



16 February 2024

(24-1410)

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Committee on Sanitary and Phytosanitary Measures

Original: English

NOTIFICATION

1. Notifying Member: UNITED STATES OF AMERICA 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): All commodities
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: Chlorpyrifos; Reinstatement of Tolerances. Final Rule. Language(s): English. Number of pages: 3 https://www.govinfo.gov/content/pkg/FR-2024-02-05/html/2024-02153.htm
6. Description of content: The Environmental Protection Agency (EPA) is amending its regulations to reflect the current legal status of the chlorpyrifos tolerances following a court order vacating the Agency's revocation of those tolerances. EPA is issuing this as a final action that is effective upon publication since this action simply conforms the regulations to reflect the tolerances that have already been legally reinstated by the court's order. <p>Since the tolerances are currently in effect, growers can now use currently registered chlorpyrifos products on all crops with reinstated tolerances, consistent with directions for use on those product labels. However, such uses may be subject to restrictions by individual states.</p> <p>The Eighth Circuit's decision stated that EPA should have considered modifying the tolerances in addition to complete revocation and noted that the Agency had "identified 11 specific candidates" of food and feed crop uses whose tolerances could be modified in a Preliminary Interim Decision EPA issued in 2020. Thus, the Agency expects to expeditiously propose a new rule to revoke the tolerances for all but 11 uses with additional restrictions for geographic location and rate of application to address safety of the tolerances, and potential restrictions for farmworker and other vulnerable populations, and vulnerable species and their habitats. Those 11 uses are: alfalfa, apple, asparagus, cherry (tart), citrus, cotton, peach, soybean, strawberry, sugar beet, wheat (spring), and wheat (winter). These 11 uses were identified in the December 2020 Chlorpyrifos Proposed Interim Decision and represented about 55% of the total chlorpyrifos usage (average annual pounds applied) on agricultural commodities between 2014-2018.</p> <p>EPA is also engaged in discussions with registrants of chlorpyrifos products to further reduce exposures associated with these 11 uses of chlorpyrifos. EPA will also consider the 2020 Proposed Interim Decision and public comments received on that document.</p> <p>At this time, any existing final cancellation orders, including any terms for sale, distribution, and use of existing stocks of products subject to those cancellation orders and related return programs for chlorpyrifos products, remain in place, unless and until amended by EPA.</p>

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.	<p>Is there a relevant international standard? If so, identify the standard:</p> <p><input type="checkbox"/> Codex Alimentarius Commission (e.g. title or serial number of Codex standard or related text):</p> <p><input type="checkbox"/> World Organization for Animal Health (OIE) (e.g. Terrestrial or Aquatic Animal Health Code, chapter number):</p> <p><input type="checkbox"/> International Plant Protection Convention (e.g. ISPM number):</p> <p><input checked="" type="checkbox"/> None</p> <p>Does this proposed regulation conform to the relevant international standard?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If no, describe, whenever possible, how and why it deviates from the international standard:</p>
9.	<p>Other relevant documents and language(s) in which these are available: https://www.govinfo.gov/content/pkg/FR-2021-08-30/html/2021-18091.htm https://www.epa.gov/pesticide-worker-safety/epa-update-use-pesticide-chlorpyrifos-food (available in English)</p>
10.	<p>Proposed date of adoption (dd/mm/yy): 5 February 2024 Proposed date of publication (dd/mm/yy): 5 February 2024</p>
11.	<p>Proposed date of entry into force: <input type="checkbox"/> Six months from date of publication, and/or (dd/mm/yy): 5 February 2024 <input type="checkbox"/> Trade facilitating measure</p>
12.	<p>Final date for comments: <input type="checkbox"/> Sixty days from the date of circulation of the notification and/or (dd/mm/yy): Not applicable</p> <p>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:</p> <p>Patricia Biggio, Pesticide Re- Evaluation Division (7508M), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460-0001; Tel: +(202) 566 0700; E-mail: OPPChlorpyrifosInquiries@epa.gov</p>
13.	<p>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:</p> <p>https://www.govinfo.gov/content/pkg/FR-2024-02-05/html/2024-02153.htm</p>