peaches, pears, strawberries, and tomatoes. This temporary exemption from the requirement for a tolerance will permit the marketing of the food commodities in this paragraph when treated in accordance with the provisions of experimental use permit 70515-EUP-1, which is being issued under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (7 U.S.C. 136). This temporary exemption from the requirement of a tolerance expires and is revoked on June 1, 2001. This temporary exemption from the requirement of a tolerance may be revoked at any time if the experimental use permit is revoked or if any experience with or scientific data on this pesticide indicate that the tolerance is not safe.

[63 FR 32134, June 12, 1998]

PART 185—TOLERANCES FOR PESTICIDES IN FOOD

Subpart A [Reserved]

Subpart B—Food Additives Permitted in Food for Human Consumption

Sec.

Subpart C—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

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

SOURCE: 40 FR 14156, Mar. 28, 1975, unless otherwise noted. Redesignated at 41 FR 26568, June 28, 1976, and 53 FR 24667, June 29, 1988.

EDITORIAL NOTE: The text of part 185 set forth below was transferred and recodified at 53 FR 24666, June 29, 1988. New part 185 formerly appeared in 21 CFR part 193. A Redesignation Table appears in the Finding Aids section of this volume.

Subpart A [Reserved]

Subpart B—Food Additives Permitted in Food for Human Consumption

§ 185.150 Aldicarb.

(a) A regulation is established permitting the combined residues of the insecticide/nematocide aldicarb 2-methyl-2-(methylthio)propionaldehyde *O*-(methylcarbamoyl)oxime and its cholinesterase-inhibiting metabolites

2-methyl-2-(methylsulfonyl) propionaldehyde *O*-(methylcarbamoyl)oxime and 2-methyl-2-(methylsulfonyl)propionaldehyde *O*-(methylcarbamoyl)oxime in or on the commodity sorghum bran at 0.5 part per million.

(b) [Reserved]

[47 FR 14894, Apr. 7, 1982, as amended at 53 FR 8874, Mar. 18, 1988. Redesignated at 53 FR 24667, June 29, 1988]

§ 185.200 Aluminum phosphide.

The food additive aluminum phosphide may be safely used in accordance with the following prescribed conditions:

(a) It is used to generate phosphine in the fumigation of processed foods.

(b) To assure safe use of the additive, it is used in compliance with label and labeling conforming to that registered with the U.S. Environmental Protection Agency. Labeling shall bear a warning to aerate the finished food for 48 hours before it is offered to the consumer. A further warning shall state that under no condition should the formulation containing aluminum phosphide be used so that it or its unreacted residues will come in contact with any processed food, except processed brewer's rice, malt, and corn grits stored in breweries for use in the manufacture of beer.

(c) Residues of phosphine in or on processed foods do not exceed 0.01 part per million.

[40 FR 14156, Mar. 28, 1975. Redesignated at 41 FR 26568, June 28, 1976, and amended at 44 FR 35210, June 19, 1979. Redesignated at 53 FR 24667, June 29, 1988]

§ 185.250 4-Amino-6-(1,1-dimethylethyl)-3-(methylthio)-1,2,4-triazin-5(4H)-one.

Tolerances are established for combined residues of the herbicide 4-amino-6-(1,1-dimethylethyl)-3-(methylthio)-1,2,4-triazin-5(4*H*)-one and its triazinone metabolites in or on the following processed foods when present therein as a result of application of this herbicide to growing crops:

Food	Parts per million
Barley, milled fractions (except flour)	3
Potatoes, processed (inc. potato chips)	3
Sugarcane molasses	2
Wheat milled fractions (except flour)	3

[44 FR 40283, July 10, 1979. Redesignated at 53 FR 24667, June 29, 1988]

§ 185.650 Carbon dioxide.

The food additive carbon dioxide may be safely used after harvest in modified atmospheres for stored product insect control on all processed agricultural commodities.

[46 FR 32866, June 25, 1981. Redesignated at 53 FR 24667, June 29, 1988]

§ 185.1000 Chlorpyrifos.

(a) Tolerances are established for the combined residues of the insecticide chlorpyrifos [*O,O*- diethyl *O*-(3,5,6-trichloro-2-pyridyl) phosphorothioate] and its metabolite 3,5,6-trichloro-2-pyridinol resulting from application of the insecticide to growing crops as follows:

Foods	Parts per million
Citrus oil	25.0
Corn oil	3.0

(b) The additive chlorpyrifos [*O,O*-diethyl *O*-(3,5,6-trichloro-2-pyridyl) phosphorothioate] may be safely used in accordance with the following prescribed conditions.

(1) Application shall be limited solely to spot and/or crack and crevice treatment in food handling establishments where food and food products are held, processed, prepared or served. Contamination of food or food contact surfaces shall be avoided. Food must be removed or covered during treatment.

(2) Spray concentration for spot treatment shall be limited to a maximum of 0.5 percent of the active ingredient by weight. A course, low-pressure spray shall be used to avoid atomization or splashing of the spray.

(3) Paint-on application for spot treatment shall be limited to a maximum of 2 percent of the active ingredient by weight.

(4) Crack and crevice treatment shall be limited to a maximum of 2 percent of the active ingredient by weight. Equipment capable of delivering a pinstream of insecticide shall be used.

(5) Application via adhesive strips shall contain a maximum of 10% by weight of the controlled-release product in food-handling establishments where food and food products are held, processed, prepared, or served. A maximum of 36 strips (or 5.15 grams of chlorpyrifos) is to be used per 100 square feet of floor space. The strips are not to be placed in exposed areas where direct contact with food, utensils, and food-contact surfaces would be likely to occur.

(6) To assure safe use of the insecticide, its label and labeling shall conform to that registered by the U.S. Environmental Protection Agency, and it shall be used in accordance with such label and labeling.

(c) A tolerance of 0.1 part per million is established for residues of chlorpyrifos, per se, in or on all food items (other than those already covered by a higher tolerance as a result of use on growing crops) in food service establishments where food and food products are prepared and served, as a result of the application of chlorpyrifos in microencapsulated form.

(1) Application of a microencapsulated product shall be limited solely to spot and/or crack and crevice treatment in food handling establishments where food and food products are prepared and served. All treatments shall be applied in such a manner as to avoid contamination of food or food contact surfaces.

(2) Spray concentrations shall be limited to a maximum of 0.5 percent of the active ingredient by weight.

(3) For crack and crevice treatment, equipment capable of delivering a pin stream of spray directly into cracks and crevices or capable of applying small amounts of insecticide into cracks and crevices shall be used.

(4) For spot treatment, an individual spot shall not exceed 2 square feet.

(5) To assure safe use of the insecticide, its label and labeling shall conform to that registered by the U.S. Environmental Protection Agency, and it shall be used in accordance with such label and labeling.

(d) Tolerances are established for residues of the insecticide chlorpyrifos [*O,O*-diethyl *O*-(3,5,6-trichloro-2-pyridyl) phosphorothioate] resulting from application of the insecticide to growing crops as follows:

Foods	Parts per million
Milling fractions (except flour) of wheat	1.5
Mint oil	8
Peanut oil	0.4

[47 FR 30478, July 14, 1982, as amended at 53 FR 9434, Mar. 23, 1988. Redesignated at 53 FR 24667, June 29, 1988; 57 FR 10293, Mar. 25, 1992; 58 FR 19356, Apr. 14, 1993]

§ 185.1050 Chlorpyrifos-methyl.

Tolerances are established for the combined residues of the insecticide chlorpyrifos-methyl (*O,-O-* dimethyl-*O*-(3,5,6-trichloro-2-pyridyl) phosphorothioate and its metabolite (3,5,6-trichloro-2-pyridinol) in or on the following processed feeds when present therein as a result of application to stored grains:

Food	Parts per million
Barley milling fractions (except flour)	90
Oats milling fractions (except flour)	130
Sorghum milling fractions (except flour)	90
Rice milling fractions (except flour)	30
Wheat milling fractions (except flour)	30

[50 FR 26682, June 27, 1985. Redesignated at 53 FR 24667, June 29, 1988]

§ 185.1150 Combustion product gas.

The food additive combustion product gas may be safely used after harvest in modified atmospheres for stored product insect control on all processed agricultural commodities (except fresh meat) with the following prescribed conditions:

(a) The combustion product gas is produced by the controlled combustion in air of butane, propane, or natural gas. The combustion equipment shall be provided with an absorption type filter capable of removing possible toxic impurities through which all gas used in the treatment of food shall pass and with suitable controls to insure that any combustion products failing to meet the specifications provided will be prevented from reaching the food being treated.

(b) The insecticide meets the following specifications:

(1) Carbon monoxide content not to exceed 4.5 percent by volume.

(2) It is used or intended for use to displace or remove oxygen in the storage of food, except fresh meat.

[46 FR 32866, June 25, 1981. Redesignated at 53 FR 24667, June 29, 1988]

§ 185.1200 Copper.

A tolerance of 1 part per million is established in potable water for residues of copper resulting from the use of the algicides or herbicides basic copper carbonate (malachite), copper sulfate, copper monoethanolamine, and copper triethanolamine to control aquatic plants in reservoirs, lakes, ponds, irrigation ditches, and other potential sources of potable water.

[45 FR 53459, Aug. 12, 1980. Redesignated at 53 FR 24667, June 29, 1988]

§ 185.1350 Cyhexatin.

Tolerances are established for combined residues of the insecticide cyhexatin (tricyclohexylhydroxystannane; CAS Reg. No. 13121–70–5) and its organotin metabolites (calculated as cyhexatin) in or on the following processed foods when present therein as a result of application of this insecticide to the growing crops:

Food	Parts per million
Hops, dried	90
Prunes, dried	4

[53 FR 23389, June 22, 1988. Redesignated at 53 FR 24667, June 29, 1988]

§ 185.1500 Dalapon.

A tolerance of 0.2 part per million is established for residues of the herbicide dalapon (2,2-dichloropropionic acid) in potable water when present therein as a result of the application of dalapon sodium-magnesium salt mixtures to irrigation ditch banks in the western United States.

[43 FR 22345, May 25, 1978. Redesignated at 53 FR 24667, June 29, 1988]

§ 185.1650 Dialifor.

A tolerance of 2 parts per million is established for combined residues of the insecticide dialifor (*S*-(2-chloro-1-phthalimidoethyl) *O*,*O*-diethyl phosphorodithioate) and its oxygen analog *S*-(2-chloro-1-phthalimidoethyl *O*,*O*-diethyl phosphorothioate) in or on raisins from application of the insecticide to the growing raw agricultural commodity grapes.

§ 185.1700 Diatomaceous earth.

The food additive diatomaceous earth may be safely used in accordance with the following conditions. Application shall be limited solely to spot and/or crack and crevice treatments in food processing and food storage areas in accordance with the prescribed conditions:

(a) It is used or intended for use for control of insects in food processing and food storage areas: *Provided*, That the food is removed or covered prior to such use.

(b) To assure safe use of the insecticide, its label and labeling shall conform to that registered by the U.S. Environmental Protection Agency, and it shall be used in accordance with such label and labeling.

[46 FR 55511, Nov. 10, 1981. Redesignated at 53 FR 24667, June 29, 1988]

§ 185.1800 Dicamba.

Tolerances are established for the combined residues of the herbicide dicamba (3,6-dichloro-*o*-anisic acid) and its metabolite 3,6-dichloro-5-hydroxy-*o*-anisic acid in or on the following processed foods when present therein as a result of application of this herbicide to growing crops.

Food	Parts per million
Sugarcane molasses	2.0

[48 FR 11114, Mar. 16, 1983. Redesignated at 53 FR 24667, June 29, 1988]

§ 185.1900 2,2-Dichlorovinyl dimethyl phosphate.

The food additive 2,2-dichlorovinyl dimethyl phosphate may be present as a residue from application as an insecticide on packaged or bagged nonperishable processed food (see: 21 CFR 170.3(j)) in an amount in such food not in excess of 0.5 part per million (ppm). To assure safe use of the insecticide, its label and labeling shall conform to the label and labeling registered by the

U.S. Environmental Protection Agency, and the usage employed shall conform with such label or labeling.

[56 FR 29183, June 26, 1991]

§ 185.2200 O,O-Dimethyl O-(4-nitro-m-tolyl) phosphorothioate.

(a) A tolerance of 30 parts per million, of which no more than 15 parts per million is *O,O*-dimethyl *O*-(4-nitro-*m*-tolyl) phosphorothioate or *O,O*-dimethyl *O*-(4-nitro-*m*-tolyl) phosphate, is established for combined residues of the insecticide *O,O*-dimethyl *O*-(4-nitro-*m*-tolyl) phosphorothioate and its metabolites *O,O*-dimethyl *O*-(4-nitro-*m*-tolyl) phosphate and 3-methyl-4-nitrophenol in wheat gluten resulting from postharvest application of the insecticide to stored wheat in Australia.

(b) [Reserved]

[44 FR 40282, July 10, 1979, as amended at 53 FR 8874, Mar. 18, 1988. Redesignated at 53 FR 24667, June 29, 1988]

§ 185.2250 Dimethyl phosphate of 3-hydroxy-N-methyl-cis-crotonamide.

A tolerance of 2 parts per million is established for residues of the insecticide dimethyl phosphate of 3-hydroxy-*N*-methyl-cis-crotonamide in concentrated tomato products when present therein as a result of application of the insecticide to growing tomatoes.

(Sec. 409(c) (1) & (4), Federal Food, Drug, and Cosmetic Act (21 U.S.C. 348(c) (1) & (4)), transferred to the Administrator EPA in Reorganization Plan No. 3 of 1970 (35 FR 15623))

[40 FR 18168, Apr. 25, 1975. Redesignated at 41 FR 26568, June 28, 1976. Redesignated at 53 FR 24667, June 29, 1988]

§ 185.2500 Diquat.

(a) A tolerance of 0.01 ppm is established for residues of the herbicide diquat (6,7-dihydrodipyrido (1,2-a:2′,1′-c) pyrazidiinium) derived from application of the dibromide salt in potable water resulting from the application of the pesticide for control of aquatic weeds in ponds, lakes, reservoirs, marshes, bayous, drainage ditches, canals, streams, and rivers which are slow-moving or quiescent in programs of the Corps of Engineers or other Federal or State public agencies. These agencies or contractors or licensees under their direct control will make certain that the treated water will not be used for animal consumption, swimming, spraying, domestic purposes, or for irrigation for 14 days post-treatment or until approved analysis shows that the water does not contain more than 0.01 ppm of diquat (calculated as the cation) and that no treatment will be made where commercial processing of fish resulting in the production of fish protein concentrate or fish meal is practiced.

(b) A tolerance of 0.01 ppm is established for residues of the herbicide diquat (6,7-dihydrodipyrido (1,2-a:2′,1′-c) pyrazinediium) (calculated as the cation) derived from application of the dibromide salt in potable water resulting from the application of the pesticide in ponds, lakes, and drainage ditches where there is little or no outflow of water and which are totally under control of the user. The applicator will make certain that treated water will not be used for animal consumption, swimming, spraying, irrigation, or domestic purposes for 14 days post-treatment. For the purposes of this paragraph only (§ 185.2500(b)) these applications of diquat are not to be used in aquatic sites in Florida.

(c) A food additive regulation of 0.5 part per million is established for residues of diquat in processed potatoes (includes potato chips).

[46 FR 30339, June 8, 1981, and 47 FR 8007, Feb. 24, 1982. Redesignated and amended at 53 FR 24666, 24668, June 29, 1988; 55 FR 26440, June 28, 1990]

§ 185.2600 Endosulfan.

A tolerance of 24 parts per million is established for combined residues of the insecticide endosulfan (6,7,8,9,10,10-hexachloro-1,5,5a,6,9,9a-hexahydro-6,9-methano-2,4,3-benzodioxathiepin-3-oxide) and its metabolite endosulfan sulfate (6,7,8,9,10,10-hexachloro-1,5,5a,6,9,9a-hexahydro-6,9-methano-2,4,3-benzodioxathiepin-3,3-dioxide) in or on dried tea (reflecting less than 0.1 part per million residues in beverage tea) resulting from application of the insecticide to growing tea.

§ 185.2700 Ethephon.

A food additive regulation is established permitting residues of the plant

growth regulator ethephon [(2-chloroethyl) phosphonic acid] in or on the following food commodities:

Food	Parts per million
Barley, milling fractions, except flour	5.0
Sugarcane, molasses	1.5
Wheat, milling fractions, except flour	5.0

[47 FR 20763, June 23, 1982, as amended at 50 FR 14097, Apr. 10, 1985; 51 FR 31325, Sept. 3, 1986; 53 FR 5367, Feb. 24, 1988. Redesignated at 53 FR 24667, June 29, 1988; 60 FR 32097, June 19, 1995]

§ 185.2850 Ethylene oxide.

Ethylene oxide may be safely used as a fumigant for the control of microorganisms and insect infestation in ground spices and other processed natural seasoning materials, except mixtures to which salt has been added, in accordance with the following prescribed conditions:

(a) Ethylene oxide, either alone or admixed with carbon dioxide or dichlorodifluoromethane, shall be used in amounts not to exceed that required to accomplish the intended technical effects. If used with dichlorodifluoromethane, the dichlorodifluoromethane shall conform with the requirements prescribed by 21 CFR 173.355 of this chapter.

(b) To assure safe use of the additive, its label and labeling shall conform to that registered with the U.S. Environmental Protection Agency and it shall be used in accordance with such label or labeling.

(c) Residues of ethylene oxide in ground spices from both postharvest application to the raw agricultural commodity whole spices and application to the ground spices shall not exceed the established tolerance of 50 parts per million for residues in whole spices in 40 CFR 180.151.

[40 FR 14156, Mar. 28, 1975. Redesignated at 41 FR 26568, June 28, 1976, and amended at 50 FR 2958, Jan. 23, 1985. Redesignated and amended at 53 FR 24666, 24668, June 29, 1988]

§ 185.2950 Ethyl 3-methyl-4-(methylthio)phenyl (1-methylethyl)-phosphoramidate.

Tolerances are established for the combined residues of the nematocide ethyl 3-methyl-4-(methylthio)phenyl (1-methylethyl)-phosphoramidate and its cholinesterase-inhibiting metabolites ethyl 3-methyl-4-(methylsulfinyl)phenyl (1-methylethyl)-phosphoramidate and ethyl 3-methyl-4-(methylsulfonyl)-phenyl (1-methylethyl) phosphoramidate in or on the following food commodities:

Food	Parts per million
Citrus oil	25.0
Raisins	0.3

[48 FR 29839, June 29, 1983. Redesignated at 53 FR 24667, June 29, 1988]

§ 185.3000 O-Ethyl O-[4-(methylthio) phenyl] S-propyl phosphorodithioate.

A tolerance of 1 part per million is established for residues of the insecticide *O*-ethyl *O*-[4-(methylthio)- phenyl] *S*-propyl phosphorodithioate and its cholinesterase-inhibiting metabolites in cottonseed oil resulting from application of the pesticide to growing cotton.

[43 FR 32130, July 25, 1978. Redesignated at 53 FR 24667, June 29, 1988]

§ 185.3250 Fluazifop-butyl.

Tolerances are established for residues of (±)-2-[4-[[5-(trifluoromethyl)-2-pyridinyl]oxy]phenoxy]propanoic acid (fluazifop), both free and conjugated, and of (±)-butyl 2[4-[[5-(trifluoromethyl)-2-pyridinyl]oxy]phenoxy]propanoate (fluazifop-butyl), all expressed as fluazifop, in or on the following foods:

Food	Parts per million
Cottonseed, oil	0.2
Soybean, oil	2.0

[48 FR 19023, Apr. 27, 1983. Redesignated at 53 FR 24667, June 29, 1988]

§ 185.3385 Flutolanil (N-(3-(1-methylethoxy)phenyl)-2-(trifluoromethyl)benzamide).

(a) A food additive regulation is established permitting the combined residues of the insecticide flutolanil, *N*-(3-(1-methylethoxy)phenyl)-2-(trifluoromethyl)benzamide, and its metabolites converted to 2-

(trifluoromethyl) benzoic acid and calculated as flutolanil in or on the following processed food commodity:

Commodity	Parts per million
Peanut meal	1.0

(b) A time-limited food additive regulation is established permitting the combined residues of the fungicide flutolanil *N*-(3-(1-methylethoxy)phenyl)-2-(trifluoromethyl)benzamide and its metabolites converted to 2-(trifluoromethyl) benzoic acid and calculated as flutolanil in or on the following raw processed food commodity:

Commodities	Parts per million	Expiration date
Rice, hull	7.0	April 30, 1998
Rice, bran	3.0	Do.

[60 FR 42458, Aug. 16, 1995, as amended at 61 FR 33044, June 26, 1996]

§ 185.3550 Hexakis.

A regulation is established permitting the combined residues of the insecticide hexakis (2-methyl-2-phenylpropyl) distannoxane and its organotin metabolites calculated as hexakis (2-methyl-2-phenylpropyl) distannoxane in or on the following food items:

[47 FR 21532, May 19, 1982, as amended at 48 FR 37204, Aug. 17, 1983; 48 FR 39058, Aug. 29, 1983. Redesignated at 53 FR 24667, June 29, 1988; 59 FR 5109, Feb. 3, 1994]

§ 185.3575 Hexazinone.

A food additive tolerance with regional registration, as defined in §180.1(n) and which excludes use of hexazinone on sugarcane in Florida, is established for combined residues of the herbicide hexazinone (3-cyclohexyl-6-(dimethylamino)-1-methyl-1,3,5-triazine-2,4(1*H*,3*H*)-dione) and its metabolites (calculated as hexazinone) in or on the following food commodity:

Commodity	Parts per million
Sugarcane, molasses	5.0

[60 FR 42462, Aug. 16, 1995]

§ 185.3600 Hydrogen cyanide.

The food additive hydrogen cyanide may be present as a residue in certain processed foods in accordance with the following prescribed conditions:

(a) The food additive is present as a result of its use as a fumigant.

(b) The residues of hydrogen cyanide shall not exceed the following levels:

(1) 125 parts per million in cereal flours.

(2) 90 parts per million in cereals that are cooked before being eaten.

(3) 50 parts per million in uncooked ham, bacon, and sausage.

(4) 200 parts per million in cocoa.

(c) Where tolerances are established under both sections 408 and 409 of the Act on the raw agricultural commodity and on the processed food, respectively, the total residues of hydrogen cyanide in or on the processed food shall not be greater than that designated in paragraph (b) of this section.

(d) To assure safe use of the additive, the label and labeling of the pesticide formulation containing the food additive shall conform to the label and labeling registered by the U.S. Environmental Protection Agency.

§ 185.3650 Imazalil.

Tolerances are established for the combined residues of the fungicide imazalil 1-[2-(2,4-dichlorophenyl)-2-(2-propenyloxy)ethyl]-1*H*-imidazole and its metabolite 1-(2,4-dichlorophenyl)-2-(1*H*- imidazole-1-yl)-1-ethanol in or on the following food commodity:

Food	Parts per million
Citrus oil	25.0

[48 FR 28433, June 22, 1983. Redesignated at 53 FR 24667, June 29, 1988]

§ 185.3700 Inorganic bromide.

The food additive inorganic bromide may be present as a residue in certain processed foods in accordance with the following conditions:

(a) When the food additive is present as a result of fumigation of the processed food with methyl bromide or from such fumigation in addition to the authorized use of methyl bromide on the source raw agricultural commodity, as provided for in 40 CFR part

180, the total residues of inorganic bromides (calculated as Br) shall not exceed the following levels:

400 parts per million in or on dried eggs and processed herbs and spices.
325 parts per million in or on parmesan cheese and roquefort cheese.
250 parts per million in or on concentrated tomato products and dried figs.
125 parts per million in or on processed foods other than those listed above.

(b) [Reserved]

(c) When the food additive is present in fermented malt beverages in accordance with §§185.3480 and/or 21 CFR 172.730(a)(2) of this chapter, the amount shall not exceed 25 parts per million (calculated as Br).

(d)–(v) [Reserved]

(w) Where tolerances are established under sections 408 and 409 of the FFDCA on both the raw agricultural commodities and processed foods made therefrom, the total residues of inorganic bromides in or on the processed food shall not be greater than those designated in paragraphs (a) of this section, unless a higher level is established elsewhere in this part or in part 180.

[40 FR 14156, Mar. 28, 1975. Redesignated at 41 FR 26568, June 28, 1976, and amended at 49 FR 17149, Apr. 23, 1984; 50 FR 2958, Jan. 23, 1985; 50 FR 3755, Jan. 28, 1985. Redesignated and amended at 53 FR 24666, 24668, June 29, 1988; 53 FR 52709, Dec. 29, 1988]

§ 185.3750 Iprodione.

Tolerances are established for the combined residues of the fungicide iprodione [3-(3,5-dichlorophenyl)-*N*-(1-methylethyl)-2,4-dioxo-1-imidazolidinecarboxamide], its isomer [3-(1-methylethyl)-*N*-(3,5-dichlorophenyl)-2,4-dioxo-1-imidazolidinecarboxamide], and its metabolite [3-(3,5-dichlorophenyl)-2,4-dioxo-1-imidazolidinecarboxamide in or on the following food commodity:

Food	Parts per million
Ginseng, dried	4.0
Raisins	300

[50 FR 4208, Jan. 30, 1985, as amended at 52 FR 10562, Apr. 2, 1987. Redesignated at 53 FR 24667, June 29, 1988]

§ 185.3775 d-Limonene.

The food additive d-limonene may be safely used in accordance with the following conditions:

(a) It is used with the active ingredients dihydro-5-pentyl-2(3H)-furanone and dihydro-5-heptyl-2(3H)-furanone in insect-repellent tablecloths and in insect-repellent strips used in food-handling establishments.

(b) To assure safe use of the insecticide, its label and labeling shall conform to that registered by the U.S. Environmental Protection Agency, and it shall be used in accordance with such label and labeling.

[60 FR 16053, Mar. 29, 1995]

§ 185.3800 Magnesium phosphide.

The food additive magnesium phosphide may be safely used in accordance with the following prescribed conditions:

(a) It is used to generate phosphine in the fumigation of processed foods.

(b) To assure safe use of the additive, it is used in compliance with the label and labeling conforming to that registered with the U.S. Environmental Protection Agency. The labeling shall bear a warning to aerate the finished food for 48 hours before it is offered to the consumer. A further warning shall state that under no condition should the formulation containing magnesium phosphide be used so that it or its unreacted residues will come in contact with any processed food.

(c) Residues of phosphine in or on processed foods do not exceed 0.01 part per million.

[43 FR 56040, Nov. 30, 1978. Redesignated at 53 FR 24667, June 29, 1988]

§ 185.4000 Metalaxyl.

(a) A regulation is established permitting the combined residues of the fungicide metalaxyl [*N*-(2,6-dimethylphenyl)-*N*-(methoxyacetyl) alanine methyl ester] and its metabolites containing the 2,6-dimethylaniline moiety, and *N*-(2-hydroxy methyl-6-methyl)-*N*-methoxyacetyl)-alanine methylester, each expressed as metalaxyl, in or on the following food commodities:

Food	Parts per million
Apricots (dried)	4.0
Citrus, oil	7.0
Potatoes, processed (including potato chips)	4.0
Prunes (dried)	4.0
Raisins	6.0
Tomatoes, processed	3.0

(b) *Indirect or inadvertent tolerances.* Tolerances are established for indirect or inadvertent residues of metalaxyl in the food commodities when present therein as a result of the application of metalaxyl to growing crops listed in 40 CFR 180.408(a) and other non-food crops as listed below:

Food	Parts per million
Barley, milling fractions	1.0
Oat milling fractions	1.0
Wheat, milling fractions	1.0

(c) [Reserved]

(d) A food additive regulation is established for residues of the fungicide metalaxyl, [N-(2,6-dimethylphenyl)-N-(methoxyacetyl)alanine methyl ester], and its metabolites containing the 2,6-dimethylaniline moiety, and N-(2-hydroxymethyl-6-methylphenyl)-N-(methoxyacetyl) alanine methyl ester, each expressed as metalaxyl, in or on the following processed foods when present therein as a result of application to growing hops:

Food	Parts per million
Hops, dried	20

[48 FR 3587, Jan. 26, 1983, as amended at 50 FR 49688, Dec. 4, 1985; 52 FR 41418, Oct. 28, 1987; 52 FR 42760, Nov. 6, 1987; 53 FR 8874, Mar. 18, 1988. Redesignated at 53 FR 24667, June 29, 1988, and amended at 54 FR 12445, Mar. 27, 1989; 55 FR 14833, Apr. 19, 1990; 55 FR 26440, June 28, 1990; 56 FR 2442, Jan. 23, 1991; 56 FR 65003, Dec. 13, 1991; 58 FR 30123, May 26, 1993]

§ 185.4035 Metarhizium anisopliae strain ESF1.

A food additive regulation is established allowing the use of the microbial pest-control agent *Metarhizium anisopliae* strain ESF1 as follows:

(a) *Metarhizium anisopliae* strain ESF1 may be present as a residue in food items as a result of application of *Metarhizium anisopliae* strain ESF1 in food-handling establishments, including food service, manufacturing, and processing establishments such as restaurants, cafeterias, supermarkets, bakeries, breweries, dairies, meat-slaughtering and packing plants, and canneries where food and food products are held, processed, and served.

(b) Application shall be limited solely to placement of attractant stations containing *Metarhizium anisopliae* strain ESF1 in food-handling establishments.

(c) To ensure safe use of the microbial pest control agent, its label and labeling shall conform to that registered by the U.S. Environmental Protection Agency, and it shall be used in accordance with such label and labeling.

[58 FR 29121, May 19, 1993]

§ 185.4100 Methomyl.

A food additive tolerance of 12 parts per million is established for residues of the insecticide methomyl (S-methyl-N-[(methylcarbomyl) oxy]thioacetimidate) in or on the processed commodity dried hops as a result of application to the growing hops. There are no United States registrations for use of methomyl on hops, as of February 14, 1990.

[55 FR 5220, Feb. 14, 1990]

§ 185.4150 Methoprene.

A tolerance of 10 parts per million is established for residues of isopropyl (E,E)-11-methoxy-3,7,11-trimethyl-2,4-dodecadienoate) in or on the food additive commodity cereal grain milled fractions (except flour and rice hulls).

[60 FR 42460, Aug. 16, 1995]

§ 185.4250 Methyl chloride.

The food additive methyl chloride may be safely used in accordance with the following prescribed conditions:

(a) It is used or intended for use as a propellant in pesticide formulations in an amount not to exceed 30 percent of the finished formulation.

(b) It is used or intended for use in food storage and processing areas whereby spray applications do not contact fatty foods.

(c) To assure safe use of the additive, the label and labeling of the pesticide

formulation containing the food additive shall conform to the label and labeling registered by the U.S. Environmental Protection Agency.

§ 185.4300 Methyl formate.

The food additive methyl formate may be safely used in or on specified dried fruits in accordance with the following prescribed conditions:

(a) It is used or intended for use in or on raisins and dried Zante currants as a bulk and package fumigant.

(b) It is used in accordance with directions registered with the U.S. Environmental Protection Agency, and so used that the total formic acid present, free and combined in the finished product shall not exceed 250 parts per million.

(c) To assure safe use of the additive, its label and labeling shall conform to that registered with the U.S. Environmental Protection Agency.

§ 185.4400 Nitrogen.

The food additive nitrogen may be safely used after harvest in modified atmospheres for stored product insect control on all processed agricultural commodities.

[46 FR 32866, June 25, 1981. Redesignated at 53 FR 24667, June 29, 1988]

§ 185.4500 N-Octylbicycloheptene dicarboximide.

The food additive *N*-octylbicycloheptene dicarboximide may be safely used in accordance with the following prescribed conditions:

(a) It is used in combination with piperonyl butoxide and pyrethrins for insect control in food-processing and food-storage areas, provided that the food is removed or covered prior to such use.

(b) Residues in food resulting from the use described in paragraph (a) of this section shall not exceed 10 parts per million of *N*- octylbicycloheptene dicarboximide, 10 parts per million of piperonyl butoxide, and 1 part per million of pyrethrins.

(c) To assure safe use of the additive, its label and labeling shall conform to that registered with the U.S. Environmental Protection Agency and it shall be used in accordance with such label and labeling.

§ 185.4650 Paraformaldehyde.

The food additive paraformaldehyde may be safely used in accordance with the following prescribed conditions.

(a) It is used to control microbial or fungal growth in maple tree tapholes

(b) It is so used that the maple sirup produced from the sap of treated maple trees does not contain in excess of 2 parts per million of formaldehyde.

§ 185.4800 Phosalone.

Tolerances are established for residues of the insecticide phosalone (*S*-(6-chloro-3-(mercaptomethyl)-2-benzoxazolinone) *O*,*O*- diethyl phosphorodithioate) in or on the following processed foods when present therein as a result of application of the insecticide to the growing crops:

40 parts per million in or on dried prunes.
20 parts per million in or on raisins.
8 parts per million in or on dried tea.

§ 185.4850 Picloram.

Tolerances are established for residues of picloram [4-amino-3,5,6-trichloropicolinic acid] resulting from the application of the pesticide to growing crops in the following:

Food	Parts per million
Barley, milled fractions (exc flour)	3
Oats, milled fractions (exc flour)	3
Wheat, milled fractions (exc flour)	3

[41 FR 19211, May 11, 1976. Redesignated at 41 FR 26568, June 28, 1976, and at 53 FR 24667, June 29, 1988]

§ 185.4900 Piperonyl butoxide.

The food additive piperonyl butoxide may be safely used in accordance with the following prescribed conditions:

(a) It is used or intended for use in combination with pyrethrins for control of insects:

(1) In cereal grain mills and in storage areas for milled cereal grain products, whereby the amount of piperonyl butoxide is at least equal to but not more than 10 times the amount of pyrethrins in the formulation.

(2) On the outer ply of multiwall paper bags of 50 pounds or more capacity in amounts not exceeding 60 milligrams per square foot, whereby the amount of piperonyl butoxide is equal

to 10 times the amount of pyrethrins in the formulation. Such treated bags are to be used only for dried foods.

(3) On cotton bags of 50 pounds or more capacity in amounts not exceeding 55 milligrams per square foot of cloth, whereby the amount of piperonyl butoxide is equal to 10 times the amount of pyrethrins in the formulation. Such treated bags are constructed with waxed paper liners and are to be used only for dried foods that contain 4 percent fat or less.

(4) In two-ply bags consisting of cellophane/polyolefin sheets bound together by an adhesive layer when it is incorporated in the adhesive. The treated sheets shall contain not more than 50 milligrams of piperonyl butoxide per square foot (538 milligrams per square meter). Such treated bags are to be used only for packaging prunes, raisins, and other dried fruits and are to have a maximum ratio of 3.12 milligrams of piperonyl butoxide per ounce of fruit (0.10 milligram of piperonyl butoxide per gram of product).

(5) In food processing and food storage areas: *Provided*, That the food is removed or covered prior to such use.

(b) It is used or intended for use in combination with pyrethrins and *N*-octylbicycloheptene dicarboximide for insect control in accordance with § 178.3730.

(c) A tolerance of 10 parts per million is established for residues of piperonyl butoxide in or on:

(1) Milled fractions derived from cereal grains when present therein as a result of its use in cereal grain mills and in storage areas for milled cereal grain products.

(2) Dried foods when present as a result of migration from its use on the outer ply of multiwall paper bags of 50 pounds or more capacity.

(3) Foods treated in accordance with § 178.3730.

(4) Dried foods that contain 4 percent fat, or less, when present as a result of migration from its use on the cloth of cotton bags of 50 pounds or more capacity constructed with waxed paper liners.

(5) Foods treated in accordance with paragraph (a)(4) and (5) of this section.

(d) To assure safe use of the additive, its label and labeling shall conform to that registered with the U.S. Environmental Protection Agency, and it shall be used in accordance with such label and labeling.

(e) Where tolerances are established under sections 408 and 409 of the Act on both raw agricultural commodities and processed foods made therefrom, the total residues of piperonyl butoxide in or on the processed food shall not be greater than that permitted by the larger of the two tolerances.

[40 FR 14156, Mar. 28, 1975. Redesignated at 41 FR 26568, June 28, 1976, and amended at 50 FR 2958, Jan. 23, 1985. Redesignated at 53 FR 24667, June 29, 1988]

§ 185.4950 Pirimiphos-methyl.

(a) Tolerances are established for the combined residues of the insecticide pirimiphos-methyl (*O*-[2-diethylamino-6-methyl-4-pyrimidinyl] *O,O*-dimethyl phosphorothioate) and its metabolite *O*-(2-ethylamino-6-methyl-pyrimidin-4-yl) *O,O*-dimethyl phosphorothioate and, in free and conjugated forms, the metabolites 2-diethylamino-6-methyl-pyrimidin-4-ol, 2-ethylamino-6-methyl-pyrimidin-4-ol, and 2-amino-6-methyl-pyrimidin-4-ol in or on the following processed foods when present therein as a result of application to stored grains:

Food	Parts per million
Corn milling fractions (except flour)	40
Corn oil	88
Sorghum milling fractions (except flour)	40

(b) A food additive tolerance of 8.0 parts per million is established for residues of the insecticide pirimiphos-methyl (0-[2-diethylamino-6-methyl-4-pyrimidinyl]0,0-dimethyl phosphorothioate) and its metabolite 0-(2-ethylamino-6-methyl-pyrimidine-4-yl)0,0-dimethylphosphorothioate and, in free and conjugated forms, the metabolites 2-diethylamino-6-methyl-pyrimidin-4-ol,2-ethylamino-6-methyl-pyrimidin-4-ol, and 2-amino-6-methylpyrimidin-4-ol in or on the processed commodity wheat flour as a result of application to stored wheat grain.

There are no United States registrations for use of pirimiphos-methyl on wheat, as of June 12, 1990.

[53 FR 8874, Mar. 18, 1988. Redesignated at 53 FR 24667, June 29, 1988, and amended at 55 FR 23737, June 12, 1990]

§ 185.5000 Propargite.

Tolerances are established for residues of the insecticide propargite (2-(*p-tert*-butylphenoxy)cyclohexyl 2-propynyl sulfite) in or on the following processed foods when present therein as a result of the application of this insecticide to growing crops:

Food	Parts per million
Hops, dried	30

[44 FR 38841, July 3, 1979. Redesignated at 53 FR 24667, June 29, 1988, as amended at 61 FR 12009, Mar. 22, 1996]

§ 185.5100 Propetamphos.

A tolerance of 0.1 part per million is established for residues of the insecticide propetamphos ([(e)-]-methylethyl 3-[[(ethylamino) methoxyphosphinothioyl]oxy]-2-butenoate]) in food commodities exposed to the insecticide during treatment of food-handling establishments.

(a) Direct application shall be limited solely to spot and/or crack and crevice treatment in food-handling establishments where food and food products are held, processed, prepared, or served. Spray and dust concentrations shall be limited to a maximum of 1 percent active ingredient. For crack and crevice treatment, equipment capable of delivering a dust or a pin-stream of spray directly into cracks and crevices shall be used. For spot treatment, a coarse, low-pressure spray shall be used to avoid contamination of food or food-contact surfaces.

(b) To ensure safe use of the insecticide, its label and labeling shall conform to that registered by the U.S. Environmental Protection Agency, and it shall be used in accordance with such label and labeling.

[48 FR 52902, Nov. 23, 1983. Redesignated at 53 FR 24667, June 29, 1988]

§ 185.5150 Propylene oxide.

The food additive propylene oxide may be safely used in or on foods in accordance with the following prescribed conditions:

(a) It is intended as a fumigant in or on bulk quantities of cocoa, gums, processed spices, and processed nutmeats (except peanuts) when such bulk foods are to be further processed into a final food form.

(b) It is applied in fumigation chambers not more than one time at a temperature not in excess of 125 °F. The maximum period of fumigation shall not exceed 4 hours for cocoa, processed nutmeats (except peanuts), and processed spices. For edible gums, the maximum duration shall be 24 hours.

(c) When used as described in paragraphs (a) and (b) of this section, residues shall not exceed the following limitations:

Food	Limitations[1]
Cocoa	300
Gums	300
Processed nutmeats (except peanuts)	300
Spices, processed	300

[1] Expressed as parts per million of propylene oxide.

(d) When used as a mixture with carbon dioxide (92 parts of carbon dioxide to 8 parts of propylene oxide on a weight/weight basis), all commodities listed in paragraph (c) of this section may be processed not more than one time for a period not to exceed 48 hours and at a temperature not to exceed 125 °F.

(e) To assure safe use of the additive, the label and labeling of the pesticide formulation containing the food additive shall conform to the label an labeling registered by the U. S. Environmental Protection Agency.

[40 FR 14156, Mar. 28, 1975, as amended at 41 FR 1589, Jan. 9, 1976. Redesignated at 41 FR 26568, June 28, 1976, and amended at 42 FR 59852, Nov. 22, 1977. Redesignated at 53 FR 24667, June 29, 1988, as amended at 61 FR 12009, Mar. 22, 1996; 61 FR 25154, May 20, 1996]

§ 185.5200 Pyrethrins.

The food additive pyrethrins may be safely used in accordance with the following prescribed conditions:

(a) It is used or intended for use in combination with piperonyl butoxide for control of insects:

(1) In cereal grain mills and in storage areas for milled cereal grain products, whereby the amount of pyrethrins is from 10 percent to 100 percent of the amount of piperonyl butoxide in the formulation.

(2) On the outer ply of multiwall paper bags of 50 pounds or more capacity in amounts not exceeding 6 milligrams per square foot, whereby the amount of pyrethrins is equal to 10 percent of the amount of piperonyl butoxide in the formulation. Such treated bags are to be used only for dried foods.

(3) On cotton bags of 50 pounds or more capacity in amounts not exceeding 5.5 milligrams per square foot of cloth, whereby the amount of pyrethrins is equal to 10 percent of the amount of piperonyl butoxide in the formulation. Such treated bags are constructed with waxed paper liners and are to be used only for dried foods that contain 4 percent fat or less.

(4) In two-ply bags consisting of cellophane/polyolefin sheets bound together by an adhesive layer when it is incorporated in the adhesive. The treated sheets shall contain not more than 10 milligrams of pyrethrins per square foot (107.6 milligrams per square meter). Such treated bags are to be used only for packaging prunes, raisins, and other dried fruits and are to have a maximum ratio of 0.31 milligram of pyrethrins per ounce of fruit (0.01 milligram of pyrethrins per gram of product).

(5) In food processing areas and food storage areas: *Provided,* That the food is removed or covered prior to such use.

(b) It is used or intended for use in combination with piperonyl butoxide and *N*-octylbicycloheptene dicarboximide for insect control in accordance with § 185.4500.

(c) A tolerance of one part per million is established for residues of pyrethrins in or on:

(1) Milled fractions derived from cereal grains when present as a result of its use in cereal grain mills and in storage areas for milled cereal grain products.

(2) Dried foods when present as the result of migration from its use on the outer ply of multiwall paper bags of 50 pounds or more capacity.

(3) Foods treated in accordance with § 185.4500.

(4) Dried foods that contain 4 percent fat, or less, when present as a result of migration from its use on the cloth of cotton bags of 50 pounds or more capacity constructed with waxed paper liners.

(5) Foods treated in accordance with paragraphs (a)(4) and (a)(5) of this section.

(d) To assure safe use of the additive, its label and labeling shall conform to that registered with the U.S. Environmental Protection Agency, and it shall be used in accordance with such label and labeling.

(e) Where tolerances are established under sections 408 and 409 of the Act on both raw agricultural commodities and processed foods made therefrom, the total residues of pyrethrins in or on the processed food shall not be greater than that permitted by the larger of the two tolerances.

[40 FR 14156, Mar. 28, 1975. Redesignated at 41 FR 26568, June 28, 1976, and further redesignated and amended at 53 FR 24666, 24668, June 29, 1988]

§ 185.5375 Sulfonium, trimethyl-salt with N-(phosphonomethyl)glycine (1:1).

(a) Food additive regulation is established for residues of the herbicide sulfonium, trimethyl-salt with *N*-(phosphonomethyl)glycine (1:1) (formerly glyphosate-trimesium/sulfosate) in or on the following processed commodities:

Commodities	Parts per million
Prunes (of which no more than 0.05 ppm is trimethylsulfonium)	0.2
Raisins (of which no more than 0.05 ppm is trimethylsulfonium)	0.20
Soybean, hulls (of which no more than 2 ppm is trimethylsulfonium)	7.0

(b) [Reserved]

[61 FR 9359, Mar. 8, 1996, as amended at 61 FR 15900, Apr. 10, 1996]

§ 185.5950 Triforine.

A food additive regulation is established to permit residues of the fungicide triforine (*N,N*-[1,4-piperazinediylbis(2,2,2-trichloroethylidene)] bis[formamide]) in or on the following processed foods when present therein as a result of application to growing hops:

Food	Parts per million
Hops, dried	60

[52 FR 39222, Oct. 21, 1987. Redesignated at 53 FR 24667, June 29, 1988]

§ 185.6300 Zinc ion and maneb coordination product.

Tolerances are established for residues of a fungicide which is a coordination product of zinc ion and maneb (manganous ethylenebisdithiocarbamate) containing 20 percent manganese, 2.5 percent zinc, and 77.5 percent ethylenebisdithiocarbamate (the whole product calculated as zinc ethylenebisdithiocarbamate) in or on the following processed foods, when present therein as a result of the application of this fungicide to growing crops:

20 parts per million in the bran of oats.

[40 FR 14156, Mar. 28, 1975. Redesignated at 41 FR 26568, June 28, 1976 and 53 FR 24667, June 29, 1988, and amended at 59 FR 33694, 33696, June 30, 1994; 61 FR 12009, Mar. 22, 1996; 61 FR 25154, May 20, 1996]

Subpart C—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

§ 185.7000 Malathion.

Malathion may be safely used for the control of insects during the drying of grapes (raisins) in compliance with § 185.3850 by incorporation into paper trays in amounts not exceeding 100 milligrams per square foot.

[40 FR 14156, Mar. 28, 1975. Redesignated at 41 FR 26568, June 28, 1976, and amended at 50 FR 2958, Jan. 23, 1985. Redesignated and amended at 53 FR 24666, 24668, June 29, 1988]

PART 186—PESTICIDES IN ANIMAL FEED

Subpart A [Reserved]

Subpart B—Feed Additives Permitted in Animal Feed

Sec.