

sources in transmitting proper use directions and precautionary information?

2. Whether people read, understand, and use the directions and precautionary information on pesticide labels (including accompanying leaflets or booklets). Why or why not?

3. What changes to current labels and labeling practices would increase adherence to use directions and precautionary statements on labeling?

4. Effectiveness of supplemental, detachable booklets that accompany pesticides.

5. The desirability of standardized symbols and/or colors on pesticide labeling. If desirable, which symbols and/or colors?

6. How should hazard information be transmitted on the label (i.e., by LD₅₀s, symbols depicting relative hazard levels, the current danger/warning/caution scheme, etc.)?

7. Educational programs and their effect on users' attitudes toward pesticide labels, etc.

8. What mechanisms, other than labeling, are available to transmit hazard and precaution information?

9. How could other communication networks be utilized by the Agency to transmit hazard and precaution information?

Dated: January 23, 1985.

Steven Schatzow,

Director, Office of Pesticide Programs.

[FR Doc. 85-2436 Filed 1-29-85; 8:45 am]

BILLING CODE 6560-50-M

[OPTS-42008A; FRL-2716-7]

Phenylenediamines Category; Decision Not To Test

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice constitutes EPA's final disposition for 34 of 47 phenylenediamine (PDA) category members recommended by the Interagency Testing Committee (ITC) for priority testing consideration under section 4 of the Toxic Substances Control Act (TSCA). This action reflects comments submitted to EPA in response to the Advance Notice of Proposed Rulemaking (ANPR) on the PDA's published in the January 8, 1982 Federal Register (47 FR 973). These 34 PDA's are not being proposed for testing because of low or no production or lack of TSCA-related production and exposure. Thirteen other PDA's are being evaluated separately and are still being considered for testing. These other

category members will be addressed in other Federal Register notices.

FOR FURTHER INFORMATION CONTACT:

Edward A. Klein, Director, TSCA Assistance Office (TS-799), Office of Toxic Substances, Environmental Protection Agency, Room E-543, 401 M St., SW., Washington, D.C. 20460, Toll Free: (800-424-9065). In Washington, D.C.: (554-1404). Outside the USA: (Operator-202-554-1404).

SUPPLEMENTARY INFORMATION: In the Federal Register of January 8, 1982 (47 FR 973), EPA issued an Advance Notice of Proposed Rulemaking under section 4(a) of TSCA to obtain data to help determine the potential risk of PDA's to human health and the environment. The Agency is now issuing a decision not to require testing of 34 of the 47 PDA's at this time.

I. Background

Section 4(a) of TSCA authorizes the Administrator of EPA to promulgate regulations requiring testing of chemical substances and mixtures in order to develop data relevant to determining the risks that such chemicals may present to health and the environment.

Section 4(e) of TSCA established the Interagency Testing Committee (ITC) to recommend chemicals to the Administrator of EPA for consideration for test rules under section 4(a). The ITC may also designate chemicals for priority testing consideration, and the Agency must respond within 12 months to these designations.

In the ITC's Sixth Report to the Administrator, published in the Federal Register of May 28, 1980 (45 FR 35897), the committee designated the PDA's for consideration of human health and environmental effects testing.

The PDA's were defined by the ITC as: "all nitrogen-unsubstituted [PDA's] with zero to two substituents on the ring selected from the same or different members of the group of halo, nitro, hydroxy, hydroxy-lower alkoxy, lower-alkyl and lower-alkoxy. For this purpose, the term 'lower' is defined as a group containing between one and four carbons." The ITC classified 50 substances occurring on the TSCA Public Inventory as PDA's. EPA's review identified 47 of these chemicals as unique substances falling within the stated definition. No additional PDA's are in the TSCA CBI inventory.

The ITC recommended that the untested and inadequately tested category members be evaluated through testing for carcinogenicity, mutagenicity, teratogenicity and for other health effects (with particular emphasis on blood, bone marrow and nervous system

disorders). The ITC also recommended that epidemiological studies be performed for those PDA's for which there is significant human exposure potential. Additionally, the ITC recommended that testing for environmental effects be considered, particularly on organisms repeatedly exposed from constant release. The ITC based its recommendations on the high production levels of some PDA's, the demonstrated or suspected health effects associated with certain PDA's, and the general usage of these kinds of chemicals (Ref. 3).

EPA's response to this designation was published in the Federal Register of January 8, 1982 (47 FR 973), as an Advance Notice of Proposed Rulemaking (ANPR) for the PDA category (Ref. 4). In the ANPR, EPA stated that available exposure potential and toxicological information were sufficient to warrant consideration of 13 of the 47 chemicals for testing under section 4(a)(1)(A) of TSCA. The other 34 chemicals were not believed to warrant testing because of low or no production subject to TSCA. In addition to the publication of the ANPR, the Agency published a TSCA section 8(a) manufacturer's reporting rule (Ref. 1) and a TSCA section 8(d) health and safety studies reporting rule (Ref. 2). Both rules included the names and CAS numbers of all 47 PDA's listed in the ANPR.

Toxicological data submitted in response to the section 8(d) rule were received from: Eastman Kodak, Olin Corporation, Allied Corporation, E.I. DuPont de Nemours, Inc., Air Products, Dow Chemical, U.S.A., Mobay Chemical Company, General Electric, Monsanto, and Ciba Geigy Corporation. Most of the data submitted in response to the 8(d) rule were for the 13 PDA's for which testing was proposed in the ANPR. The only section 8(d) data received for the 34 chemicals included in this notice were for ethoxyphenylenediamine (CAS No. 1197-37-1): Acute dermal toxicity to rabbits (LD₅₀ > 2,000 mg/kg; irritating), eye irritation to rabbits (moderate) and the oral LC₅₀ for rats (< 5,000 mg/kg) (Ref. 8).

II. Response to Public Comment

Comments responding to the ANPR were received from: DuPont, the Cosmetic, Toiletry and Fragrance Association (CTFA), Cosmair, Inc., Clairol, Natural Resources Defense Council, Shell Oil Company, International Isocyanate Institute, Inc., Allied, American Psychological Association, Dow, and the Chemical Manufacturers Association (CMA).

In the ANPR, the category was subdivided solely on the basis of whether testing seemed justified. In response to the ANPR, CMA pointed out that the manufacture and use patterns of the toluenediamines (TDA's) are different from those of the other PDA's. DuPont commented that the unsubstituted *ortho*-, *meta*-, and *para*-phenylenediamine isomers are manufactured and used as separate isomers and these processes are different from those for the TDA's. Both CMA and DuPont argued that each substance should be considered separately from the other substances listed in the category. Both DuPont and CTFA commented that those PDA's used in hair dyes fell under the jurisdiction of the Federal Food, Drug, and Cosmetics Act (FFDCA) and not under TSCA. The industry comments have persuaded EPA that subdividing the category to reflect these different manufacturing and use patterns simplifies many of the issues presented by the PDA's category and helps to identify appropriate testing for the various substances in the category. The Agency's new approach to subcategorization reflecting these comments appears in Unit III of this notice.

DuPont, Kodak and CMA provided responses to the ANPR question on the best way to monitor production and use changes for the 34 chemicals included in this notice. In general they felt that the most appropriate route for obtaining new data would be a section 8(a) follow-up rule. A more detailed summary and response to the follow-up rule development issues will be provided when EPA proposes a follow-up rule in a future notice.

Other comments received in response to the ANPR are specific to PDA's not covered by this notice and will be addressed in future notices.

III. Subdivision of Category

The industry's responses to the ANPR discussed in unit II pointed out that there are important differences among segments of the PDA industry with respect to manufacture and use of the PDA's. Therefore, the Agency is now subdividing the PDA's into three subcategories:

1. *Unsubstituted PDA's* (Table 1): Includes five free bases and salts representing three separately produced isomers with no additional substituents. *p*-Phenylenediamine dihydrochloride (CAS No. 624-18-0) was included with the chemicals tentatively proposed for testing in the ANPR but is no longer produced (Ref. 9). It is therefore included in subcategory 3. Subcategory 1 compounds are produced as single

isomers and used individually in the polymer and dye industries.

TABLE 1.—UNSUBSTITUTED PHENYLENEDIAMINES

CAS No.	Chemical name
106-50-3.....	<i>p</i> -Phenylenediamine.
16245-77-5.....	<i>p</i> -Phenylenediamine sulfate.
108-45-2.....	<i>m</i> -Phenylenediamine.
541-70-8.....	<i>m</i> -Phenylenediamine sulfate.
95-54-5.....	<i>o</i> -Phenylenediamine.

2. *Toluenediamines* (Table 2): Includes eight chemicals manufactured by the catalytic hydrogenation of dinitrotoluenes. 3,5-Diaminotoluene (CAS No. 108714) was included in the "no testing" subcategory in the ANPR. EPA has now included it in this toluenediamines subcategory because it is produced incidentally during the manufacture of the other more commercially important toluenediamines and is often part of toluenediamine mixtures. Subcategory 2 substances are used almost exclusively as intermediates in the plastics industry.

TABLE 2.—TOLUENEDIAMINES

CAS No.	Chemical name
95-80-7.....	2,4-Diaminotoluene.
823-40-5.....	2,6-Diaminotoluene.
2687-25-4.....	2,3-Diaminotoluene.
95-70-5.....	2,5-Diaminotoluene.
6369-59-1.....	2,5-Diaminotoluene sulfate.
496-72-0.....	3,4-Diaminotoluene.
108-71-4.....	3,5-Diaminotoluene.
25376-45-8.....	Diaminotoluene unspecified isomers.

3. *No-Test PDA's* (Table 3): Includes 34 chemicals produced in very low quantities, not commercially produced (as determined from all available production information including section 8(a) submissions), or whose production is not subject to TSCA. For those chemicals with production data, the Agency also has determined that substantial numbers of persons are not currently exposed to these chemicals as a result of TSCA-related activities. No current TSCA-related release has been identified for these chemicals (Refs. 5 through 7).

Of the 34 chemicals in subcategory 3, six are not subject to TSCA jurisdiction (Table 3, Production Not Subject To TSCA) because they are used in the manufacture of hair dye either as active ingredients in permanent hair dyes or as intermediates in the synthesis of semipermanent hair dyes. These uses of PDA's fall under the authority of the Federal Food, Drug and Cosmetic Act (FFDCA). Since section 3 of TSCA excludes cosmetics subject to the FFDCA from TSCA jurisdiction, exposure potential as a result of use in

the hair dye industry is not being considered as a basis for requiring testing.

TABLE 3.—NO-TEST PHENYLENEDIAMINES

CAS No.	Chemical name
Low production exposure:	
1187-37-1.....	4-Ethoxy- <i>o</i> -phenylenediamine.
5042-55-7.....	5-Nitro- <i>m</i> -phenylenediamine.
3683-23-8.....	4-Butyl- <i>o</i> -phenylenediamine.
68986-84-7.....	1,3-Benzenediamine, <i>ar</i> -ethyl- <i>ar</i> -methyl.
68239-82-7.....	4-Nitro- <i>o</i> -phenylenediamine sulfate.
5131-60-2.....	4-Chloro- <i>m</i> -phenylenediamine.
62654-17-5.....	<i>p</i> -Phenylenediamine ethanediolate.
614-94-8.....	4-Methoxy- <i>m</i> -phenylenediamine dihydrochloride.
67801-06-3.....	4-Ethoxy- <i>m</i> -phenylenediamine dihydrochloride.
68015-98-5.....	4-Ethoxy- <i>m</i> -phenylenediamine sulfate (1:1).
5307-02-8.....	1,4-Benzenediamine, 2-methoxy.
18266-52-9.....	2-Nitro- <i>p</i> -phenylenediamine dihydrochloride.
68239-83-6.....	2-Nitro- <i>p</i> -phenylenediamine sulfate.
42389-30-0.....	5-Chloro-3-nitro- <i>o</i> -phenylenediamine.
6219-77-8.....	4-Nitro- <i>o</i> -phenylenediamine dihydrochloride.
68239-80-5.....	4-Chloro- <i>m</i> -phenylenediamine sulfate.
68459-98-3.....	4-Chloro- <i>o</i> -phenylenediamine sulfate, monosulfate.
615-46-3.....	2-Chloro- <i>o</i> -phenylenediamine dihydrochloride.
20103-09-7.....	2,5-Dichloro- <i>p</i> -phenylenediamine.
15872-73-8.....	4,6-Diamino- <i>o</i> -Cresol.
65879-44-9.....	4,6-Diamino- <i>o</i> -Cresol hydrochloride.
66422-95-5.....	2-(2,4-Diaminophenoxy) ethanol dihydrochloride.
541-69-5.....	<i>m</i> -Phenylenediamine dihydrochloride.
615-28-1.....	<i>o</i> -Phenylenediamine dihydrochloride.
615-45-2.....	2,5-Diaminotoluene dihydrochloride.
95-83-0.....	4-Chloro- <i>o</i> -phenylenediamine.
137-09-7.....	2,4-Diaminophenol dihydrochloride.
624-18-0.....	<i>p</i> -Phenylenediamine dihydrochloride.
5307-14-2.....	2-Nitro- <i>p</i> -phenylenediamine.
5131-58-8.....	4-Nitro- <i>m</i> -phenylenediamine.
6219-71-2.....	2-Chloro- <i>p</i> -phenylenediamine sulfate.
39156-41-7.....	4-Methoxy- <i>m</i> -phenylenediamine sulfate.
99-56-9.....	4-Nitro- <i>o</i> -phenylenediamine.
615-05-4.....	4-Methoxy- <i>m</i> -phenylenediamine.

The 13 chemicals included in subcategories 1 and 2 (Tables 1 and 2) are being considered under TSCA section 4(a) for proposed health effects and chemical fate and environmental effects testing. These two subcategories will be the subject of separate notices in the Federal Register and are therefore not further discussed in this notice.

IV. Decision not to Initiate Rulemaking

In the ANPR for the PDA's, the Agency stated that it did not intend to include the low production PDA's in a TSCA section 4(a) test rule because of lack of sufficient TSCA-related production or exposure. From the available data, the Agency still finds that these chemicals in Table 3 are either produced in research quantities, not produced, or are produced and distributed commercially for non-TSCA use and any exposure or release would result from non-TSCA use. Therefore, EPA believes that there is at this time no basis for making the findings under TSCA sections 4(a)(1)(A) or 4(a)(1)(B),

and thus EPA is not initiating rulemaking under TSCA section 4 at this time to require testing the 34 PDA's listed in Table 3 for health and environmental effects and chemical fate.

EPA is aware that to some of the PDA's for which testing is not being required cause toxic effects in laboratory animals (Ref. 4). The Agency believes that some type of follow-up regulation under TSCA is warranted because of the potential toxicity of the 34 chemicals covered by this notice and because the subcategory 3 chemicals may find new uses leading to new TSCA exposures. EPA is seriously considering development of a significant new use rule (SNUR) under section 5(a)(2) of TSCA because it may want to be able to review and respond to market entry of these PDA's in the same way that it would review a "new" phenylenediamine subject to premanufacture notification under Section 5. But, at a minimum, EPA expects to propose a section 8(a) follow-up rule to cover these 34 substances. The Agency's proposed follow-up approach will be published in a subsequent Federal Register notice.

V. Public Record

EPA has established a public record for this decision not to pursue testing under section 4 [docket number OPTS-42008A]. This record includes:

A. Supporting Documentation

(1) Federal Register notice designating the PDA's category to the priority list (45 FR 35897), and all comments received thereon.

(2) ANPR for PDA's (47 FR 973).

(3) Communications from industry consisting of letters, contact reports of telephone conversations, and meeting summaries.

(4) Published and unpublished data.

(5) Federal Register notice announcing the decision not to require testing.

B. References

(1) USEPA, U.S. Environmental Protection Agency, Chemical Information Rule: Manufacturers reporting; Preliminary Assessment Information. (47 FR 26992). June 22, 1982.

(2) USEPA, U.S. Environmental Protection Agency, Protection of the Environment Chapter I. Environmental Protection Agency. Subchapter R—Toxic Substance Control, Part 718—Health and Safety Data Reporting. Submission of lists and copies of health and safety studies (47 FR 38780). September 2, 1982.

(3) USEPA, U.S. Environmental Protection Agency. Sixth Report of the Interagency Testing Committee to the

Administrator, Environmental Protection Agency; Receipt of the Report and Request for Comments Regarding Priority List of Chemicals. (45 FR 35897). May 28, 1980.

(4) USEPA, U.S. Environmental Protection Agency. Phenylenediamines; Response to Interagency Testing Committee. (47 FR 973). January 8, 1982.

(5) Sutta, B.E., Hardy, J., McCaleb, K.E., Millard, A.J., Pawlovich, A.A., Rich, P.A., Swett, L.B. Exposure pathways, manufacture, chemical integrity of phenylenediamine moiety, and substitutes for phenylenediamine compounds, SRI International, Washington, DC: U.S. Environmental Protection Agency. Technical Directive 1.3.1. June 19. Task A3 and A6. Contract No. 68-01-6016. 1981.

(6) Sutta, B.E., Hardy, J., McCaleb, K.E., Millard, A.J., Pawlovich, A.A., Rich, P.A., Swett, L.B. Preliminary assessment of exposure to 49 phenylenediamine compounds. SRI International, Washington, DC: U.S. Environmental Protection Agency. Contract No. 68-01-6016. 1981.

(7) MATHTECH, Inc. Draft economic evaluation: Phenylenediamines. Mathtech, Inc., Washington DC: U.S. Environmental Protection Agency. Contract No. 68-01-6630. 1983.

(8) Ciba-Geigy Corporation. TSCA Section 8(d) submission. Health and Safety data reporting under TSCA section 8(d), Final Rule (Additional Substances) published March 30, 1983. Acute Dermal Toxicity in Rabbits, primary dermal irritation in rabbits, report on rabbit eye irritation, acute oral toxicity in rats. 1978. Washington, DC., Office of Toxic Substances, U.S. Environmental Protection Agency.

(9) Eastman Kodak Co. Rochester, New York 14650. Letter to Gary Timm, Test Rules Development Branch, Existing Chemicals Assessment Division, Office of Pesticides and Toxic Substances, U.S. Environmental Protection Agency. Washington, D.C. 29460. 1984.

This record, which includes the basic information considered by the Agency in developing this decision, is available for inspection from 8 a.m. to 4 p.m., Monday through Friday except legal holidays, in Rm. E-107, 401 M St., SW, Washington, DC 20460. The Agency will supplement the record with additional relevant information as it is received.

(Sec. 4, 90 Stat. 2003; (15 U.S.C. 2601))

Thomas M. Lee,
Acting Administrator.
January 22, 1985.

[FR Doc. 85-2424 Filed 1-29-85; 8:45 am]

BILLING CODE 6580-50-M

[OPP-41001A; PH-FRL 2769-6]

Creosote, Pentachlorophenol, and Inorganic Arsenicals; Decision to Postpone Effective Dates

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA issued a Notice of Intent to Cancel registrations of pesticide products containing creosote, pentachlorophenol, and inorganic arsenicals (hereafter referred to collectively as "wood preservatives") which was published in the Federal Register of July 13, 1984 (49 FR 28666). The Notice, among other things, specified certain dates by which wood preservative products would be required to bear labeling revised to comply with the requirements imposed by the Notice. The Agency issued a notice, which was published in the Federal Register of October 31, 1984 (49 FR 43772), postponing the effective date of revised labeling requirements for those registrants who have filed applications for amended registrations. This notice announces the Agency's decision that persons other than registrants can sell and distribute existing stocks of both cancelled and uncanceled products bearing current labeling until further notice. Registrants of cancelled products may sell existing stocks only if the labeling is revised to comply with the requirements of the July 13 Notice.

EFFECTIVE DATE: January 30, 1985.

FOR FURTHER INFORMATION CONTACT:
By mail:

Carol E. Langley, Registration Division (TS-767C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St. SW., Washington, D.C. 20460

Office location and telephone number:
Rm. 711, CM #2, 1921 Jefferson Davis Highway, Arlington, VA. (703-557-7401)

SUPPLEMENTARY INFORMATION:

I. Introduction

In the Wood Preservatives July 13, 1984 Notice of Intent to Cancel, the Agency specified dates by which registrants and other persons would be required to replace the labeling of wood preservative products with revised labeling which complied with the requirements of the Notice. The July 13 Notice required that registrants who had filed applications for amended registrations, in accordance with the requirements of that Notice, must revised their labeling by November 1, 1984, before they would be permitted to