



2 August 2018

(18-4895)

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Committee on Sanitary and Phytosanitary Measures

Original: English

NOTIFICATION

1. Notifying Member: <u>UNITED STATES OF AMERICA</u> If applicable, name of local government involved:
2. Agency responsible: Environmental Protection Agency
3. Products covered (provide tariff item number(s) as specified in national schedules deposited with the WTO; ICS numbers should be provided in addition, where applicable): Brassica, leafy greens, subgroup 4-16B, except radish, tops; Celtnce; Cottonseed subgroup 20C; Florence fennel; Kohlrabi; Leaf petiole vegetable subgroup 22B; Leafy greens subgroup 4-16A, except spinach; Radish, tops; Vegetable, brassica, head and stem, group 5-1; Clover, forage; Clover, hay
4. Regions or countries likely to be affected, to the extent relevant or practicable: <input checked="" type="checkbox"/> All trading partners <input type="checkbox"/> Specific regions or countries:
5. Title of the notified document: Flonicamid; Pesticide Tolerances. Final Rule. Language(s): English. Number of pages: 5 https://www.gpo.gov/fdsys/pkg/FR-2018-07-23/html/2018-15449.htm
6. Description of content: This regulation establishes tolerances for residues of flonicamid in or on multiple commodities as well as tolerances with regional registrations on clover, forage and clover, hay. In addition, this regulation removes certain previously established tolerances that are superseded by this final rule.
7. Objective and rationale: <input checked="" type="checkbox"/> food safety, <input type="checkbox"/> animal health, <input type="checkbox"/> plant protection, <input type="checkbox"/> protect humans from animal/plant pest or disease, <input type="checkbox"/> protect territory from other damage from pests.
8. Is there a relevant international standard? If so, identify the standard: <input checked="" type="checkbox"/> Codex Alimentarius Commission (e.g. title or serial number of Codex standard or related text): Codex pesticide number 282 http://www.fao.org/fao-who-codexalimentarius/codex-texts/dbs/pestres/pesticide-detail/en/?p_id=282 <input type="checkbox"/> World Organization for Animal Health (OIE) (e.g. Terrestrial or Aquatic Animal Health Code, chapter number): <input type="checkbox"/> International Plant Protection Convention (e.g. ISPM number): <input type="checkbox"/> None Does this proposed regulation conform to the relevant international standard? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If no, describe, whenever possible, how and why it deviates from the international standard: There are Codex MRLs for residues of flonicamid in or on celery

<p>at 1.5 ppm, head lettuce at 1.5 ppm, leaf lettuce at 8.0 ppm, radish tops at 20 ppm, and cottonseed at 0.60 ppm. The Codex MRL and U.S. tolerance on cottonseed are harmonized. The petitioned-for tolerance on Brassica, leafy greens subgroup 4-16B which includes radish tops is being established for Brassica, leafy greens subgroup 4-16B, except radish tops at 16 ppm. An existing radish, tops tolerance at 16 ppm is being revised to 20 ppm to harmonize with the established Codex MRL. EPA is not harmonizing the relevant U.S. tolerances with the other established Codex MRLs for the following reasons. The U.S. tolerance for celery is set at 4.0 ppm as part of the Leaf Petiole vegetable subgroup 22B. The U.S. tolerance for lettuce, head and lettuce, leaf is set at 4.0 as part of the Leafy greens, subgroup 4-16A, is harmonized with Canada since the greatest percentage of U.S. exports are to Canada. This subgroup is not harmonized with the Codex tolerance at 8.0ppm. In the case of celery and head lettuce, lowering the tolerances could result in exceedances when domestic growers apply flonicamid in accordance with label directions.</p>
<p>9. Other relevant documents and language(s) in which these are available: https://www.gpo.gov/fdsys/pkg/FR-2018-01-26/html/2018-01498.htm (available in English)</p>
<p>10. Proposed date of adoption (dd/mm/yy): 23 July 2018 Proposed date of publication (dd/mm/yy): 23 July 2018</p>
<p>11. Proposed date of entry into force: <input type="checkbox"/> Six months from date of publication, and/or (dd/mm/yy): 23 July 2018 <input type="checkbox"/> Trade facilitating measure</p>
<p>12. Final date for comments: <input type="checkbox"/> Sixty days from the date of circulation of the notification and/or (dd/mm/yy): Not applicable. Agency or authority designated to handle comments: <input type="checkbox"/> National Notification Authority, <input type="checkbox"/> National Enquiry Point. Address, fax number and e-mail address (if available) of other body: Michael L. Goodis, P.E., Director, Registration Division (7505P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460-0001; Tel: +(703) 305 7090; E-mail address: RDFRNotices@epa.gov.</p>
<p>13. Text(s) available from: <input type="checkbox"/> National Notification Authority, <input type="checkbox"/> National Enquiry Point. Address, fax number and e-mail address (if available) of other body: https://www.gpo.gov/fdsys/pkg/FR-2018-07-23/html/2018-15449.htm</p>