

tumor response associated with imazalil. Closely related compounds with the chlorinated benzene moiety, e.g., etaconazole, cyproconazole, tebuconazole, induced hepatocellular adenomas, and malignant carcinomas in both sexes of several strains of mice. The mutagenicity data for imazalil did not indicate genotoxic activity; however, a data gap was identified and additional testing is required.

B. Proposed Food Additive Revocations

Acephate. EPA is proposing to revoke the food additive regulation of 0.02 ppm for the combined residues of acephate (*O,S*-dimethyl acetylphosphoramidothioate) and its cholinesterase-inhibiting metabolite, methamidophos, set to cover use of the pesticide in food-handling establishments. This food additive regulation is codified at 40 CFR 185.100. EPA is proposing to revoke this food additive regulation because the Agency has determined that acephate induces cancer in animals. Thus, the regulation violates the Delaney clause in section 409 of the FFDCa.

Triadimefon. EPA is proposing to revoke the food additive regulations for triadimefon (1-(4-chlorophenoxy)-3,3-dimethyl-1-(1H-1,2,4-triazol-1-yl)-2-butanone) and its metabolite *beta*-(4-chlorophenoxy)-*alpha*-(1,1-dimethylethyl)-1H-1,2,4-triazole-1-ethanol set to cover residues in or on milled fractions of barley (except flour) and milled fractions of wheat (except flour). The food additive regulations, which are codified at 40 CFR 185.800, are set at 4 ppm. EPA is proposing to revoke these food additive regulations because the Agency has determined that triadimefon induces cancer in animals. Thus, the regulations violate the Delaney clause in section 409 of the FFDCa.

Iprodione. EPA is proposing to revoke the food additive regulations for iprodione [3-(3,5-dichlorophenyl)-*N*-(1-methylethyl)-2,4-dioxo-1-imidazolidinecarboxamide], its isomer [3-(1-methyl-ethyl)-*N*-(3,5-dichlorophenyl)-2,4-dioxo-1-imidazolidinecarboxamide], and its metabolite [3-(3,5-dichlorophenyl)-2,4-dioxo-1-imidazolidinecarboxamide] set to cover residues in dried ginseng at 4 ppm and raisins at 300 ppm. The food additive regulations for iprodione are codified at 40 CFR 185.3750. EPA is proposing to revoke these food additive regulations because the Agency has determined that iprodione induces cancer in animals. Thus, the regulation violates the Delaney clause in section 409 of the FFDCa.

Imazalil. EPA is proposing to revoke the food additive regulation for imazalil set to cover residues of the fungicide imazalil 1-[2-(2,4-dichlorophenyl)-2-(2-propenyloxy)ethyl]-1H-imidazole and its metabolite 1-(2,4-dichlorophenyl)-2-(1H-imidazole-1-yl)-1-ethanol in citrus oil at a level of 25 ppm. This food additive regulation is codified at 40 CFR 185.3650. EPA is proposing to revoke this food additive regulation because the Agency has determined that imazalil induces cancer in animals, and thus violates the Delaney clause in section 409 of the FFDCa.

III. Consideration of Comments

Any interested person may submit comments on this proposed action on or before April 18, 1995 at the address given in the section above entitled "ADDRESSES." Before issuing final actions, EPA will consider all relevant comments. Comments should be limited only to the pesticides and food additive regulations subject to this proposed notice. After consideration of comments, EPA will issue a final order determining whether revocation of the regulations is appropriate and making a final finding on whether these pesticides induce cancer within the meaning of the Delaney clause. Such order will be subject to objections pursuant to section 409(f) (21 U.S.C. 348(f)). Failure to file an objection within the appointed period will constitute waiver of the right to raise issues resolved in the order in future proceedings.

IV. Executive Order 12866

Since this proposed action is being taken under the Delaney clause, which requires the Agency to act without considering the costs or benefits of the action, the Agency has not completed an evaluation of the economic impacts of this particular action. Nevertheless, pursuant to an agreement between EPA and OMB, this action was submitted to OMB for an informal 10-day review. As required by the Executive Order, any comments or changes made in response to OMB suggestions or recommendations have been documented in the public record. In addition, the Agency welcomes any comments and information regarding the impacts of this proposed action. These could contribute to an analysis of the impacts of similar future actions.

V. Regulatory Flexibility Act

The Regulatory Flexibility Act of 1980 (Pub. L. 96-354; 94 Stat. 1164, 5 U.S.C. 601 et seq.) requires EPA to analyze regulatory options to assess the economic impact on small businesses,

small governments, and small organizations. As explained above, the Agency is compelled to take this action without regard to the economic impacts. Again, EPA welcomes any information on impacts to small businesses, governments, and organizations.

VI. Paperwork Reduction Act

This order does not contain any information collection requirements subject to review by Office of Management and Budget under the Paperwork Reduction Act of 1980, 44 U.S.C. 3501 et seq.

List of Subjects in 40 CFR Part 185

Environmental protection, Administrative practice and procedure, Agricultural commodities, Food additives, Pesticides and pests, Recording and recordkeeping requirements.

Dated: January 10, 1995.

Lynn R. Goldman,

Assistant Administrator for Prevention, Pesticides and Toxic Substances.

Therefore, it is proposed that 40 CFR part 185 be amended as follows:

PART 185—[AMENDED]

1. The authority citation for part 185 continues to read as follows:

Authority: 21 U.S.C. 346a and 348.

§ 185.100 [Removed]

2. By removing § 185.100.

§ 185.800 [Removed]

3. By removing § 185.800.

§ 185.3650 [Removed]

4. By removing § 185.3650.

§ 185.3750 [Removed]

5. By removing § 185.3750

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40 CFR Part 180

[OPP-300375; FRL-4926-6]

RIN 2070-AC18

Oryzalin; Revocation of Tolerances

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing to revoke tolerances for residues of the herbicide oryzalin in or on various raw agricultural commodities. EPA is taking this action because registered uses of oryzalin for cottonseed, barley grain,