

postharvest by means of a chlorine generator pad (40 CFR 180.1054). The Agency has determined previously (as stated in the proposal for exemption from the requirement of a tolerance for calcium hypochlorite chlorine gas in the Federal Register of January 11, 1991 (56 FR 1153; FRL-3686-5), that there is no reasonable expectation that residues of these compounds will remain in eggs, meat, milk or poultry in accordance with 40 CFR 180.3. The residues which do remain are not of toxicological significance.

A. Residue Chemistry

Residues of sodium chlorite are not expected in livestock because it converts to chlorine dioxide in the drinking water and is consumed by biological activity. Because sodium chlorite is highly reactive with minerals, bacteria and other contaminants, the reaction is complete within a few minutes consuming most, if not all of the sodium chlorite.

Because there are many active Federal pesticide registrations for sodium chlorite and chlorine dioxide as well as existing tolerance exemptions for both compounds, the Agency has determined that the residue chemistry for these compounds is understood.

Adequate analytical methodology is available through spectrophotometric analysis to determine the amounts of sodium chlorite in livestock drinking water.

B. Toxicological Profile

The acute and chronic toxicity of sodium chlorite and chlorine dioxide have been tested extensively. Adverse effects are not expected when used in the proposed manner.

C. Aggregate Exposure

There are no established U.S. tolerances for sodium chlorite or chlorine dioxide; however, there are several tolerance exemptions for these compounds. The addition to aggregate exposure of sodium chlorite or chlorine dioxide as described in this petition is minimal.

The estimated non-occupational exposure to sodium chlorite and chlorine dioxide has been evaluated based on its proposed use pattern. The potential for non-occupational exposure under the proposed use to the general population is unlikely. Sodium chlorite and its hydrolysis product, chlorine dioxide, is proposed to be used only on poultry and livestock farms and is not to be used in or around the home.

There is no maximum contaminant level for residues of sodium chlorite in drinking water; however, there is a

proposed maximum residual disinfectant level (MRDL) for chlorine dioxide of 0.8 milligrams per liter (mg/L) and a MRDL goal of 0.3 mg/L. The MRDL was part of a proposed EPA rulemaking on disinfectants on drinking water on July 29, 1994; however, this rule is not yet finalized.

D. Cumulative Effects

Sodium chlorate is chemically similar to sodium chlorite, and sodium chlorate is exempt from the requirements of a tolerance when used as a defoliant, desiccant, or fungicide on various RACs (40 CFR 180.1020). Chlorine gas is exempted from the requirement of a tolerance when used preharvest or postharvest in solution on all RACs (40 CFR 180.1095). Calcium hypochlorite is exempted from the requirement of a tolerance when used preharvest or postharvest on all RACs and in or on grapes when used as a fumigant postharvest by means of a chlorine generator pad (40 CFR 180.1054). The agency has determined previously that there is no reasonable expectation that residues of these compounds will remain in eggs, meat, or poultry in accordance with 40 CFR 180.3. The residues which do remain are not of toxicological significance.

E. Safety Determination

Because sodium chlorite and chlorine dioxide are not expected to accumulate in poultry or livestock tissues and their food byproducts, exposure to the U.S. population and the subgroup infants and children does not pose a significant risk. In addition, chlorine dioxide (the byproduct from the reaction during the proposed use of sodium chlorite) is already present in many municipal drinking water systems, therefore, the exposure to any chlorine dioxide that may be present in animal food products as a result of the proposed use is not expected to cause any additional risk to the general population and the subgroup of infants and children.

F. International Tolerances

The petitioner understands that there are no current established Maximum Residue Levels for sodium chlorite or chlorine dioxide.

II. Public Record

Interested persons are invited to submit comments on this notice of filing. Comments must bear a notation indicating the docket control number, PF-706.

A record has been established for this notice under docket control number PF-706 including comments and data submitted electronically as described

below). A public version of this record, including printed, paper versions of electronic comments, which does not include any information claimed as CBI, is available for inspection from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The public record is located in Room 1132 of the Public Response and Program resources Branch, Field Operations Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, Crystal Mall #2, 1921 Jefferson Davis highway, Arlington, VA.

Electronic comments can be sent directly to EPA at:
opp-Docket@epamail.epa.gov

Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption.

The official record for this rulemaking, as well as the public version, as described above will be kept in paper form. Accordingly, EPA will transfer all comments received electronically into printed, paper form as they are received and will place the paper copies in the official rulemaking record which will also include all comments submitted directly in writing. The official rulemaking record is the paper record maintained at the Virginia address in "ADDRESSES" at the beginning of this document.

List of Subjects

Environmental Protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: February 13, 1997.

Peter Caulkins,

Acting Director, Registration Division, Office Pesticide Programs.

[FR Doc. 97-4626 Filed 2-25-97; 8:45 am]

BILLING CODE 6560-50-F

[PF-711; FRL-5589-1]

Good Bugs Inc.; Pesticide Tolerance Petition Filing

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of filing.

SUMMARY: This notice announces the initial filing of a pesticide petition proposing the establishment of a regulation for an exemption from the requirement of a tolerance for residues of the microbial pesticide *Pseudomonas fluorescens* PRA-25 in or on peas, snapbeans, sweet corn, and supersweet

corn. The summary of the petition published in this notice was proposed by the petitioner Good Bugs Inc.

DATES: Comments, identified by the docket number [PF-711], must be received on or before, March 28, 1997.

ADDRESSES: By mail, submit written comments to: Public Response and Program Resources Branch, Field Operations Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St. SW., Washington, DC 20460. In person, bring comments to Rm. 1132, CM #2, 1921 Jefferson Davis Highway, Arlington, VA.

Comments and data may also be submitted electronically by sending electronic mail (e-mail) to: opp-docket@epamail.epa.gov. Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Comments and data will also be accepted on disks in WordPerfect 5.1 file format or ASCII file format. All comments and data in electronic form must be identified by docket number [PF-711]. Electronic comments on this notice may be filed online at many Federal Depository Libraries. Additional information on electronic submissions can be found in Unit II. of this document.

Information submitted as a comment concerning this document may be claimed confidential by marking any part or all of that information as "Confidential Business Information" (CBI). CBI should not be submitted through e-mail. Information marked as CBI will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. A copy of the comment 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. All written comments will be available for public inspection in Rm. 1132 at the address given above, from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays.

FOR FURTHER INFORMATION CONTACT: By mail: Teung F. Chin, Regulatory Action Leader, Biopesticides and Pollution Prevention Division, Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location, telephone number, and e-mail address: 5th floor CS #1, 2800 Crystal Drive, Arlington, VA, 703-308-1259, e-mail: chin.teung@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: EPA has received a pesticide petition (PP 7G4803) from Good Bugs, Inc., P.O. Box 939, New Glarus, WI 53574, proposing

pursuant to section 408(d) of the Federal Food, Drug and Cosmetic Act, 21 U.S.C. 346a(d), to amend 40 CFR part 180 by establishing an exemption from the requirement of a tolerance for residues of the microbial pesticide, *Pseudomonas fluorescens* PRA-25 in or on the raw agricultural commodities peas, snap beans, sweet corn and supersweet corn.

Pursuant to section 408(d)(2)(A)(i) of the FFDCA, as amended, Good Bugs, Inc. has submitted the following summary of information, data and arguments in support of their pesticide petition. This summary was prepared by Good Bugs, Inc. and EPA has not fully evaluated the merits of the petition. The summary may have been edited by EPA if the terminology used was unclear, the summary contained extraneous material, or the summary was not clear that it reflected the conclusion of the petitioner and not necessarily EPA.

I. Petition Summary

A. Proposed Use Practices

Seed treatment with *Pseudomonas fluorescens* PRA-25 will be at the rate of 2 oz. per 100 lbs. of seed for snap beans, 3 oz. per 100 lbs of seed for peas and snap beans and 4.5 oz. per 100 lbs. of seed for supersweet corn. Application is one time only, prior to planting. In Wisconsin, 5 acres of peas will be treated in 1997, 50 acres in 1998 and 200 acres in 1999, 5 acres of snap beans will be treated in 1997, 50 acres in 1998, and 200 acres in 1999; 5 acres of sweet corn will be treated in 1997, 50 in 1998, and 200 in 1999; 5 acres of supersweet corn will be treated in 1997, 50 acres in 1998, and 200 acres in 1999. In Minnesota, 5 acres of peas will be treated in 1997, 50 acres in 1998, and 200 acres in 1999; 5 acres of snap beans will be treated in 1997, 50 acres in 1998, and 200 acres in 1999; 5 acres of sweet corn will be treated in 1997, 50 acres in 1998, and 200 acres in 1999; 5 acres of supersweet corn will be treated in 1997, 50 acres in 1998, and 200 acres in 1999. In Illinois, 5 acres of peas will be treated in 1997, 50 acres in 1998, and 200 acres in 1999; 5 acres of sweet corn will be treated in 1997, 50 acres in 1998, and 200 acres in 1999; 5 acres of supersweet corn will be treated in 1997, 50 acres in 1998, and 200 acres in 1999. In Washington, 5 acres of peas will be treated in 1997, 50 acres in 1998, and 200 acres in 1999. The product is to be applied to the seeds in the planter box immediately before planting.

B. Product Identity/Chemistry

1. *Pseudomonas fluorescens* PRA-25 was originally isolated from the rhizosphere of a pea plant in Wisconsin.

Strain PRA-25 is a gram negative, rod shaped, aerobic, non spore forming bacterium. A fluorescent pigment (pyoverdinin) is produced on King's Medium B. The strain was identified as a member of the *Pseudomonas fluorescens/putida* group using gas chromatography fatty acid (GC-FAME) analysis. GC-FAME and Biolog analysis was used to identify strain PRA-25 as *Pseudomonas fluorescens* (Trevisan) Migula Biotype B (=biovar II). Biovar II includes *Pseudomonas marginalis* pathogens as well as saprophytes (Bergey's Manual), so a potato rot assay was conducted. The known soft-rot pathogen *Erwinia carotovora* was included as a check treatment. Strain PRA-25 did not rot potatoes. Good Bugs, Inc. concludes that *Pseudomonas fluorescens* PRA-25 is a saprophytic member of *Pseudomonas fluorescens* biovar II.

2. *Pseudomonas fluorescens* PRA-25 will be used as a seed treatment and does not grow systemically in the plant. Good Bugs does not anticipate residues at the time of harvest. Good Bugs, Inc., therefore, believes a method to determine residues is not necessary.

3. An analytical method for detecting and measuring the levels of *Pseudomonas fluorescens* PRA-25 is not needed because the use as a seed treatment will not leave residues on the harvested crop. *Pseudomonas fluorescens* is a common contaminant of raw and refrigerated milk, meat, fish, and cheese. All biovars of *Pseudomonas fluorescens* appear to be readily isolated from foodstuff.

C. Mammalian Toxicological Profile

Good Bugs, Inc. states that the Acute Oral Limit Toxicity Testing of *Pseudomonas fluorescens* PRA-25 showed no evidence of toxicity or pathogenicity in rats dosed once by oral gavage with strain PRA-25. Normal weight gains were observed in all test animals during the observation period. No lesions were observed in any test animal.

Waivers for genotoxicity, reproductive and developmental toxicity, subchronic toxicity and chronic toxicity are requested. This testing is not generally required for microbial pesticides and Good Bugs, Inc. believes that the lack of toxicity along with the lack of exposure does not warrant such testing.

D. Aggregate Exposure

1. *Dietary exposure.* *Pseudomonas fluorescens* is a ubiquitous bacterium that is commonly associated with soil, water, plant roots and leaves, meat, fish, and dairy products. Good Bugs, Inc. believes that no additional exposure to

food or drinking water is anticipated by using *Pseudomonas fluorescens* PRA-25 as a seed treatment.

2. Non-dietary exposure such as lawn care, topical insect repellents, etc. is not anticipated since this microbial pesticide does not have these uses.

3. Occupational exposure will be mitigated through the use of proper personal protective equipment.

E. Cumulative Exposure

Biological control agents of this type generally work by out competing disease organisms, thus, not having a toxic mode of action that can be shared. Other exposure can occur since other strains of *Pseudomonas fluorescens* are registered as microbial pesticides. Good Bugs, Inc. believes that human exposure from use of *Pseudomonas fluorescens* PRA-25 as a seed treatment is expected to be negligible.

F. Safety Determination

Good Bugs, Inc. believes that the safety of the U.S. population and that of infants and children will not be adversely affected by the use of *Pseudomonas cepacia* PRA-25 as a vegetable seed treatment. Strain PRA-25 is a naturally occurring strain originally isolated from the rhizosphere of a pea.

G. Existing Tolerances

1. Tolerance exemptions have been granted for other strains of *Pseudomonas fluorescens*.

2. International tolerance exemptions have been granted for other strains of *Pseudomonas fluorescens*.

II. Public Record

Interested persons are invited to submit comments on the notice of filing. Comments must bear a notation indicating the document control number, [PF-711].

A record has been established for this notice under docket number [PF-711] including comments and data submitted electronically as described below). A public version of this record, including printed, paper versions of electronic comments, which does not include any information claimed as CBI, is available for inspection from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The public record is located in Room 1132 of the Public Response and Program Resources Branch, Field Operations Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA.

Electronic comments can be sent directly to EPA at:
opp-docket@epamail.epa.gov

Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption.

The official record for this rulemaking, as well as the public version, as described above will be kept in paper form. Accordingly, EPA will transfer all comments received electronically into printed, paper form as they are received and will place the paper copies in the official rulemaking record which will also include all comments submitted directly in writing. The official rulemaking record is the paper record maintained at the address in "ADDRESSES" at the beginning of this document.

List of subjects

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: February 11, 1997.

Janet L. Andersen,

Director, Biopesticides and Pollution Prevention Division, Office of Pesticide Programs.

[FR Doc. 97-4630 Filed 2-25-97; 8:45 am]

BILLING CODE 6560-50-F

[PF-701; FRL-5585-2]

Rhone-Poulenc Ag Company; Pesticide Tolerance Petition Filing

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of filing.

SUMMARY: This notice announces the filing of a pesticide petition proposing the establishment of a tolerance for residues of isoxaflutole in or on field corn. This notice contains a summary of the petition prepared by the petitioner, Rhone-Poulenc Ag Company.

DATES: Comments, identified by the docket control number [PF-701], must be received on or before, March 28, 1997.

ADDRESSES: By mail, submit written comments to Public Response and Program Resources Branch, Field Operations Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St. SW., Washington, DC 20460. In person, bring comments to Rm. 1132, CM#2, 1921 Jefferson Davis Highway, Arlington, VA 22202.

Comments and data may also be submitted electronically by sending electronic mail (e-mail) to: opp-docket@epamail.epa.gov. Electronic

comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Comments and data will also be accepted on disks in WordPerfect in 5.1 file format or ASCII file format. All comments and data in electronic form must be identified by the docket number [PF-701]. Electronic comments on this notice may be filed online at many Federal Depository Libraries. Additional information on electronic submissions can be found in Unit II of this document.

Information submitted as a comments concerning this document may be claimed confidential by marking any part or all of that information as "Confidential Business Information" (CBI). CBI should not be submitted through e-mail. Information marked as CBI will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. A copy of the comment 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. All written comments will be available for public inspection in Rm. 1132 at the address given above, from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays.

FOR FURTHER INFORMATION CONTACT:

Joanne Miller, Product Manager (PM) 23, Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC. Office location, telephone number and e-mail address: Rm. 237, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA, 703-305-6224, e-mail: miller.joanne@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: EPA has received a pesticide petition (PP 6F4664) from Rhone-Poulenc Ag Company, P.O. Box 12014, 2 T.W. Alexander Drive, Research Triangle Park, NC 27709, proposing pursuant to section 408(d) of the Federal Food, Drug and Cosmetic Act (FFDCA), 21 U.S.C. 346a(d), to amend 40 CFR part 180 by establishing a tolerance for the combined residues of the herbicide isoxaflutole [5-cyclopropyl-4-(2-methylsulfonyl)-4-trifluoromethyl benzoyl] isoxazole and its metabolites 1-(2-methylsulfonyl-4-trifluoromethylphenyl)-2-cyano-3-cyclopropylpropan-1,3-dione and 2-methylsulfonyl-4-trifluoromethyl benzoic acid, calculated as the parent compound, in or on the raw agricultural commodity field corn at 0.20 parts per million (ppm), field corn, fodder, at 0.50 ppm, field corn, forage at 1.0 ppm; and