

SPS/TBT Notifications Affecting Agricultural Trade

Listed below are proposed changes in international agricultural, food and related standards as notified via the World Trade Organization. The first table provides a summary of all notifications; individual details follow separately. Interested parties may obtain a full text of any notification for review and COMMENT. Simply check the "Request a Copy" check box next to the Notification and return by fax (202) 690-0677 to the attention of Deborah A. Thompson, Food Safety and Technical Services Division in USDA/FAS.

Please provide us with your name, fax number and e-mail address (on the request form). For questions regarding policy matters, call Carolyn Fillmore Wilson (202) 720-2239, otherwise Ms. Thompson at (202) 720-9124 for address/telephone changes.

NOTE: Please include your name/fax number on all request forms.

<u>Type</u>	<u>WTO Number</u>	<u>Product</u>	<u>Country</u>	<u>FSTSD #</u>	<u>Request a Copy</u>
SPS	USA/444/A1	Pesticide: Triallate	United States of America	01.0332.A1	<input type="checkbox"/>
SPS	USA/645/A1	Bulk Transport of Juice Concentrates and Certain Shelf Stable Juices	United States of America	02.0396.A1	<input type="checkbox"/>
SPS	USA/689/A1	Movement and Importation of Fruits and Vegetables	United States of America	03.024.A1	<input type="checkbox"/>
SPS	USA/706	Antimicrobial Formulations	United States of America	03.184	<input type="checkbox"/>
SPS	USA/707	Pesticide: Fludioxonil	United States of America	03.185	<input type="checkbox"/>
SPS	USA/708	Pesticide: Forchlorfenuron in or on Grapes, Kiwifruit & Raisins	United States of America	03.186	<input type="checkbox"/>
SPS	USA/709	Pesticide Import Tolerances under NAFTA	United States of America	03.187	<input type="checkbox"/>
SPS	USA/710	Pesticide: Pyriproxyfen...	United States of America	03.188	<input type="checkbox"/>
SPS	USA/711	Pesticide: Fluroxypyr...	United States of America	03.189	<input type="checkbox"/>
SPS	USA/712	Pesticide: Cyazofamid...	United States of America	03.190	<input type="checkbox"/>
SPS	USA/713	Pesticide: Folpet	United States of America	03.191	<input type="checkbox"/>
SPS	USA/714	Pesticide: S-metolachlor...	United States of America	03.192	<input type="checkbox"/>
SPS	USA/715	Products that use the Pesticide Carbary	United States of America	03.193	<input type="checkbox"/>
SPS	USA/716	Pesticide: Thiocloprid...	United States of America	03.194	<input type="checkbox"/>
SPS	USA/717	Pesticide: Bacillus pumilus GB 34...	United States of America	03.195	<input type="checkbox"/>
SPS	USA/718	Pesticide: Cyprodinil...	United States of America	03.196	<input type="checkbox"/>
SPS	USA/719	Pesticide: Imazethapyr...	United States of America	03.197	<input type="checkbox"/>
SPS	USA/720	Paper Reviewing Procedural Guidance for Policy Development	United States of America	03.198	<input type="checkbox"/>
SPS	USA/721	Fragrant Pears	United States of America	03.199	<input type="checkbox"/>
SPS	USA/722	Propagative Material of Pelargonium spp. and Solanium spp.	United States of America	03.200	<input type="checkbox"/>
TBT	EEC/6/A1	GMO for Food or Feed Use	European Union	01.0082.A1	<input type="checkbox"/>
TBT	EEC/7/A1	GMO Food and Feed Products	European Union	01.0083.A1	<input type="checkbox"/>
TBT	BRA/112	Soup	Brazil	03.087	<input type="checkbox"/>
TBT	BRA/113	Processed Tomato Concentrates	Brazil	03.088	<input type="checkbox"/>
TBT	BRA/114	Mustard and Prepared Mustard	Brazil	03.089	<input type="checkbox"/>

TBT	BRA/115	Chocolate	Brazil	03.090	<input type="checkbox"/>
TBT	ARG/101	Wine	Argentina	03.091	<input type="checkbox"/>
TBT	ARG/107	Wine Products	Argentina	03.092	<input type="checkbox"/>
TBT	ARG/109	Food Products	Argentina	03.093	<input type="checkbox"/>
TBT	ARG/104	Labelling of Pre-packaged Food	Argentina	03.094	<input type="checkbox"/>

FSTSD # 01.0332.A1 **Country** - United States of A **Product** - Pesticide: Triallate

Comment Deadline Date - **Enforcement Date** - **WTO Type/Number** - SPS USA/444/A

Objective -

Description - ADDENDUM reads: This notice constitutes and announces the closing of the comment period for the triallate RED. The Agency published a notice in the Federal Register of May 23, 2001 (66 FR 28469) (FRL-6775-9) and a correction in the Federal Register on June 25, 2001 (66 FR 33684) FRL-6788-1) announcing the availability and start of a 60-day public comment period on the reregistration Eligibility Decision document for the pesticide active ingredient triallate. This RED was issued as a final document with a 60-day comment period, which closed on July 23, 2001. In this RED, EPA provided its regulatory position on the current registered use of triallate and set forth certain data requirements and label amendments for product reregistration eligibility.

A copy of the triallate RED can be found under docket control number OPP-34226A or on the EPA website at <http://www.epa.gov/pesticides/reregistration/status.htm>.

DOCID:fr19mr03-85, Federal Register: March 19, 2003 (Volume 68, Number 53) Page 13308-13309; <http://www.epa.gov/fedrgstr/EPA-PEST/2003/March/Day-19/p6299.htm>;
Available in English

Public Information and Records Integrity Branch (PIRIB), Information Resources and Services Division (7502C), Office of Pesticide Programs (OPP), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460. opp-docket@epa.gov
Note: Identify docket name "OPP-2003-0045" in subject line of your response.

Mr. Bill Janis, U.S. Department of Agriculture, Stop 1027, Washington, DC 20250. Tel (202) 720-9047, (202) 720-0677, fstsd@usda.gov

FSTSD # 02.0396.A1 **Country** - United States of A **Product** - Bulk Transport of Juice Concentrates and

Comment Deadline Date - **Enforcement Date** - **WTO Type/Number** - SPS USA/645/A

Objective -

Description - ADDENDUM reads: The U.S. Food and Drug Administration (FDA) has issued a final guidance, "Guidance for Industry: Guidance on Bulk Transport of Juice Concentrates and Certain Shelf Stable Juices," without change, to convey FDA's current thinking on appropriate control measures to prevent the contamination or recontamination of juice concentrates and certain shelf stable juices during bulk transport. The guidance covers juice concentrates and shelf stable juice transported in bulk, containers used to carry the juice product, and equipment used to load, carry, and unload the product. Emphasis is given to control measures for tanker transport.

The notified document can be obtained from Mr. William Janis, U.S. Department of Agriculture, Stop 1027, Washington DC 20250, Tel. 202-720-9047, Fax 202-720-0677 <mailto:fstsd@usd.gov>. In addition, the Federal Register Notice, 68 FR 20159, on 24 April 2003 can be found at <http://www.fda.gov/OHRMS/DOCKETS/98fr/03-10074.html> and the guidance can be found at <http://www.cfsan.fda.gov/~dms/guidance.html>.

FSTSD # 03.024.A1 **Country** - United States of A **Product** - Movement and Importation of Fruits and Ve

Comment Deadline Date - **Enforcement Date** - **WTO Type/Number** - SPS USA/689/A

Objective -

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FSTSD # 03.024.A1 **Country** - United States of A **Product** - Movement and Importation of Fruits and Ve

Description - ADDENDUM reads: The USDA-APHIS is adopting as a final rule, without change, an interim rule that amended the regulations that govern the movement of fruits and vegetables from Puerto Rico and the U.S. Virgin Islands to require the treatment of pigeon peas (fresh chilled or in a pod) from Puerto Rico for movement into any other area of the United States. In addition, we amended the regulations that govern the importation of fruits and vegetables to require the treatment of pigeon peas (fresh, shelled, or in the pod) from the Dominican Republic imported into any area of the United States except Puerto Rico, and to prohibit the importation of mangoes from the British Virgin Islands into the U.S. Virgin Islands. These actions were necessary to prevent the introduction and dissemination of plant pests that are new to or not widely distributed within the United States.

This document can be obtained from – United States SPS Enquiry Point /Notification Point, [USDA/FAS/ FSTD, ATTN: William Janis, Room 5545 South Agriculture Building, Stop 1027, 1400 Independence Ave. S.W., Washington DC 20250, Phone 202 720 9047, Fax: 202 690 0677, FSTD@FAS. USDA.GOV.]

FSTSD # 03.184 **Country** - United States of A **Product** - Antimicrobial Formulations

Comment Deadline Date - **Enforcement Date** - **WTO Type/Number** - SPS USA/706

Objective - Food Safety, Protect Humans from Animal/Plant Pest or Disease

Description - EPA received adverse comment on the direct final rule ``Pesticides; Tolerance Exemptions for Active and Inert Ingredients for Use in Antimicrobial Formulations (Food-Contact Surface Sanitizing Solutions)," published in the Federal Register of December 3, 2002, because of the adverse comment EPA is withdrawing the direct final rule. The direct final rule was intended to add a new section to part 180 listing the pesticide chemicals that are exempt from the requirement of a tolerance when used in food-contact surface sanitizing solutions.

FSTSD # 03.185 **Country** - United States of A **Product** - Pesticide: Fludioxonil

Comment Deadline Date - 5/2/2003 **Enforcement Date** - **WTO Type/Number** - SPS USA/707

Objective - Food Safety, Protect Humans from Animal/Plant Pest or Disease

Description - EPA has received pesticide petitions 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 180.516 by establishing tolerances for residues of fludioxonil, 4-(2,2-difluoro-1,3-benzodioxol-4-yl)-H-pyrrole-3-carbonitrile, in or on the following raw agricultural commodities:

1. PP 2E6486 proposes tolerances as follows: • Brassica, head and stem subgroup 5a at 1.5 parts per million (ppm). • Brassica, leafy greens subgroup 5b at 9.0 ppm. • Turnip, greens at 9.0 ppm.

2. PP 2E6462 proposes a tolerance for carrot at 0.5 ppm.

3. PP 3E6526 proposes a tolerance for herb subgroup 19a at 33.0 ppm.

4. PP 2E6448 proposes a tolerance for the following: • Longan at 2.0 ppm. • Lychee at 2.0 ppm. • Pulasan at 2.0 ppm. • Rambutan at 2.0 ppm. • Spanish lime at 2.0 ppm.

Pending PP 3E6526 proposes a tolerance for herb subgroup 19a at 33.0 ppm. A tolerance currently exist for fludioxonil on herbs and spices at 0.02 ppm (40 CFR 180.516). This notice proposes amending 40 CFR 180.516 as follows:

1. Delete existing herbs and spices tolerance of 0.02 ppm and establish a separate herb subgroup 19a tolerance at 33.0 ppm.

2. Establish a separate spice subgroup 19b tolerance at 0.02 ppm. As the result of this proposed amendment, the pending herb subgroup 19a tolerance at 33.0 ppm precludes the

FSTSD # 03.185 **Country** - United States of A **Product** - Pesticide: Fludioxonil
need for the existing herbs tolerance of 0.02 ppm. Moreover, the existing spices tolerance of 0.02 ppm is changed to spice subgroup 19b at 0.02 ppm.

Additional data may be needed before EPA rules on the petitions. This summary does not necessarily reflect the findings of EPA.

FSTSD # 03.186 **Country** - United States of A **Product** - Pesticide: Forchlorfenuron in or on Grapes,
Comment Deadline Date - 6/16/2003 **Enforcement Date** - **WTO Type/Number** - SPS USA/708

Objective - Food Safety, Protect Humans from Animal/Plant Pest or Disease

Description - EPA has received a pesticide petition (3F6550) 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 residues of Forchlorfenuron (CPPU) in or on the raw agricultural commodities grapes and kiwifruit and the processed commodity raisins at 0.03 parts per million (ppm). EPA has determined that the petition contains data or information regarding the elements set forth in section 408(d)(2) of the FFDCA; however, EPA has not fully evaluated the sufficiency of the submitted data at this time or whether the data supports granting of the petition. Additional data may be needed before EPA rules on the petition.

FSTSD # 03.187 **Country** - United States of A **Product** - Pesticide Import Tolerances under NAFTA
Comment Deadline Date - 6/16/2003 **Enforcement Date** - **WTO Type/Number** - SPS USA/709

Objective - Food Safety, Protect Humans from Animal/Plant Pest or Disease

Description - This document provides detailed guidance on data requirements that meet North American Free Trade Agreement (NAFTA) standards for the establishment of pesticide import tolerances or maximum residue levels in Canada, Mexico, and the United States. It has been developed consistently with the goals of the North American Free Trade Agreement. This guidance document does not change the U.S. data requirements for obtaining a U.S. import tolerance. This notice starts a 60-day public comment period, during which the public is encouraged to submit comments to EPA in accordance with procedures described in Unit I. of this document.

FSTSD # 03.188 **Country** - United States of A **Product** - Pesticide: Pyriproxyfen...
Comment Deadline Date - 6/14/2003 **Enforcement Date** - **WTO Type/Number** - SPS USA/710

Objective - Food Safety, Protect Humans from Animal/Plant Pest or Disease

Description - This regulation establishes a tolerance for residues of Pyriproxyfen in or on atemoya, biriba, cherimoya, custard apple, ilama, soursop, and sugar apple at 0.20 parts per million (ppm); avocado, black sapote, canistel, mamey sapote, mango, papaya, sapodilla and star apple at 1.0 ppm; okra at 0.02 ppm; fig at 0.30 ppm; and fig, dried at 1.0 ppm. The Interregional Research Project Number 4 (IR-4) requested these tolerances under the Federal Food, Drug, and Cosmetic Act (FFDCA), as amended by the Food Quality Protection Act of 1996 (FQPA).

FSTSD # 03.189 **Country** - United States of A **Product** - Pesticide: Fluroxypyr...
Comment Deadline Date - 6/13/2003 **Enforcement Date** - **WTO Type/Number** - SPS USA/711

Objective - Food Safety, Protect Humans from Animal/Plant Pest or Disease

Description - Description of content: EPA has received a pesticide petition 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 tolerances for residues of fluroxypyr in or on the raw agricultural commodities as follows: tolerances for residues of fluroxypyr 1-methylheptyl ester (MHE) in or on sweet corn are being proposed in support of this registration as follows: 0.02 parts per million (ppm) for kernels plus cob with husk removed, and 1.0 ppm for forage. Tolerances for residues of fluroxypyr MHE in or on field corn are being proposed in support of this registration as follows: 0.02 ppm for grain; 1.0 ppm for forage; and 0.5 ppm for stover. Tolerances for residues of fluroxypyr MHE in or on sorghum are being proposed as follows: Sorghum grain, 0.02 ppm; sorghum forage, 2.0 ppm; sorghum stover,

FSTSD # 03.189 **Country** - United States of A **Product** - Pesticide: Fluroxypyr...
4.0 ppm. Tolerances for residues of fluroxypyr MHE in or on grasses are proposed as follows: grass forage, 120 ppm; grass hay, 160 ppm; and grass silage, 100 ppm. Based on the above tolerances and an animal feeding study, increased tolerances are also proposed for fluroxypyr MHE and fluroxypyr, expressed as combined residues of total fluroxypyr, in or on the following animal commodities: milk of cattle, goats, hogs, horses and sheep, 0.3 ppm; and kidney of cattle, goats, hogs, horses and sheep, 1.5 ppm. EPA previously received a pesticide petition (9F6050) for fluroxypyr and the Notice of Filing was published in the Federal Register on January 15, 2003. The notice of filing erroneously omitted tolerances proposed for residues of fluroxypyr on corn. Thus, this notice will supercede the previously published notice of filing.

FSTSD # 03.190 **Country** - United States of A **Product** - Pesticide: Cyazofamid...
Comment Deadline Date - 6/6/2003 **Enforcement Date** - **WTO Type/Number** - SPS USA/712
Objective - Food Safety, Protect Humans from Animal/Plant Pest or Disease
Description - EPA has received a pesticide petition 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 residues of the fungicide cyazofamid, 4-chloro-2-cyano-N, N-dimethyl-5-(4-methylphenyl)-1H-imidazole-1-sulfonamide (CA), in or on the raw agricultural commodity (RAC) potatoes at 0.01 parts per million (ppm) and cucurbits at 0.1 ppm and the fungicide cyazofamid and the metabolite CCIM, 4-chloro-5-(4-methylphenyl)-1H-imidazole-2-carbonitrile (CA) in or on the RAC tomatoes at 0.2 ppm and wine grapes at 1.0 ppm. EPA has determined that the petition contains data or information regarding the elements set forth in section 408(d)(2) of the FFDCA; however, EPA has not fully evaluated the sufficiency of the submitted data at this time or whether the data support granting of the petition. Additional data may be needed before EPA rules on the petition.

FSTSD # 03.191 **Country** - United States of A **Product** - Pesticide: Folpet
Comment Deadline Date - 6/6/2003 **Enforcement Date** - **WTO Type/Number** - SPS USA/713
Objective - Food Safety, Protect Humans from Animal/Plant Pest or Disease
Description - EPA has received a pesticide petition proposing pursuant to section 408(d) of the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. 346a(d), to amend 40 CFR 180.191 by establishing a tolerance for residues of Folpet N-[(trichloromethyl)thio]phthalimide] in or on the raw agricultural commodity hops, dried cones at 120 parts per million (ppm). EPA has determined that the petition contains data or information regarding the elements set forth in section 408(d)(2) of the FFDCA; however, EPA has not fully evaluated the sufficiency of the submitted data at this time or whether the data support granting of the petition. Additional data may be needed before EPA rules on the petition.

FSTSD # 03.192 **Country** - United States of A **Product** - Pesticide: S-metolachlor...
Comment Deadline Date - 6/2/2003 **Enforcement Date** - **WTO Type/Number** - SPS USA/714
Objective - Food Safety, Protect Humans from Animal/Plant Pest or Disease
Description - This regulation establishes a tolerance for combined residues of S-metolachlor Acetamid, 2-chloro-N-(2-ethyl-6-methylphenyl)-N-(2-methoxy-1-methylethyl)-, (S) and its metabolites, determined as the derivatives, 2-(2-ethyl-6-methylphenyl)amino-1-propanol and 4-(2-ethyl-6-methylphenyl)-2-hydroxy-5-methyl-3-morpholinone, each expressed as the parent compound S-metolachlor. Consistent with section 408(b)(2)(D) of the FFDCA, EPA has reviewed the available scientific data and other relevant information in support of this action. EPA has sufficient data to assess the hazards of and to make a determination on aggregate exposure, consistent with section 408(b)(2) of the FFDCA, for a tolerance for combined residues of Acetamid, 2-chloro-N-(2-ethyl-6-methylphenyl)-N-methoxy-1-methylethyl)-, (S) and its metabolites, determined as the derivatives, 2-(2-ethyl-6-methylphenyl)amino-1-propanol and 4-(2-ethyl-6-methylphenyl)-2-hydroxy-5-methyl-3-morpholinone, each expressed as the parent compound in or on the raw agricultural commodities; grass forage at 10.0 ppm; grass hay at 0.02 ppm; spinach at 0.5 ppm; sugar beet roots at 0.5 ppm; sugar beet molasses at 3.0 ppm; sugar beet tops at 15.0 ppm; sunflower seeds at 0.5 ppm; sunflower meal at 1.0 ppm; and tomato at 0.1 ppm. EPA's

FSTSD # 03.192 **Country** - United States of A **Product** - Pesticide: S-metolachlor...
assessment of exposures and risks associated with establishing the tolerance follows.

FSTSD # 03.193 **Country** - United States of A **Product** - Products that use the Pesticide Carbaryl
Comment Deadline Date - 6/2/2003 **Enforcement Date** - **WTO Type/Number** - SPS USA/715

Objective - Food Safety, Protect Humans from Animal/Plant Pest or Disease

Description - This notice announces the availability of the revised risk assessments and related documents for the carbamate pesticide, Carbaryl. In addition, this notice starts a 60-day public participation period during which the public is encouraged to submit risk management ideas or proposals. These actions are in response to a joint initiative between EPA and the U.S. Department of Agriculture (USDA) to increase transparency in the tolerance reassessment process for pesticides.

FSTSD # 03.194 **Country** - United States of A **Product** - Pesticide: Thiacloprid...
Comment Deadline Date - 6/1/2003 **Enforcement Date** - **WTO Type/Number** - SPS USA/716

Objective - Food Safety, Protect Humans from Animal/Plant Pest or Disease

Description - EPA has received pesticide petitions proposing, pursuant to section 408(d) of FFDCa, 21 U.S.C. 346a(d), to amend 40 CFR part 180 by establishing a tolerance for residues of the insecticide Thiacloprid ([3-[(6-chloro-3-pyridinyl)methyl]-2-thiazolidinylidene]cyanamide (CAS No. 111988-49-9)) in or on the raw agricultural commodities:

- Apple, wet pomace at 0.6 parts per million (ppm).
- Cattle, meat at 0.2 ppm.
- Cattle, meat byproducts at 0.2 ppm.
- Cotton, gin byproducts at 11.0 ppm.
- Cotton, undelinted seed at 1.0 ppm.
- Fruit, pomace, group 11 at 0.3 ppm.
- Milk at 0.1 ppm.
- Fruit, stone, group 12 at 0.5 ppm.

EPA has determined that the petition contains data or information regarding the elements set forth in section 408(d)(2) of FFDCa; however, EPA has not fully evaluated the sufficiency of the submitted data at this time or whether the data supports granting of the petition. Additional data may be needed before EPA rules on the petition.

FSTSD # 03.195 **Country** - United States of A **Product** - Pesticide: Bacillus pumilus GB 34...
Comment Deadline Date - 6/1/2003 **Enforcement Date** - 04/02/03 **WTO Type/Number** - SPS USA/717

Objective - Food Safety, Protect Humans from Animal/Plant Pest or Disease

Description - This regulation establishes an exemption from the requirement of a tolerance for residues of the Bacillus pumilus GB 34 when used as a seed treatment in or on soybeans and soybeans after harvest. There was a petition submitted to EPA under the Federal Food, Drug, and Cosmetic Act (FFDCa), as amended by the Food Quality Protection Act of 1996 (FQPA), requesting an exemption from the requirement of a tolerance. This regulation eliminates the need to establish a maximum permissible level for residues of Bacillus pumilus GB 34.

FSTSD # 03.196 **Country** - United States of A **Product** - Pesticide: Cyprodinil...
Comment Deadline Date - 5/21/2003 **Enforcement Date** - **WTO Type/Number** - SPS USA/718

Objective - Food Safety, Protect Humans from Animal/Plant Pest or Disease

Description - EPA has received pesticide petitions 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 tolerances for residues of cyprodinil in or on the following raw agricultural commodities:

1. PP 2E6447 proposes the establishment of a tolerance for lychee, longan, rambutan, pulasan, and Spanish lime at 2.0 parts per million (ppm).

2. PP 2E6461 proposes the establishment of a tolerance for carrot at 0.5 ppm.
3. PP 2E6485 proposes the establishment of a tolerance for Brassica, head and stem subgroup 5A at 2.0 ppm, Brassica, leafy greens subgroup 5B at 10.0 ppm, and turnip, greens at 10.0 ppm.
4. PP 3E6529 proposes the establishment of a tolerance for herb subgroup 19A at 10 ppm.
5. PP 2E6530 proposes the establishment of a tolerance for almond, hulls at 8.0 ppm.

EPA has determined that the petitions contain data or information regarding the elements set forth in section 408(d)(2) of the FFDCA; however, EPA has not fully evaluated the sufficiency of the submitted data at this time or whether the data support granting of the petitions. Additional data may be needed before EPA rules on the petitions.

Comment Deadline Date - 5/20/2003 Enforcement Date - WTO Type/Number - SPS USA/719

Objective - Food Safety, Protect Humans from Animal/Plant Pest or Disease

Description - This regulation establishes tolerances for residues of imazethapyr, 2-[4,5-dihydro-4-methyl-4-(1-methylethyl)-5-oxo-1H-imidazol-2-yl]-5-ethyl-3-pyridine carboxylic acid in/on canola seed (import commodity only), and the combined residues of imazethapyr, its metabolite 2-[4,5-dihydro-4-methyl-4-(1-methylethyl)-5-oxo-1H-imidazol-2-yl]-5-(1-hydroxyethyl)-3-pyridine carboxylic acid, and its metabolite 5-[1-(beta-D-glucopyranosyloxy)ethyl]-2-[4,5-dihydro-4-methyl-4-(1-methylethyl)-5-oxo-1H-imidazol-2-yl]-3-pyridinecarboxylic acid in or on animal feed, nongrass, forage and hay group. BASF requested these tolerances under the Federal Food, Drug, and Cosmetic Act (FFDCA), as amended by the Food Quality Protection Act of 1996 (FQPA).

After analysis of the submitted residue chemistry data, EPA determined that appropriate tolerances for nongrass animal feed differ from those proposed by the registrant. EPA determined that available field trial data support the following tolerances for the combined residues of the herbicide imazethapyr, 2-[4,5-dihydro-4-methyl-4-(1-methylethyl)-5-oxo-1H-imidazol-2-yl]-5-ethyl-3-pyridine carboxylic acid, and its metabolites 2-[4,5-dihydro-4-methyl-4-(1-methylethyl)-5-oxo-1H-imidazol-2-yl]-5-(1-hydroxyethyl)-3-pyridine carboxylic acid and 5-[1-(beta-D-glucopyranosyloxy)ethyl]-2-[4,5-dihydro-4-methyl-4-(1-methylethyl)-5-oxo-1H-imidazol-2-yl]-3-pyridinecarboxylic acid, applied as its free acid or ammonium salt, in or on the following raw agricultural commodities: Animal feed, nongrass, group, forage - 3.0 ppm; animal feed, nongrass, group, hay - 5.5 ppm; alfalfa, seed - 0.15 ppm; and alfalfa, seed screenings - 0.15 ppm. The currently established alfalfa forage and alfalfa hay tolerances will be removed since they will be covered by the new nongrass animal feed forage and hay group tolerances. The tolerance for canola seed will be established for residues of the parent compound, imazethapyr, only. Finally, EPA determined that tolerances of 0.10 ppm for imazethapyr and the metabolite 2-[4,5-dihydro-4-methyl-4-(1-methylethyl)-5-oxo-1H-imidazol-2-yl]-5-(1-hydroxyethyl)-3-pyridine carboxylic acid need to be established for meat byproducts of cattle, goat, hog, horse, and sheep; the registrant did not propose tolerances for these commodities. EPA determined that tolerances are not needed for eggs; milk; meat and fat of cattle, goat, hog, horse, and sheep; and poultry commodities because there is no reasonable expectation of finite residues based on the calculated maximum total dietary burdens and the results of the poultry metabolism study.

Comment Deadline Date - 5/12/2003 Enforcement Date - WTO Type/Number - SPS USA/720

Objective - Food Safety, Protect Humans from Animal/Plant Pest or Disease

Description - EPA is announcing the availability for comment of a paper discussing procedural guidance

FSTSD # 03.198 **Country** - United States of A **Product** - Paper Reviewing Procedural Guidance for for policy development in the Office of Pesticide Programs (OPP). The procedures have two goals: To increase public participation in the development, modification and implementation of OPP policy guidance documents; and to clarify that while such documents are non-binding policy statements and not legally binding rules, they nonetheless play an important role in helping to ensure a consistent starting point for OPP decision making.

FSTSD # 03.199 **Country** - United States of A **Product** - Fragrant Pears
Comment Deadline Date - 7/22/2003 **Enforcement Date** - **WTO Type/Number** - SPS USA/721
Objective - Plant Protection
Description - APHIS is to amend the fruits and vegetables regulations to allow the importation of fragrant pears from China under certain conditions. As a condition of entry, fragrant pears from China would have to be grown in the Korla region of Xinjiang Province in a production site that is registered with the national plant protection organization of China. The fragrant pears would be subject to inspection. In addition, the pears would have to be packed in insect-proof containers that are labelled in accordance with the regulations and safeguarded from pest infestation during transport to the United States. This action would allow fragrant pears to be imported from China while continuing to provide protection against the introduction of plant pests into the United States.

FSTSD # 03.200 **Country** - United States of A **Product** - Propagative Material of Pelargonium spp. a
Comment Deadline Date - **Enforcement Date** - 05/16/03 **WTO Type/Number** - SPS USA/722
Objective - Plant Protection
Description - We are amending the regulations to require that an additional declaration appear on the phytosanitary certificate that must accompany all articles of Pelargonium spp. and Solanum spp. imported into the United States, except those imported under the Canadian greenhouse-grown restricted plant program. The additional declaration must state either that the articles of Pelargonium spp. and Solanum spp. were produced in a production facility that has been tested and found to be free of Ralstonia solanacearum race 3 biovar 2 or that Ralstonia solanacearum race 3 biovar 2 is not known to occur in the region in which the articles were produced. We have recently discovered that articles of Pelargonium spp. and Solanum spp. imported into the United States pose a risk of carrying this bacterial strain, which causes potato brown rot. This action is necessary to prevent the introduction of this bacterial strain into the United States.

EMERGENCY MEASURE: Nature of the urgent problem(s) and reason for urgent action: Ralstonia solanacearum race 3 biovar 2 has been detected in imported geranium cuttings. Ralstonia solanacearum race 3 biovar 2 is a highly pathogenic bacterium with a wide host range among commercial crops, and is not established in the United States.

FSTSD # 01.0082.A1 **Country** - European Union **Product** - GMO for Food or Feed Use
Comment Deadline Date - **Enforcement Date** - **WTO Type/Number** - TBT EEC/6/A1
Objective -
Description - ADDENDUM reads: This notice provides information on the present status of the Commission's "Proposal for a Regulation of the European Parliament and of the Council on Genetically Modified Food and Feed" COM(2001)425 final, notified in notice G/TBT/N/EEC/6 (30 August 2001) and G/TBT/N/EEC/6/Corr.1 (31 October 2001)

In accordance with the co-decision procedure foreseen in Article 251 of the E.C. Treaty, the proposal was submitted to the European Parliament (EP) that - on a first reading - has introduced changes. Now the Council, after examining the amendments contained in the EP's opinion, has adopted a "Common Position with a View to the Adoption of Regulation of the European Parliament and of the Council on Genetically Modified Food and Feed". This Common position, in Council Document 5204/3/03 Rev.3 - Inter-institutional file 2001/0173 (COD) – has been forwarded to the European Parliament (EP) for a second reading. The Commission can inform that the EP's 2nd reading is expected to be finalised

FSTSD # 01.0082.A1 **Country** - European Union **Product** - GMO for Food or Feed Use
by July 2003. Information on the progress of this proposal is available in:

http://europa.eu.int/prelex/detail_dossier_real.cfm?CL=en&DosId=166859

The document was published in the Official Journal of the European Union N° C 113 E/03
of 13 May 2003 and can also be obtained from the EEC Enquiry Point.

FSTSD # 01.0083.A1 **Country** - European Union **Product** - GMO Food and Feed Products
Comment Deadline Date - **Enforcement Date** - **WTO Type/Number** - TBT EEC/7/A1

Objective -

Description - This notice provides information on the present status of the Commission's "Proposal for a Regulation of the European Parliament and of the Council Concerning the Labelling and Traceability of Genetically Modified Organisms and the Traceability of Food and Feed Products Produced from Genetically Modified Organisms and Amending Directive 2001/18/EC" COM(2001)182, notified in G/TBT/N/EEC/7 (30 August 2001) and G/TBT/N/EEC/7/Corr.1 (31 October 2001).

In accordance with the co-decision procedure foreseen in Article 251 of the E.C.-Treaty the proposal was submitted to the European Parliament (EP), which on first reading, adopted amendments in its opinion to introduce changes to the text. The Council, after examining these amendments, has now adopted a "Common Position with a View to the Adoption of a Regulation of the European Parliament and of the Council Concerning the Traceability and the Labelling of Genetically Modified Organisms and the Traceability of Food and Feed Products Produced from Genetically Modified Organisms and Amending Directive 2001/18/EC." This Common position, as laid down in Council Document - Inter-institutional file 2001/0180 (COD) - has since been forwarded to the European Parliament (EP) for second reading. The Commission anticipates that the EP's 2nd reading is likely to be finalised by July 2003. Information on the progress of this proposal is available in:

http://europa.eu.int/prelex/detail_dossier_real.cfm?CL=en&DosId=167160

The document was published in the Official Journal of the European Union N° C 113 E/02
of 13 May 2003 and can also be obtained from the EEC Enquiry Point.

FSTSD # 03.087 **Country** - Brazil **Product** - Soup
Comment Deadline Date - 6/22/2003 **Enforcement Date** - **WTO Type/Number** - TBT BRA/112

Objective - Labelling requirements and public health.

Description - Establishes soup identity and quality technical regulation, including labeling requirements.

FSTSD # 03.088 **Country** - Brazil **Product** - Processed Tomato Concentrates
Comment Deadline Date - 6/22/2003 **Enforcement Date** - **WTO Type/Number** - TBT BRA/113

Objective - Labelling requirements and public health.

Description - Establishes processed tomato concentrates identity and quality technical regulation, including labeling requirements.

FSTSD # 03.089 **Country** - Brazil **Product** - Mustard and Prepared Mustard
Comment Deadline Date - 6/22/2003 **Enforcement Date** - **WTO Type/Number** - TBT BRA/114

Objective - Labelling requirements and public health.

Description - Establishes mustard and prepared identity and quality technical regulation, including labeling requirements.

FSTSD # 03.090 **Country** - Brazil **Product** - Chocolate
Comment Deadline Date - 6/22/2003 **Enforcement Date** - **WTO Type/Number** - TBT BRA/115

Objective - Labelling requirements and public health.

Description - Establishes chocolate identity and quality technical regulations, including labeling

FSTSD # 03.090 **Country -** Brazil **Product -** Chocolate requirements.

FSTSD # 03.091 **Country -** Argentina **Product -** Wine
Comment Deadline Date - **Enforcement Date -** 05/08/03 **WTO Type/Number -** TBT ARG/101

Objective - The need to establish, as an exporting country, the appropriate limits for these products through essential production and conservation techniques, as laid down by the International Organization of Vine and Wine (OIV).

Description - Establishes the maximum limits for sulphate content, expressed as potassium sulphate, both in wine that is in circulation and in wineries.

FSTSD # 03.092 **Country -** Argentina **Product -** Wine Products
Comment Deadline Date - **Enforcement Date -** 04/24/03 **WTO Type/Number -** TBT ARG/107

Objective - Ensure that adequate information is available to consumers and prevent the use of deceptive practices as regards wine labelling.

Description - Approval of the legal appellation system for wine in circulation with regard to commercial identification, grape-wine yield, alcoholic strength and exceptions, and varietal identification.

FSTSD # 03.093 **Country -** Argentina **Product -** Food Products
Comment Deadline Date - **Enforcement Date -** 04/15/03 **WTO Type/Number -** TBT ARG/109

Objective - Incorporate MERCOSUR Common Market Group Resolution No. 55/99 into Argentine legislation.

Description - Incorporates MERCOSUR Common Market Group Resolution No. 55/99 on polymer- and/or resin-based film-forming preparations intended for food coatings into the Argentine Food Code. The Regulation covers polymer- and/or resin-based film-forming preparations which are applied directly by dispersion to ripening cheese and the casing of sausages (other than fresh).

FSTSD # 03.094 **Country -** Argentina **Product -** Labelling of Pre-packaged Food
Comment Deadline Date - **Enforcement Date -** 07/29/03 **WTO Type/Number -** TBT ARG/104

Objective - To keep the Argentine Food Code up to date by implementing the agreements concluded within the framework of the Southern Common Market (MERCOSUR).

Description - Establishes the labelling requirements for any food marketed in MERCOSUR States Parties, whatever its origin, packaged in the absence of the client and ready to be offered to the consumer.

End of Report.