



ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2012-0489; FRL-9355-7]

Cancellation of Pesticides for Non-Payment of Year 2012 Registration Maintenance Fees

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: Since the amendments of October 1988, the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) has required payment of an annual maintenance fee to keep pesticide registrations in effect. The fee due last January 15, 2012, has gone unpaid for 204 registrations. Section 4(i)(5)(G) of FIFRA provides that the EPA Administrator may cancel these registrations by order and without a hearing; orders to cancel all 204 of these registrations have been issued within the past few days.

DATES: A cancellation is effective on the date the cancellation order is signed.

FOR FURTHER INFORMATION CONTACT: Michael Yanchulis, Information Technology and Resources Management Division (7502P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 347-0237; email address:

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SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this Action Apply to Me?

This action is directed to the public in general. Although this action may be of particular interest to persons who produce or use pesticides, the Agency has not

attempted to describe all the specific entities that may be affected by this action. If you have any questions regarding the information in this notice, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

B. How Can I Get Copies of this Document and Other Related Information?

The docket for this action, identified by docket identification (ID) number EPA-HQ-OPP-2012-0489, is available at <http://www.regulations.gov> or at the OPP Docket in the Environmental Protection Agency Docket Center (EPA/DC), located in EPA West, Rm. 3334, 1301 Constitution Ave. NW., Washington, DC 20460-0001. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the OPP Docket is (703) 305-5805. Please review the visitor instructions and additional information about the docket available at <http://www.epa.gov/dockets>.

II. Background

Section 4(i)(5) of FIFRA, as amended in October 1988 (Public Law 100-532), December 1991 (Public Law 102-237), and again in August 1996 (Public Law 104-170), requires that all pesticide registrants pay an annual registration maintenance fee, due by January 15 of each year, to keep their registrations in effect. This requirement applies to all registrations granted under FIFRA section 3 as well as those granted under FIFRA section 24(c) to meet special local needs. Registrations for which the fee is not paid are subject to cancellation by order and without a hearing.

The Food, Agriculture, Conservation, and Trade Act Amendments of 1991, Public Law 102-237, amended FIFRA to allow the EPA Administrator to reduce or waive

maintenance fees for minor agricultural use pesticides when she determines that the fee would be likely to cause significant impact on the availability of the pesticide for the use. The Agency has waived the fee for 196 minor agricultural use registrations at the request of the registrants.

In fiscal year 2012, maintenance fees were collected in one billing cycle. The Pesticide Registration Improvement Renewal Act (PRIRA) was passed by Congress in October 2007. PRIRA authorized the Agency to collect \$22 million dollars in maintenance fees in fiscal year 2012. In late 2011, all holders of either FIFRA section 3 registrations or FIFRA section 24(c) registrations were sent lists of their active registrations, along with forms and instructions for responding. They were asked to identify which of their registrations they wished to maintain in effect, and to calculate and remit the appropriate maintenance fees. Most responses were received by the statutory deadline of January 15. A notice of intent to cancel was sent in February 2012, to companies who did not respond and to companies who responded, but paid for less than all of their registrations. Since mailing the notices of intent to cancel, EPA has maintained a toll-free inquiry number through which the questions of affected registrants have been answered.

Maintenance fees have been paid for about 15,420 FIFRA section 3 registrations, or about 96% of the registrations on file in December 2011. Fees have been paid for about 2,028 FIFRA section 24(c) registrations, or about 88% of the total on file in December 2011. Cancellations for non-payment of the maintenance fee affect about 182 FIFRA section 3 registrations and about 22 FIFRA section 24(c) registrations.

The cancellation orders generally permit registrants to continue to sell and distribute existing stocks of the canceled products until January 15, 2013, 1 year after the date on which the fee was due. Existing stocks already in the hands of dealers or users, however, can generally be distributed, sold, or used legally until they are exhausted. Existing stocks are defined as those stocks of a registered pesticide product which are currently in the United States and which have been packaged, labeled, and released for shipment prior to the effective date of the cancellation order.

The exceptions to these general rules are cases where more stringent restrictions on sale, distribution, or use of the products have already been imposed, through special reviews or other Agency actions. These general provisions for disposition of stocks should serve in most cases to cushion the impact of these cancellations while the market adjusts.

III. Listing of Registrations Canceled for Non-Payment

Table 1 of this unit lists all of the FIFRA section 24(c) registrations, and Table 2 of this unit lists all of the FIFRA section 3 registrations which were canceled for non-payment of the 2012 maintenance fee. These registrations have been canceled by order and without hearing. Cancellation orders were sent to affected registrants via certified mail in the past several days. The Agency is unlikely to rescind cancellation of any particular registration unless the cancellation resulted from Agency error.

Table 1.—FIFRA Section 24(c) Registrations Canceled for Non-Payment of 2012 Maintenance Fee

SLN No.	Product Name
AR-99-0008	IDA, Inc. Diuron 80W
CA-78-0207	Union Carbide Sevin Brand 50-W Insecticide
CA-98-0003	Volck Supreme Spray
HI-94-0003	Dimilin 25W Insect Growth Regulator

ID-06-0014	Prozap Zinc Phosphide Pellets
KS-04-0005	Atrazine 4L
KS-10-0003	Rozol Prairie Dog Bait
MT-95-0003	Zinc Phosphide Oat Bait
MT-09-0002	CFT Legumine Fish Toxicant
NC-09-0003	Dinotefuran 20% Turf, Ornamental and Veg. Transplant
NV-04-0003	Zinc Phosphide Oat Bait
NV-06-0007	Prozap Zinc Phosphide Pellets
NY-09-0003	Superchlor
OR-09-0005	Assail 70WP Insecticide
PA-08-0006	Dinotefuran 20% Turf, Ornamental & Veg. Transplant
SD-07-0001	Zinc Phosphide Oat Bait
SD-07-0002	Zinc Phosphide Prairie Dog Bait
TX-11-0003	Bollgard II Cotton
WA-03-0004	Formaldehyde Solution 37
WA-06-0011	Tristar 70 WSP Insecticide
WA-07-0006	Assail 70 WP Insecticide
WA-10-0006	Burrows E Wrap

Table 2.—FIFRA Section 3 Registrations Canceled for Non-Payment of 2012 Maintenance Fee

Registration No.	Product Name
000106-00079	Broadspec 256
000322-00008	Pearson's Rat Poison
000706-00106	Claire Lice Killer
001043-00117	Amerse 2
001043-00118	LPH(R)
001327-00036	Fulex DDVP Fumigator
001327-00041	Fulex Nicotine Fumigator
001327-00042	Fulex Permethrin Fumigator
001561-00010	Steramine 2-G Tablets
001691-00115	Oxyclear
001769-00227	Chemene X
001990-00386	Co-Op R.O.L. Mineral
001990-00387	Rabon Oral Larvicide Block
003090-00214	Sanitized Brand Moving Van Interior Fogger
003377-00034	Sanibrom S Biocide Technical
003377-00074	Stabrom 910 Biocide
003487-20203	Roach Destroyer
003635-00267	Deep Crystal
003635-00275	GCO-30, Bacteriostat and Algaecide
003635-00277	GCO-30LM Bacteriostat and Algaecide
006390-00016	Vikol #LO-25
007173-00247	Generation Meal Bait Packs

007173-00291	Ant Gel Bait Syringe
007173-00292	Roach Gel Bait Syringe
007173-00296	Pinpoint Ant Gel Bait Station
007173-00298	Pinpoint Roach Gel Bait Station
007405-00071	Chemi-Cap Wasp and Hornet Killer
007405-00075	CPC Crawling Insect Killer
007616-00084	HSSH
008177-00071	Enterprise Stain & Wood Preservative
008383-00006	Sporicidin-HD Concentrated for Hemodialysis
008655-00011	Eastman Acetic Acid P Grain and Hay Preservative
009339-00023	Aquagard II Spray Waterbase Antifouling Paint for Outboards & Outdrive
009468-00032	Kull 50 S
009468-00036	Alecto H20 Herbicide
009468-00038	Dictator
009468-00039	2,4-D LV6
009468-00040	2,4-D LV4
009468-00041	2,4-D Amine 4.0
009468-00042	Duplex Herbicide
009468-00043	Impale Insecticide
010308-00023	Sumithion 20MC Roach Bait Concentrate
010330-00016	Ethylene Oxide 10% and Carbon Dioxide Sterilizing Gas
010330-00018	20% Ethylene Oxide & 80% Carbon Dioxide Sterilizing Gas
010330-00021	8.5% Ethylene Oxide & Carbon Dioxide Sterilizing Gas
011623-00011	Flying Insect Killer No. II
011694-00099	Medaphene Plus Disinfectant Spray
014663-00001	VBC Dinotefuran Technical
015300-00016	Chemical Treatment CL-2061
035380-00001	Elston Gopher Getter Bait
035380-00003	G.G. Jr. Hand Probe Gopher Getter Bait
035484-00001	Gordon's Bordeaux Mixture
035975-00004	Sodium Fluoroacetate (Compound 1080) Livestock Protection Collar
036426-00003	Crude Pyrethrum Extract
036638-00023	Nomate PBW Fiber
037731-20001	Sun-Clor
037910-00009	Nissan T.C.C.A. Tablet
037982-20001	Bacticide
037982-20003	L.T. Sanitizer 9.2%
039272-00012	Wepak Lemon Disinfectant
040208-00003	Crack-Shot Residual Insect Killer
040208-00006	Avenger Dust Insecticide
040510-00005	Sanitizer, Phenolic Type, Concentrate Fed. Spec. 0-D-1435
040849-00079	Enforcer Fire Ant Bait
042850-00003	Results Pet Powder

043576-00002	Feather Glo Bird-Cage-Defender
044392-00005	MBC 325
044428-00003	Anti-Fouling Bottom Paint 030010
045337-00010	Take Out Algicide
046274-00002	Dakin's Solution Disinfectant By Century
048302-00004	Ravax AF Synthetic Resin Anti-Fouling Paint
049403-00016	Nipacide BK
049403-00025	Nipacide CI 15
049403-00032	Nipacide TBX
049403-00033	Nipacide GSF-A
049538-00003	Phyton 27 New Dimension
050404-00010	Duranon Premium Insect Repellent Apparel
051032-00014	Micro-Sul Dusting/wettable Sulfur
053254-00006	Oxidant TCA Tablets
053254-00008	Oxidant TCA/T200 Tablets
054998-00009	Brom-Aid
056336-00022	Checkmate SF
056336-00032	Checkout 60/40
056336-00033	Checkout 40/60
056336-00034	Checkmate CM Puffer Dispenser
056572-00002	Chlorine Gas
057727-00001	Buddies Puddy
059345-00001	Equi-Fly Oral Larvicide
059823-00003	Biobarrier II, Preemergence Weed Control System
061667-00004	Ag Sanitizer 12.5%
062563-00004	Beauty Liquid Disinfecting Toilet Bowl Cleaner
063898-00002	Tomicide S
065615-00001	Scoot Mole Evacuator
065615-00002	Scoot TM Rabbit
065615-00004	Scoot TM Deer Shrub and Tree Protection
067360-00016	Policida P-4
067517-00003	C & S Powder
067517-00010	Chlorinated Cleaner
067517-00015	Disinfectant Concentrate (4X)
067517-00021	Purina Cattle Duster Insecticide
067517-00026	Purina Fly Larvicide (Feed Premix)
067517-00030	Mushroom Farm Iodine Concentrate
067517-00040	Rabon Dust for Livestock and Poultry
067517-00053	Sanitizer Cleaner
067517-00083	Purina Cattle Mineral 12:12 VA Fly Larvicide
067649-00005	Chlorine SG
067959-00002	Trilin 10G
067959-00004	Trilin Herbicide
068292-00002	Weedaxe Herbicide
069361-00013	Triclopyr 4 Herbicide

069361-00023	Reaplon Ester
069470-00024	CDB Sanifizz 50 ST
069493-00001	Triad Pesticide
070310-00002	Agroneem Plus
070369-00003	Sunbeam Bacteriostat Tablets
070387-00001	Nimbecidine
070553-00001	Permethrin 98.5% Technical
070553-00003	Permethrin 80% MUP
070567-00001	BCS Sodium Hypochlorite Solution (12.5%) Mfg. Use
070567-00003	BCS Sodium Hypochlorite Solution (10%)
070567-00004	BCS Sodium Hypochlorite Solution (11.9%)
071021-00003	Formaldehyde Solution 37F
071406-00006	Diffusit SP
071406-00007	Diffusit SP 124
072080-00002	BAP-10
072159-00004	Agrisel Multi-Purpose Insect Killer 2
072159-00008	Bifenthrin Pro Insecticide
072315-00010	Olin Concentrated Sodium Hypochlorite
072468-00003	PMC 360
072468-00005	Mold Wipes 360
072679-00002	Copper Paint No. 4 Green
073092-00001	Superspeed SP52
073601-00002	Trichlor Chlorinating Tablets
073601-00003	Trichlor Granular
073601-00005	Dichlor 56
074530-00041	Helosate 70 Herbicide
074530-00046	Helosate Aquatic and VM Herbicide
074530-00051	Streamer Max
074616-00001	Calcium Hypochlorite
075277-00001	Deuce
075340-00003	Cop-R-Nap RTU Solution
075341-00003	Osмосе Timberfume
075341-00008	Osмосе Cop-R-Nap
075341-00012	Hollow Heart CF
075341-00013	Cop-R-Plastic II Wood Preserving Compound
075639-00005	Antmasters Complete Gel Bait
075832-00003	Treaters Choice
075832-00004	Chromic Acid-A
079405-00002	Hay Delight
079442-00013	Exosex APM
080967-00006	Gly N Go
080967-00008	Riocamba N Go Herbicide
080967-00009	Ascadera N Go Herbicide
081045-00001	Healthy Outdoors Brand Sustained Release Mosquito Larvicide

082542-00025	Solera Imidacloprid 2F Insecticide
082744-00001	Ratimor Wax Block
082744-00002	Ratimor Soft Bait
083070-00005	Imidacloprid 75 MUP
083359-00004	Avex
083851-00014	Amtide Imidacloprid 2F Greenhouse/nursery
083884-00007	Invasan Am 110 US
083979-00006	Rotam Gly 41% Plus Herbicide
084681-00002	Deer Guard 2
084878-00004	Citrepel Plus
085575-00001	First Call
086004-00004	Glyphosate 41% SL
086044-00002	Rootplug
086145-00004	Mag Shock
086203-00006	1% Etofenprox Fogger
086203-00007	1% Etofenprox Aerosol
086819-00001	Evenxchange
086869-00003	Quinclorac 75 DF Select
087370-00001	Cyclops ATO Herbicide
087370-00002	Bijoux Herbicide
087722-00001	Bactiblock 101 R 1.47
087722-00002	Bactiblock 101 RKC 1.47
087952-00001	Marketquest One Drop Flea & Tick Control with IGR-2
087985-00001	Mold Inhibit
088031-00001	Rootgro
088031-00002	GA3 4%
088031-00003	Technical 3-Indolebutyric Acid
088058-00001	Chlorothalonil Technical

IV. Provisions for Disposition of Existing Stocks

The effective date of cancellation will be the date of the cancellation order. The orders effecting these requested cancellations will generally permit a registrant to sell or distribute existing stocks until January 15, 2013, 1 year after the date on which the fee was due.

Existing stocks are those stocks of registered pesticide products which are currently in the United States and which have been packaged, labeled, and released for shipment prior to the effective date of the cancellation order. Unless the provisions of an

earlier order apply, existing stocks already in the hands of dealers or users can be distributed, sold, or used legally until they are exhausted, provided that such further sale and use comply with the EPA-approved label and labeling of the affected product. Exception to these general rules will be made in specific cases when more stringent restrictions on sale, distribution, or use of the products or their ingredients have already been imposed, as in a special review action, or where the Agency has identified significant potential risk concerns associated with a particular chemical.

V. Docket

Complete lists of registrations canceled for non-payment of the maintenance fee will also be available for reference during normal business hours at the OPP Docket. See Unit I.B.

List of Subjects

Environmental protection, Administrative practice and procedure, Pesticides and pests.

Dated: July 18, 2012

Steven Bradbury,
Director, Office of Pesticide Programs.

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