

Under Executive Order 12866 (58 FR 51735, Oct. 4, 1993), the Agency must determine whether the regulatory action is "significant" and therefore subject to review by the Office of Management and Budget (OMB) and the requirements of the Executive Order. Under section 3(f), the order defines a "significant regulatory action" as an action that is likely to result in a rule (1) having an annual effect on the economy of \$100 million or more, or adversely and materially affecting a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities (also referred to as "economically significant"); (2) creating serious inconsistency or otherwise interfering with an action taken or planned by another agency; (3) materially altering the budgetary impacts of entitlement, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or (4) raising novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in this Executive Order.

Pursuant to the terms of the Executive Order, EPA has determined that this rule is not "significant" and is therefore not subject to OMB review.

Pursuant to the requirements of the Regulatory Flexibility Act (Pub. L. 96-354, 94 Stat. 1164, 5 U.S.C. 601-612), the Administrator has determined that regulations establishing new tolerances or raising tolerance levels or establishing exemptions from tolerance requirements do not have a significant economic impact on a substantial number of small entities. A certification statement to this effect was published in the **Federal Register** of May 4, 1981 (46 FR 24950).

List of Subjects in 40 CFR Part 180

Environmental protection,
Administrative practice and procedure,
Agricultural commodities, Pesticides
and pests, Reporting and recordkeeping
requirements.

Dated: June 5, 1995.

Stephen L. Johnson,

*Director, Registration Division, Office of
Pesticide Programs.*

Therefore, chapter I of title 40 of the
Code of Federal Regulations is amended
as follows:

PART 180—[AMENDED]

1. In part 180:

a. The authority citation for part 180
continues to read as follows:

Authority: 21 U.S.C. 346a and 371.

b. By amending § 180.438, by revising
the table therein, to read as follows:

§ 180.438 Lambda-cyhalothrin; tolerance for residues.

Commodity	Parts per million
Broccoli	0.4
Cabbage	0.4
Cattle, fat	3.0
Cattle, meat	0.2
Cattle, mbyp	0.2
Corn, grain (field and pop)	0.05
Corn, fodder	1.0
Corn, forage	6.0
Corn, sweet (K + kwhr)	0.05
Cottonseed	0.05
Dry bulb onion	0.1
Eggs	0.01
Garlic	0.02
Goats, fat	3.0
Goats, meat	0.2
Goats, mbyp	0.2
Hogs, fat	3.0
Hogs, meat	0.2
Hogs, mbyp	0.2
Horses, fat	3.0
Horses, meat	0.2
Horses, mbyp	0.2
Lettuce, head	2.0
Milk, fat (reflecting 0.2 ppm in whole milk)	5.0
Peanuts	0.05
Peanut, hulls	0.05
Poultry, fat	0.01
Poultry, meat	0.01
Poultry, mbyp	0.01
Sheep, fat	3.0
Sheep, meat	0.2
Sheep, mbyp	0.2
Soybeans	0.01
Sorghum, grain	0.2
Sorghum, grain dust	1.5
Sunflower, seeds	0.2
Sunflower, forage	0.20
Tomatoes	0.1
Wheat, grain	0.05
Wheat, forage	2.0
Wheat, hay	2.0
Wheat, straw	2.0
Wheat, grain dust	2.0

PART 185—[AMENDED]

2. In part 185

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

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

b. By redesignating § 185.1310 as
§ 185.3765, by revising the heading, and
by adding new paragraph (c), to read as
follows:

§ 185.3765 Lambda-cyhalothrin.

(c) A tolerance, to expire on
November 15, 1997, is established for
the combined residues of the insecticide

lambda-cyhalothrin and its epimer
expressed as lambda-cyhalothrin, a 1:1
mixture of (S)- α -cyano-3-
phenoxybenzyl-(Z)-(1R,3R)-3-(2-chloro-
3,3,3-trifluoroprop-1-enyl)-2,2-
dimethylcyclopropanecarboxylate and
(R)- α -cyano-3-phenoxybenzyl-(Z)-
(1S,3S)-3-(2-chloro-3,3,3-trifluoroprop-
1-enyl)-2,2-
dimethylcyclopropanecarboxylate and
its epimer of lambda-cyhalothrin, a 1:1
mixture of (S)- α -cyano-3-
phenoxybenzyl-(Z)-(1S,3S)-3-(2-chloro-
3,3,3-trifluoroprop-1-enyl)-2,2-
dimethylcyclopropanecarboxylate and
(R)- α -cyano-3-phenoxybenzyl-(Z)-
(1R,3R)-3-(2-chloro-3,3,3-trifluoroprop-
1-enyl)-2,2-
dimethylcyclopropanecarboxylate in or
on the following food commodities:

Food	Parts per million
Corn, grain flour	0.15
Sunflower, oil	0.30
Wheat, bran	0.2

PART 186—[AMENDED]

3. In part 186

a. The authority citation for part 186
continues to read as follows:

Authority: 21 U.S.C. 348

b. By revising § 186.3765, to read as
follows:

§ 186.3765 Lambda-cyhalothrin.

A tolerance, to expire on November
15, 1997, is established for the
combined residues of the insecticide
lambda-cyhalothrin and its epimer
expressed as lambda-cyhalothrin, a 1:1
mixture of (S)- α -cyano-3-
phenoxybenzyl-(Z)-(1R,3R)-3-(2-chloro-
3,3,3-trifluoroprop-1-enyl)-2,2-
dimethylcyclopropanecarboxylate and
(R)- α -cyano-3-phenoxybenzyl-(Z)-
(1S,3S)-3-(2-chloro-3,3,3-trifluoroprop-
1-enyl)-2,2-
dimethylcyclopropanecarboxylate and
its epimer of lambda-cyhalothrin, a 1:1
mixture of (S)- α -cyano-3-
phenoxybenzyl-(Z)-(1S,3S)-3-(2-chloro-
3,3,3-trifluoroprop-1-enyl)-2,2-
dimethylcyclopropanecarboxylate and
(R)- α -cyano-3-phenoxybenzyl-(Z)-
(1R,3R)-3-(2-chloro-3,3,3-trifluoroprop-
1-enyl)-2,2-
dimethylcyclopropanecarboxylate in or
on the following feed commodities:

Food	Parts per million
Sunflower, hulls	0.50
Tomato pomace (dry or wet)	6.0
Wheat, bran	0.2