]

2.1 Letters—Other Than Classroom Periodicals

[Amend 2.1b and 2.1d to read as follows:]

Automation rates apply to each letter-size piece that is sorted under M810 into the corresponding qualifying groups:

* * * * *

b. Groups of 150 or more pieces in 5-digit, 5-digit scheme, or unique 3-digit trays (and all pieces in one less-than-full overflow tray) qualify for the 3/5 automation Regular, or Nonprofit rate, as applicable.

* * * * *

d. Pieces for a unique 3-digit destination that is part of a 3-digit scheme group in L003 qualify for the 3-digit automation In-County rate or the 3/5 automation Regular, or Nonprofit rate, as applicable, when placed in a 3-digit scheme tray if grouped separately from pieces for other 3-digit areas.

[Redesignate current 2.2 as 2.3; redesignate and rename current 3.2 as 2.2; and amend redesignated 2.2 to read as follows:]

2.2 Letters—Classroom Periodicals

Automation rates apply to each letter-size piece that is sorted under M810 into the corresponding qualifying groups:

a. Groups of 150 or more pieces in 5-digit or 5-digit scheme trays (and all pieces in one less-than-full overflow tray) qualify for the 5-digit automation rate.

b. Groups of 150 or more pieces in unique 3-digit trays (and all pieces in one less-than-full overflow tray) qualify for the 3-digit automation rate.

c. Pieces for a unique 3-digit destination that is part of a 3-digit scheme group in L003 qualify for the 3-digit automation rate when placed in a 3-digit scheme tray if grouped separately from pieces for other 3-digit areas.

d. Groups of fewer than 150 pieces in origin/entry 3-digit/scheme trays and

groups of 150 or more pieces in other 3-digit, 3-digit scheme, or AADC trays and all pieces in mixed AADC trays qualify for the basic automation rate.

[Delete current 3.0.]

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E600 Standard Mail

E610 Basic Standards

* * * * *

E612 Additional Standards for Standard Mail (A)

* * * * *

4.0 BULK RATES

* * * * *

4.2 Minimum Per Piece Rates

[Amend 4.2 by revising the first sentence to read as follows:]

The minimum per piece rates (i.e., the minimum postage that must be paid for each piece) apply to Enhanced Carrier Route rate pieces weighing no more than 0.2066 pound rounded (3.3062 ounces rounded); Regular nonautomation and automation rate pieces weighing no more than 0.2068 pound rounded (3.3087 ounces rounded); Nonprofit Enhanced Carrier Route rate pieces weighing no more than 0.2084 pound rounded (3.3348 ounces rounded); and Nonprofit nonautomation and automation rate pieces weighing no more than 0.2085 pound rounded (3.3362 ounces rounded.) * * *

* * * * *

M MAIL PREPARATION AND SORTATION

* * * * *

M000 General Preparation Standards

M010 Mailpieces

M011 Basic Standards

1.0 TERMS AND CONDITIONS

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1.3 Preparation Instructions

[Amend 1.3g and 1.3h by removing the last sentence of each: “Scheme sortation is not available for ZIP+4 Classroom Periodicals.”; no other change to text.]

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M012 Markings and Endorsements

* * * * *

4.5 OCR Read Area

[Amend 4.5 to read as follows:]

Any printing (including an endorsement or return address) on upgradable letter-size First-Class Mail or Standard Mail (A) must not interfere

with the delivery address lines within the OCR read area defined in C830.

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M032 Barcoded Labels

* * * * *

1.0 BASIC STANDARDS—TRAY AND SACK LABELS

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1.3 Content Line (Line 2)

[Amend Exhibit 1.3a by removing the following two content identifier numbers (CINs) from the exhibit:]

* * * * *

PER Letters—ZIP+4

Presort

(Classroom publications only)

All tray levels—349 PER LTRS UPR

* * * * *

NEWS Letters—ZIP+4 Presort

(Classroom publications only)

All tray levels—449 NEWS LTRS UPR

* * * * *

M800 All Automation Mail

M810 Letter-Size Mail

1.0 BASIC STANDARDS

* * * * *

1.2 Mailings

[Amend 1.2 by removing the last sentence to read as follows:]

All pieces in a mailing must meet the standards in C810 and must be sorted together to the finest extent required. A single automation rate mailing may include pieces prepared at 5-digit, 3-digit, 3/5, and basic automation rates, as applicable; all may be reported on the same postage statement and documentation. The definitions of a mailing and permissible combinations are in M011.

* * * * *

3.0 PERIODICALS

3.1 Tray Preparation

[Amend 3.1a and 3.1b to read as follows:]

Tray size, preparation sequence, and Line 1 labeling:

a. 5-digit/scheme: 5-digit trays required (150-piece minimum), 5-digit scheme trays optional (150-piece minimum); overflow trays allowed; for Line 1, for required 5-digit trays use 5-digit ZIP Code destination of pieces, preceded for military mail by the prefixes under M031; for Line 1, for optional 5-digit scheme trays, use destination shown in the current City State File.

b. 3-digit/scheme: required (150-piece minimum except no minimum for required origin/optional entry 3-digit(s)/

scheme); overflow allowed; for Line 1, use L002, Column B.

* * * * *

P POSTAGE AND PAYMENT METHODS

P000 Basic Information

P010 General Standards

* * * * *

P013 Rate Application and Computation

* * * * *

4.0 RATE APPLICATION—STANDARD MAIL (A)

* * * * *

4.3 Bulk Rates

[Amend 4.3 to read as follows:]

Bulk rates are based on the weight of the pieces and are applied differently to pieces weighing less than or equal to a "breakpoint" (rounded to four decimal places) and those weighing more, as follows:

a. The appropriate minimum per piece rate applies to pieces weighing 0.2066 pound (3.3062 ounces) or less (Enhanced Carrier Route rates), 0.2068 pound (3.3087 ounces) or less (Regular rates), 0.2084 pound (3.3348 ounces) or less (Nonprofit Enhanced Carrier Route rates), or 0.2085 pound (3.3362 ounces) or less (Nonprofit rates).

b. A rate determined by adding the appropriate fixed per piece charge and the corresponding variable per pound charge (based on the weight of the piece) applies to pieces weighing more than 0.2066 pound (3.3062 ounces) (Enhanced Carrier Route rates), 0.2068 pound (3.3087 ounces) (Regular rates), 0.2084 pound (3.3348 ounces) (Nonprofit Enhanced Carrier Route rates), or 0.2085 pound (3.3362 ounces) (Nonprofit rates).

* * * * *

R RATES AND FEES

* * * * *

R100 First-Class Mail

* * * * *

[Amend footnote 3 of "Summary of First-Class Rates" chart to read as follows:]

³ Weight not to exceed 3.3362 ounces; pieces over 3 ounces subject to additional standards.

* * * * *

R200 Periodicals

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2.0 PREFERRED—IN-COUNTY

* * * * *

2.2 Piece Rates

[Revise 2.2 to read as follows:]

Per addressed piece:

Presort level	Non-automation	Automation ¹	
		Letter-size	Flat-size
Basic	\$0.082	\$0.082	\$0.082
3/5			0.067
3-Digit		0.078	
5-Digit		0.065	
Carrier Route	0.044		
High Density	0.039		
Saturation	0.037		

¹ Lower maximum weight limits apply: letter-size at 3 ounces (or 3.3362 ounces for heavy letters); flat-size at 16 ounces.

* * * * *

3.0 PREFERRED—NONPROFIT

3.1 Pound Rates

[Amend 3.1a to read as follows:]

Per pound or fraction:

a. For the nonadvertising portion:

\$0.142

* * * * *

3.2 Piece Rates

[Revise 3.2 to read as follows:]

Per addressed piece:

Presort level	Non-automation	Automation ¹	
		Letter-size	Flat-size
Basic	\$0.217	\$0.187	\$0.193
3/5	0.172		0.148
3-Digit		0.149	
5-Digit		0.149	
Carrier	0.105		
Route			
High	0.098		
Density			
Saturation	0.084		

¹ Lower maximum weight limits apply: letter-size at 3 ounces (or 3.3362 ounces for heavy letters); flat-size at 16 ounces.

* * * * *

4.0 PREFERRED—CLASSROOM

4.1 Pound Rates

[Revise 4.1 to read as follows:]

Per pound or fraction:

a. For the nonadvertising portion:

\$0.143

b. For the advertising portion:

Zone	Rate
Delivery Unit	\$0.169
SCF	0.190
1 & 2	0.214
3	0.224
4	0.251
5	0.292
6	0.336
7	0.388

Zone	Rate
8	0.432

4.2 Piece Rates

[Revise 4.2 to read as follows:]

Per addressed piece:

Presort level	Non-automation	Automation ¹	
		Letter-size	Flat-size
Basic	\$0.211	\$0.191	\$0.184
3/5	0.160	.....	0.142
3-Digit .....	.....	0.148	.....
5-Digit .....	.....	0.140	.....
Carrier Route	0.115	.....	.....
High Density	0.113	.....	.....

Presort level	Non-automation	Automation ¹	
		Letter-size	Flat-size
Saturation	0.107	.....	.....

¹ Lower maximum weight limits apply: letter-size at 3 ounces (or 3.3362 ounces for heavy letters); flat-size at 16 ounces.

4.3 Discounts

[Amend 4.3 to read as follows:]

Piece rate discounts:

a. Nonadvertising adjustment for each 1% of nonadvertising content: \$0.00042 per piece.

b. Delivery unit zone piece discount or each addressed piece claimed in the

pound rate portion at the delivery unit zone rate: \$0.006.

c. SCF zone piece discount for each addressed piece claimed in the pound rate portion at the SCF zone rate: \$0.004.

* * * * *

R600 Standard Mail

* * * * *

4.0 NONPROFIT STANDARD MAIL

[Revise 4.0 to read as follows:]

4.1 Letter-Size Minimum Per Piece Rates

Pieces 0.2085 pound (3.3362 ounces) or less:

Entry discount	Nonautomation		Automation ¹		
	Basic	3/5	Basic	3-Digit	5-Digit
None	\$0.135	\$0.117	\$0.102	\$0.098	\$0.085
DBMC	0.122	0.104	0.089	0.085	0.072
DSCF	0.117	0.099	0.084	0.080	0.067
DDU .....	.....	.....	.....	.....	.....

¹ Pieces weighing over 3 ounces subject to additional standards.

4.2 Nonletter-Size Minimum Per Piece Rates

Pieces 0.2085 pound (3.3362 ounces) or less:

Entry discount	Nonautomation		Automation ¹	
	Basic	3/5	Basic	3/5
None	\$0.198	\$0.149	\$0.174	\$0.125
DBMC	0.185	0.136	0.161	0.112
DSCF	0.180	0.131	0.156	0.107
DDU .....	.....	.....	.....	.....

¹ Available only for automation-compatible flats.

4.3 Piece/Pound Rates

Pieces more than 0.2085 pound (3.3362 ounces):

Piece/pound rate ¹	Nonautomation		Automation ²	
	Basic	3/5	Basic	3/5
Per Piece	\$0.100	\$0.04	\$0.076	\$0.024
Per Pound (includes entry discount if applicable)	PLUS	PLUS	PLUS	PLUS
None	0.470	0.484	0.470	0.484
DBMC	0.408	0.422	0.408	0.422
DSCF	0.382	0.396	0.382	0.396
DDU .....	.....	.....	.....	.....

¹ Each piece is subject to both a piece rate and a pound rate.

² Available only for automation-compatible flats.

5.0 NONPROFIT ENHANCED CARRIER ROUTE STANDARD MAIL**5.1 Letter-Size Minimum Per Piece Rates**

[Revise 5.1 to read as follows:]

Pieces 0.2084 pound (3.3348 ounces) or less:

Entry discount	Nonautomation		Automation ¹	
	Basic	High density	Saturation	Basic
None	\$0.093	\$0.087	\$0.081	\$0.082
DBMC	0.080	0.074	0.068	0.069
DSCF	0.075	0.069	0.063	0.064

Entry discount	Nonautomation		Automation ¹	
	Basic	High density	Saturation	Basic
DDU	0.069	0.063	0.057	0.058

¹ Pieces weighing over 3 ounces subject to additional standards.

* * * * *

An appropriate amendment to 39 CFR 111.3 will be published to reflect these changes.

Stanley F. Mires,

Chief Counsel, Legislative.

[FR Doc. 97-19640 Filed 7-24-97; 8:45 am]

BILLING CODE 7710-12-U

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[OPP-300514; FRL-5730-4]

RIN 2070-AB78

Cymoxanil; Pesticide Tolerances for Emergency Exemptions

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This regulation establishes a time-limited tolerance for cymoxanil in or on tomatoes. This action is in response to EPA's granting of an emergency exemption under section 18 of the Federal Insecticide, Fungicide, and Rodenticide Act authorizing use of the pesticide on tomatoes in Florida, Maryland, and New Jersey. This regulation establishes a maximum permissible level for residues of cymoxanil in this food commodity pursuant to section 408(l)(6) of the Federal Food, Drug, and Cosmetic Act, as amended by the Food Quality Protection Act of 1996. The tolerance will expire and is revoked on May 15, 1999.

DATES: This regulation is effective July 25, 1997. Objections and requests for hearings must be received by EPA on or before September 23, 1997.

ADDRESSES: Written objections and hearing requests, identified by the docket control number, [OPP-300514], must be submitted to: Hearing Clerk (1900), Environmental Protection Agency, Rm. M3708, 401 M St., SW., Washington, DC 20460. Fees accompanying objections and hearing requests shall be labeled "Tolerance Petition Fees" and forwarded to: EPA Headquarters Accounting Operations Branch, OPP (Tolerance Fees), P. O. Box 360277M, Pittsburgh, PA 15251. A copy of any objections and hearing requests filed with the Hearing Clerk identified

by the docket control number, [OPP-300514], must also be submitted to: Public Information and Records Integrity Branch, Information Resources and Services Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. In person, bring a copy of objections and hearing requests to Rm. 1132, CM #2, 1921 Jefferson Davis Hwy., Arlington, VA.

A copy of objections and hearing requests filed with the Hearing Clerk may also be submitted electronically by sending electronic mail (e-mail) to: opp-docket@epamail.epa.gov. Copies of objections and hearing requests must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Copies of objections and hearing requests will also be accepted on disks in WordPerfect 5.1 file format or ASCII file format. All copies of objections and hearing requests in electronic form must be identified by the docket control number [OPP-300514]. No Confidential Business Information (CBI) should be submitted through e-mail. Electronic copies of objections and hearing requests on this rule may be filed online at many Federal Depository Libraries.

FOR FURTHER INFORMATION CONTACT: By mail: Libby Pemberton, Registration Division 7505W, Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location, telephone number, and e-mail address: Crystal Mall #2, 1921 Jefferson Davis Hwy., Arlington, VA, (703) 308-9364, e-mail: pemberton.libby@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: EPA, on its own initiative, pursuant to section 408(e) and (l)(6) of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a(e) and (l)(6), is establishing a tolerance for residues of the fungicide cymoxanil, in or on tomatoes at 0.05 part per million (ppm). This tolerance will expire and is revoked on May 15, 1999. EPA will publish a document in the **Federal Register** to remove the revoked tolerance from the Code of Federal Regulations.

I. Background and Statutory Authority

The Food Quality Protection Act of 1996 (FQPA) (Pub. L. 104-170) was signed into law August 3, 1996. FQPA amends both the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 301 *et seq.*, and the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), 7 U.S.C. 136 *et seq.* The FQPA amendments went into effect immediately. Among other things, FQPA amends FFDCA to bring all EPA pesticide tolerance-setting activities under a new section 408 with a new safety standard and new procedures. These activities are described below and discussed in greater detail in the final rule establishing the time-limited tolerance associated with the emergency exemption for use of propiconazole on sorghum (61 FR 58135, November 13, 1996)(FRL-5572-9).

New section 408(b)(2)(A)(I) of the FFDCA allows EPA to establish a tolerance (the legal limit for a pesticide chemical residue in or on a food) only if EPA determines that the tolerance is "safe." Section 408(b)(2)(A)(ii) defines "safe" to mean that "there is a reasonable certainty that no harm will result from aggregate exposure to the pesticide chemical residue, including all anticipated dietary exposures and all other exposures for which there is reliable information." This includes exposure through drinking water and in residential settings, but does not include occupational exposure. Section 408(b)(2)(C) requires EPA to give special consideration to exposure of infants and children to the pesticide chemical residue in establishing a tolerance and to "ensure that there is a reasonable certainty that no harm will result to infants and children from aggregate exposure to the pesticide chemical residue. . . ."

Section 18 of FIFRA authorizes EPA to exempt any Federal or State agency from any provision of FIFRA, if EPA determines that "emergency conditions exist which require such exemption." This provision was not amended by FQPA. EPA has established regulations governing such emergency exemptions in 40 CFR part 166.

Section 408(l)(6) of the FFDCA requires EPA to establish a time-limited