

normal biological, physical and chemical processes that can be reasonably expected to exist where the pesticide is applied. Use of canola oil as an active ingredient in the products sought to be registered is expected to be low, and is not likely to result in adverse human health effects, based upon available reports and information. Since people are exposed to this substance from food or other sources, the incremental exposure from its use in pesticide products is expected to be negligible.

2. *Infants and children.* FDA's GRAS determination applies equally to adults and infants and children, with the exception of the chemical's use in infant formulas. This exception is due to FDA not evaluating the use, however. Moreover, the fatty acid profile for canola oil is similar to the fatty acid profiles for other vegetable oils. All vegetable oils are metabolized the same; and human metabolic pathways are well-established. In essence, vegetable oils are broken down in the digestive tract into useful components that are either burned as fuel or stored as fat for later use by the body. Furthermore, there is nothing about the chemistry of this substance or the anticipated levels of it that will be consumed by infants and children to indicate that their normal homeostatic mechanisms will not be protective.

G. Existing Tolerances

1. *Existing tolerances or tolerance exemptions.* EPA has promulgated an exemption from the requirement for a tolerance for canola oil (low erucic acid rapeseed oil conforming to 21 CFR 184.1555(c)) when it is used in accordance with good agricultural practice as a surfactant or related adjuvants of surfactants in pesticide formulations applied to growing crops (40 CFR 180.1001(d)).

2. *International tolerances or tolerance exemptions.* No maximum residue level has been established for this substance by the Codex Alimentarius Commission.

[FR Doc. 97-9386 Filed 4-10-97; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[OPP-181042; FRL 5598-5]

Emamectin Benzoate; Receipt of Application for Emergency Exemption, Solicitation of Public Comment

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA has received a specific exemption request from the Hawaii Department of Agriculture (hereafter referred to as the "Applicant") to use the pesticide emamectin benzoate (CAS 137512-74-4) (formulated as "Proclaim 5SG") to control the diamondback moth on up to 1,000 acres of head and Chinese *Napa* cabbage in Hawaii. The Applicant proposes the use of a "new" chemical (an active ingredient not currently found in any registered product). In accordance with 40 CFR 166.24, EPA is soliciting public comment before making the decision whether or not to grant the exemption.

DATES: Comments must be received on or before April 15, 1997.

ADDRESSES: Three copies of written comments, bearing the identification notation "OPP-181042," should be submitted by mail to: Public Response and Program Resource Branch, Field Operations Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. In person, bring comments to: Rm. 1132, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA.

Comments and data may also be submitted electronically by following the instructions under "SUPPLEMENTARY INFORMATION" of this document. No Confidential Business Information (CBI) should be submitted through e-mail.

Information submitted in any comment concerning this notice may be claimed confidential by marking any part or all of that information as CBI. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. A copy of the comment that does not contain CBI must be provided by the submitter for inclusion in the public record. Information not marked confidential may be disclosed publicly by EPA without prior notice. All written comments filed pursuant to this notice will be available for public inspection in Rm. 1132, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA, from 8:30 a.m. to 4 p.m., Monday through Friday, except legal holidays.

FOR FURTHER INFORMATION CONTACT: By mail: Olga Odiott, Registration Division (7505W), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location, telephone number and e-mail: Sixth floor, Crystal Station #1, 2800 Jefferson Davis Highway, Arlington, VA, (703) 308-6418; e-mail: odiott.olga@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: Pursuant to section 18 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (7 U.S.C. 136p), the Administrator may, at her discretion, exempt a state agency from any registration provision of FIFRA if she determines that emergency conditions exist which require such exemption. The Applicant has requested the Administrator to issue a specific exemption for the use of emamectin benzoate on head and Chinese *Napa* cabbage to control the diamondback moth. Information in accordance with 40 CFR part 166 was submitted as part of this request.

The Applicant states that the diamondback moth has become resistant to registered materials, which were formerly effective at providing control. Growers using these products have experienced significant yield reductions due to feeding damage by the diamondback moth, when it was not adequately controlled through use of registered materials. The Applicant states that although several alternative control practices have been adopted by many cabbage growers, these alternatives are only partially effective, and that without an effective control such as emamectin benzoate, cabbage growers in Hawaii will likely suffer severe economic losses.

The Applicant proposes to apply emamectin benzoate at a rate of 0.0075 lbs. active ingredient (a.i.) per acre with a maximum of six applications per crop season, but no more than 0.045 lbs., a.i. applied per acre per crop season. The proposed use is for up to 1,000 acres of head and Chinese *Napa* cabbage. Therefore, use under this exemption could potentially amount to a maximum total of 45 lbs. of the active ingredient, emamectin benzoate. This is the second time an exemption request for this use has been requested.

This notice does not constitute a decision by EPA on the application itself. The regulations governing section 18 require publication of a notice of receipt in the **Federal Register** for an application for a specific exemption proposing the use of a new (unregistered) chemical. Such notice provides for opportunity for public comment on the application.

The official record for this notice, as well as the public version, has been established for this notice under docket number [OPP-181042] (including comments and data submitted electronically as described below). A public version of this record, including printed, paper versions of electronic comments, which does not include any information claimed as CBI, is available for inspection from 8:30 a.m. to 4 p.m.,

Monday through Friday, excluding legal holidays. The official notice record is located at the address in "ADDRESSES" at the beginning of this document.

Electronic comments can be sent directly to EPA at:
opp-docket@epamail.epa.gov

Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Comment and data will also be accepted on disks in Wordperfect 5.1 file format or ASCII file format. All comments and data in electronic form must be identified by the docket number [OPP-181042]. Electronic comments on this notice may be filed online at many Federal Depository Libraries.

Accordingly, interested persons may submit written views on this subject to the Field Operations Division at the address above. The Agency will review and consider all comments received during the comment period in determining whether to issue the emergency exemption requested by the Hawaii Department of Agriculture.

List of Subjects

Environmental protection, Pesticides and pests, Emergency exemptions.

Dated: April 2, 1997.

Stephen L. Johnson,

Director, Registration Division, Office of Pesticide Programs.

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ENVIRONMENTAL PROTECTION AGENCY

[OPP-50828; FRL-5598-3]

Issuance of Experimental Use Permits

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA has granted experimental use permits to the following applicant. These permits are in accordance with, and subject to, the provisions of 40 CFR part 172, which defines EPA procedures with respect to the use of pesticides for experimental use purposes.

FOR FURTHER INFORMATION CONTACT: By mail: Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460.

In person or by telephone: Contact the product manager at the following address at the office location, telephone number, or e-mail address cited in each

experimental use permit: 1921 Jefferson Davis Highway, Arlington, VA.

SUPPLEMENTARY INFORMATION: EPA has issued the following experimental use permits:

264-EUP-104. Extension. Rhone-Poulenc Ag Company, P.O. Box 12014, 2 T.W. Alexander Dr., Research Triangle Park, NC 27709. This experimental use permit allows the use of 3.0 pounds of the insecticide 5-amino-1-(2,6-dichloro-4-(trifluoromethyl)phenyl)-4-((1R,S)-(trifluoromethyl)sulfinyl)-1-H-pyrazole-carbonitrile on 60 acres of rice to evaluate the control of the rice water weevil. The program is authorized only in the States of Arkansas, California, Louisiana, Mississippi, and Texas. The experimental use permit is effective from March 7, 1997 to March 7, 1998.

This permit is issued with the limitation that all treated crops are destroyed or used for research purposes only. (Rick Keigwin, PM 10, Rm. 210, CM #2, (703) 305-6788, e-mail:

keigwin.rick@epamail.epa.gov)

264-EUP-105. Extension. Rhone-Poulenc Ag Company, P.O. Box 12014, 2 T.W. Alexander Dr., Research Triangle Park, NC 27709. This experimental use permit allows the use of rice seed treated with 1.95 pounds of the insecticide 5-amino-1-(2,6-dichloro-4-(trifluoromethyl)phenyl)-4-((1R,S)-(trifluoromethyl)sulfinyl)-1-H-pyrazole-carbonitrile on 50 acres of rice to evaluate the control of the rice water weevil. The program is authorized only in the States of Arkansas, Louisiana, Mississippi, and Texas. The experimental use permit is effective from March 7, 1997 to March 7, 1998. This permit is issued with the limitation that all treated crops are destroyed or used for research purposes only. (Rick Keigwin, PM 10, Rm. 210, CM #2, (703) 305-6788, e-mail:

keigwin.rick@epamail.epa.gov)

264-EUP-110. Issuance. Rhone-Poulenc Ag Company, P.O. Box 12014, 2 T.W. Alexander Dr., Research Triangle Park, NC 27709. This experimental use permit allows the use of 21 pounds of the herbicide 5-cyclopropyl-4-(2-methylsulfonyl-4-(trifluoromethylbenzoyl)isoxazole on 150 acres of field corn to evaluate the control of various broadleaf weeds and grasses. The program is authorized only in the States of Colorado, Connecticut, Delaware, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, New Jersey, New York, North Carolina, North Dakota, Ohio, Pennsylvania, South Dakota, Tennessee, Texas, Vermont, and Wisconsin. The

experimental use permit is effective from March 14, 1997 to March 14, 1998. This permit is issued with the limitation that all treated crops are destroyed or used for research purposes only. (Joanne Miller, PM 23, Rm. 237, CM #2, (703) 305-6224, e-mail:

miller.joanne@epamail.epa.gov)

Persons wishing to review these experimental use permits are referred to the designated product managers. Inquires concerning these permits should be directed to the person cited above. It is suggested that interested persons call before visiting the EPA office, so that the appropriate file may be made available for inspection purposes from 8 a.m. to 4 p.m., Monday through Friday, excluding legal holidays.

Authority: 7 U.S.C. 136.

List of Subjects

Environmental protection, Experimental use permits.

Dated: April 4, 1997.

Stephen L. Johnson,

Director, Registration Division, Office of Pesticide Programs.

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FEDERAL COMMUNICATIONS COMMISSION

Notice of Public Information Collections Being Reviewed by the Federal Communications Commission

April 4, 1997.

SUMMARY: The Federal Communications Commissions, as part of its continuing effort to reduce paperwork burden invites the general public and other Federal agencies to take this opportunity to comment on the following information collection, as required by the Paperwork Reduction Act of 1995, Public Law 104-13. An agency may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act (PRA) that does not display a valid control number. Comments are requested concerning (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimate; (c) ways to enhance the quality, utility, and clarify of the