

Environmental Protection Agency

§ 180.1213

(d) Possesses a common secondary structure consisting of α and β units that form an HR domain.

(e) Is heat stable (retains HR activity when heated to 65 °C for 20 minutes).

(f) Is readily degraded by a proteinase representative of environmental conditions (no protein fragments >3.5 kD after 15 minutes degradation with Subtilisin A).

(g) Exhibits a rat acute oral toxicity (LD₅₀) of greater than 5,000 mg product/kg body weight.

[69 FR 24996, May 5, 2004]

§ 180.1205 *Beauveria bassiana* ATCC #74040; exemption from the requirements of a tolerance.

An exemption from the requirement of a tolerance is established for residues of the insecticide *Beauveria bassiana* (ATCC #74040) in or on all food commodities when applied or used as ground and aerial foliar sprays for use only on terrestrial crops.

[64 FR 22796, Apr. 28, 1999]

§ 180.1206 *Aspergillus flavus* AF36; exemption from the requirement of a tolerance.

(a) An exemption from the requirement of a tolerance is established for residues of the microbial pesticide *Aspergillus flavus* AF36 in or on cotton and its food/feed commodities.

(b) *Aspergillus flavus* AF36 is temporarily exempt from the requirement of a tolerance on pistachio when used in accordance with the Experimental Use Permit 71693-EUP-1. This temporary exemption from tolerance will expire on May 14, 2010.

[68 FR 41541, July 14, 2003, as amended at 72 FR 28871, May 23, 2007]

§ 180.1207 N-acyl sarcosines and sodium N-acyl sarcosinates; exemption from the requirement of a tolerance.

An exemption from the requirement of a tolerance is established for residues of the following substances when used as inert ingredients (surfactants) at levels not to exceed 10% in pesticide formulations containing glyphosate:

Name	CAS Reg. No.
N-acyl sarcosines.	

Name	CAS Reg. No.
N-cocoyl sarcosine mixture	68411-97-2
N-lauroyl sarcosine	97-78-9
N-myristoyl sarcosine	52558-73-3
N-oleoyl sarcosine	110-25-8
N-stearoyl sarcosine	142-48-3
Sodium N-acyl sarcosinates.	
N-cocoyl sarcosine sodium salt mixture	61791-59-1
N-methyl-N-(1-oxo-9-octodecenyl) glycine	3624-77-9
N-methyl-N-(1-oxododecyl) glycine	137-16-6
N-methyl-N-(1-oxooctadecyl) glycine	5136-55-0
N-methyl-N-(1-oxotetradecyl) glycine	30364-51-3

[64 FR 68046, Dec. 6, 1999]

§ 180.1209 *Bacillus subtilis* strain QST 713; exemption from the requirement of a tolerance.

An exemption from the requirement of a tolerance is established for residues of the microbial pesticide *Bacillus subtilis* strain QST 713 when used in or on all food commodities.

[65 FR 41369, July 5, 2000]

§ 180.1210 Phosphorous acid; exemption from the requirement of a tolerance.

An exemption from the requirement of a tolerance is established for residues of phosphorous acid and its ammonium, sodium, and potassium salts in or on all food commodities when used as an agricultural fungicide and in or on potatoes when applied as a post-harvest treatment at 35,600 ppm or less phosphorous acid.

[71 FR 49373, Aug. 23, 2006]

§ 180.1212 *Pseudomonas chlororaphis* Strain 63-28; exemption from the requirement of a tolerance.

An exemption from the requirement of a tolerance is established for residues of the microbial pesticide *Pseudomonas chlororaphis* Strain 63-28 in or on all food commodities.

[66 FR 53346, Oct. 22, 2001]

§ 180.1213 *Coniothyrium minitans* strain CON/M/91-08; exemption from the requirement of a tolerance.

An exemption from the requirement of a tolerance is established for residues of the microbial pesticide *Coniothyrium minitans* strain CON/M/91-

§ 180.1214

08 when used in or on all food commodities.

[66 FR 16874, Mar. 28, 2001]

§ 180.1214 *Bacillus thuringiensis* Cry3Bb1 protein and the genetic material necessary for its production in corn; exemption from the requirement of a tolerance.

Bacillus thuringiensis Cry3Bb1 protein and the genetic material necessary for its production in corn are exempt from the requirement of a tolerance when used as plant-incorporated protectants in the food and feed commodities of field corn, sweet corn and popcorn. Genetic material necessary for its production means the genetic material which comprise genetic material encoding the Cry3Bb1 protein and its regulatory regions. Regulatory regions are the genetic material, such as promoters, terminators, and enhancers, that control the expression of the genetic material encoding the Cry3Bb1 protein.

[69 FR 16814, Mar. 31, 2004]

EFFECTIVE DATE NOTE: At 72 FR 20434, 20435, Apr. 25, 2007, §180.1214 was redesignated as §174.518 and revised, effective July 24, 2007. For the convenience of the user, the revised text is set forth as follows:

§ 174.518 *Bacillus thuringiensis* Cry3Bb1 protein in corn; exemption from the requirement of a tolerance.

Residues of *Bacillus thuringiensis* Cry3Bb1 protein in corn are exempt from the requirement of a tolerance when used as plant-incorporated protectants in the food and feed commodities of corn; corn, field; corn, sweet; and corn, pop.

§ 180.1215 *Bacillus thuringiensis* Cry2Ab2 protein and the genetic material necessary for its production in cotton; exemption from the requirement of a tolerance.

Bacillus thuringiensis Cry2Ab2 protein and the genetic material necessary for its production in cotton is exempt from the requirement of a tolerance when used as a plant-incorporated protectant in the food and feed commodities, cotton seed, cotton oil, cotton meal, cotton hay, cotton hulls, cotton forage, and cotton gin byproducts. Genetic material necessary for its production means the genetic material which comprise genetic material encoding the Cry2Ab2 protein and its regulatory re-

40 CFR Ch. I (7–1–07 Edition)

gions. Regulatory regions are the genetic material, such as promoters, terminators, and enhancers, that control the expression of the genetic material encoding the Cry2Ab2 protein.

[69 FR 16823, Mar. 31, 2004]

EFFECTIVE DATE NOTE: At 72 FR 20434, 20435, Apr. 25, 2007, §180.1215 was redesignated as §174.519 and revised, effective July 24, 2007. For the convenience of the user, the revised text is set forth as follows:

§ 174.519 *Bacillus thuringiensis* Cry2Ab2 protein in cotton; exemption from the requirement of a tolerance.

Residues of *Bacillus thuringiensis* Cry2Ab2 protein in cotton is exempt from the requirement of a tolerance when used as a plant-incorporated protectant in the food and feed commodities, cotton seed, cotton oil, cotton meal, cotton hay, cotton hulls, cotton forage, and cotton gin byproducts.

§ 180.1216 *B-D-glucuronidase* from *E. coli* and the genetic material necessary for its production as a plant-pesticide inert ingredient; exemption from the requirement of a tolerance.

An exemption from the requirement of a tolerance is established for residues of *B-D-glucuronidase* from *E. coli* and the genetic material necessary for its production when used as a plant-pesticide inert ingredient in or on all food commodities. Genetic material necessary for the production means both: Genetic material that encodes a substance or leads to the production of a substance; and regulatory regions. It does not include non-coding, non-expressed nucleotide sequences. Regulatory region means genetic material that controls the expression of the genetic material that encodes a pesticidal substance or leads to the production of a pesticidal substance. Examples of regulatory regions include, but are not limited to, promoters, enhancers, and terminators.

[66 FR 42961, Aug. 16, 2001]

EFFECTIVE DATE NOTE: At 72 FR 20434, 20435, Apr. 25, 2007, §180.1216 was redesignated as §174.525 and revised, effective July 24, 2007. For the convenience of the user, the revised text is set forth as follows: