



## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2009-1017; FRL-9388-5]

### Notice of Receipt of Requests to Voluntarily Cancel Certain Pesticide Registrations

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** In accordance with the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), EPA is issuing a notice of receipt of requests by registrants to voluntarily cancel certain pesticide registrations. EPA intends to grant these requests at the close of the comment period for this announcement unless the Agency receives substantive comments within the comment period that would merit its further review of the requests, or unless the registrants withdraw its requests. If these requests are granted, any sale, distribution, or use of products listed in this notice will be permitted after the registration has been cancelled only if such sale, distribution, or use is consistent with the terms as described in the final order.

**DATES:** Comments must be received on or before *[insert date 30 days after date of publication in the Federal Register]*

**ADDRESSES:** Submit your comments, identified by docket identification (ID) number EPA-HQ-OPP-2009-1017, by one of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the online instructions for submitting comments. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.

- *Mail*: OPP Docket, Environmental Protection Agency Docket Center (EPA/DC), (28221T), 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001.

Submit written withdrawal request by mail to: Pesticide Re-Evaluation Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001. ATTN: John W. Pates, Jr.

- *Hand Delivery*: To make special arrangements for hand delivery or delivery of boxed information, please follow the instructions at <http://www.epa.gov/dockets/contacts.htm>.

Additional instructions on commenting or visiting the docket, along with more information about dockets generally, is available at <http://www.epa.gov/dockets>.

**FOR FURTHER INFORMATION CONTACT:** John W. Pates, Jr., Pesticide Re-Evaluation Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 308-8195; email address: [pates.john@epa.gov](mailto:pates.john@epa.gov).

## **SUPPLEMENTARY INFORMATION:**

### **I. General Information**

#### *A. Does this Action Apply to Me?*

This action is directed to the public in general, and may be of interest to a wide range of stakeholders including environmental, human health, and agricultural advocates; the chemical industry; pesticide users; and members of the public interested in the sale, distribution, or use of pesticides.

*B. What Should I Consider as I Prepare My Comments for EPA?*

1. *Submitting CBI.* Do not submit this information to EPA through regulations.gov or email. Clearly mark the part or all of the information that you claim to be CBI. For CBI information in a disk or CD-ROM that you mail to EPA, mark the outside of the disk or CD-ROM as CBI and then identify electronically within the disk or CD-ROM the specific information that is claimed as CBI. In addition to one complete version of the comment that includes information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

2. *Tips for preparing your comments.* When submitting comments, remember to:
- i. Identify the document by docket ID number and other identifying information (subject heading, **Federal Register** date and page number).
  - ii. Follow directions. The Agency may ask you to respond to specific questions or organize comments by referencing a Code of Federal Regulations (CFR) part or section number.
  - iii. Explain why you agree or disagree; suggest alternatives and substitute language for your requested changes.
  - iv. Describe any assumptions and provide any technical information and/or data that you used.
  - v. If you estimate potential costs or burdens, explain how you arrived at your estimate in sufficient detail to allow for it to be reproduced.
  - vi. Provide specific examples to illustrate your concerns and suggest alternatives.

vii. Explain your views as clearly as possible, avoiding the use of profanity or personal threats.

viii. Make sure to submit your comments by the comment period deadline identified.

## II. What Action is the Agency Taking?

This notice announces receipt by the Agency of requests from registrants to cancel 45 pesticide products registered under FIFRA section 3 or 24(c). These registrations are listed in sequence by registration number (or company number and 24(c) number) in Table 1. of this unit.

Unless the Agency determines that there are substantive comments that warrant further review of the requests or the registrants withdraw their requests, EPA intends to issue an order in the **Federal Register** canceling all of the affected registrations.

**Table 1.--Registrations with Pending Requests for Cancellation**

<b>Registration No.</b>	<b>Product Name</b>	<b>Chemical Name</b>
000100-01104	Tralkoxydim Technical	Tralkoxydim
000100-01130	Achieve SC Herbicide	Tralkoxydim
000192-00163	Dexol Rose & Floral Insect Killer	Piperonyl butoxide, Pyrethrins (no inert use)
000192-00198	Dexol Multipurpose Insect Spray	Permethrin
000192-00222	Allpro Permethtrin ICG .5%	Permethrin
000239-02709	Ortho MAT28S RTU	Aminocyclopyrachlor
000239-02710	Ortho MAT28N RTU	Aminocyclopyrachlor
000239-02711	Ortho MAT28NS Conc	Aminocyclopyrachlor
000239-02712	Ortho MAT28N Combo	Aminocyclopyrachlor, Dicamba, Quinclorac
000239-02713	Ortho MAT28N Combo Concentrate	Aminocyclopyrachlor, Dicamba, Quinclorac
000264-01028	Mepiquat Chloride Technical Plant Regulator	Mepiquat chloride
000499-00465	Pro-Control Fogger II	MGK 264, Piperonyl butoxide, Pyrethrins (no inert use)

000538-00319	Ortho MAT28N Combo Concentrate	Aminocyclopyrachlor
000538-00320	Scotts 65 MAT Weed & Feed	Aminocyclopyrachlor
000538-00321	Scotts 55 MAT Weed & Feed	Aminocyclopyrachlor
000538-00322	Scotts 60 MAT Weed & Feed	Aminocyclopyrachlor
000577-00541	Cuprinol Wood Preservative Green No. 10	Copper naphthenate
001021-01060	D-trans Allethrin 90% Concentrate	d-trans-Chrysanthemum monocarboxylic ester of dl-2-allyl-4-hydroxy-3-methyl-2-cyclopenten-1-one
001021-01128	D-trans Intermediate 1868	d-trans-Chrysanthemum monocarboxylic ester of dl-2-allyl-4-hydroxy-3-methyl-2-cyclopenten-1-one, MGK 264, Piperonyl butoxide
001021-01550	Evercide Intermediate 2416	d-trans-Chrysanthemum monocarboxylic ester of dl-2-allyl-4-hydroxy-3-methyl-2-cyclopenten-1-one, MGK 264, Permethrin
001021-01575	Evercide Intermediate 2491	d-trans-Chrysanthemum monocarboxylic ester of dl-2-allyl-4-hydroxy-3-methyl-2-cyclopenten-1-one, MGK 264 Piperonyl butoxide, Esfenvalerate
001021-01594	Evercide Residual Pressurized Spray 2523	d-trans-Chrysanthemum monocarboxylic ester of dl-2-allyl-4-hydroxy-3-methyl-2-cyclopenten-1-one, MGK 264, Piperonyl butoxide, Esfenvalerate
001021-01607	Evercide Residual Pressurized Spray 2581	d-trans-Chrysanthemum monocarboxylic ester of dl-2-allyl-4-hydroxy-3-methyl-2-cyclopenten-1-one, MGK 264, Permethrin
005481-00130	Fruit Fix Concentrate 800	Ammonium 1-naphthaleneacetate
005481-00459	Prune Smart Sprout Inhibitor	Ethyl 1-naphthaleneacetate
005481-00496	Snaap-2	Potassium 1-

		naphthaleneacetate
005481-00497	Snaap-8	Potassium 1-naphthaleneacetate
009779-00298	Riverside Copper Hydroxide 77DF	Copper hydroxide
010163-00293	GWN-3771 Technical Herbicide	Thifensulfuron
010163-00294	GWN-3124 WDG Herbicide	Thifensulfuron
010163-00299	GWN-3125 WDG Herbicide	Tribenuron-methyl
010163-00300	GWN-3123 WDG Herbicide	Tribenuron-methyl, Thifensulfuron
010807-00436	Konk Insect Killer	d-trans-Chrysanthemum monocarboxylic ester of dl-2-allyl-4-hydroxy-3-methyl-2-cyclopenten-1-one, MGK 264, Permethrin
045385-00093	CTX/Cyber Blast	MGK 264, Prallethrin, Esfenvalerate
053883-00128	Propiconazole HG	Propiconazole
053883-00220	Oryzalin 2G	Oryzalin, Benfluralin
055260-00007	BDL 1633 Industrial Microbiocide	Dodecylguanidine hydrochloride
082397-00002	Chem-Fish Synergized	Piperonyl butoxide, Rotenone, Cube Resins other than rotenone
082397-00003	Powdered Cube Root	Rotenone, Cube Resins other than rotenone
086363-00014	KT Propicon 3.6EC	Propiconazole
MN070006	Chem Sect Brand Chem Fish Synergized	Piperonyl butoxide, Rotenone, Cube Resins other than rotenone
OR910030	K-Salt Fruit Fix 200	Potassium 1-naphthaleneacetate
OR910031	K-Salt Fruit Fix 800	Potassium 1-naphthaleneacetate
WA050004	Fruitone-N	Sodium 1-naphthaleneacetate
WA910050	K-Salt Fruit Fix 200	Potassium 1-naphthaleneacetate

Table 2. of this unit includes the names and addresses of record for all registrants of the products in Table 1. of this unit, in sequence by EPA company number. This

number corresponds to the first part of the EPA registration numbers of the products listed in this unit.

**Table 2.--Registrants Requesting Voluntary Cancellation**

<b>EPA Company No.</b>	<b>Company Name and Address</b>
100	Syngenta Crop Protection, LLC 410 Swing Road P.O. Box 18300 Greensboro, NC 27419-8300
192	Value Garden Supply, LLC D/B/A Value Garden Supply PO Box 585 Saint Joseph, MO 64502
239	The Scotts Company D/B/A The Ortho Group PO Box 190 Marysville, OH 43040
264	Bayer Cropscience LP 2 T.W. Alexander Drive P.O. Box 12014 Research Triangle Park, NC 27709
499	Whitmore Micro-Gen Research Laboratories, Inc. Agent: BASF Corporation 3568 Tree Court Industrial Blvd. St. Louis, MO 63122-6682
538	The Scotts Company 14111 Scottslawn Road Marysville, OH 43041
577	Sherwin-Williams Co. 101 Prospect Ave. Cleveland, OH 44115-1075
1021	McLaughlin Gormley King Co D/B/A MGK 8810 Tenth Ave North Minneapolis, MN 55427-4319
5481 OR910030, OR910031, WA050004, WA910050	Amvac Chemical Corporation 4695 MacArthur Court Suite 1200 Newport Beach, CA 92660-1706
9779	Winfield Solutions, LLC P.O. Box 64589 St. Paul, MN 55164-0589
10163	Gowan Company

	PO Box 5569 Yuma, AZ 85366-8844
10807	Amrep, Inc. 990 Industrial Park Drive Marietta, GA 30062
45385	CTX-Cenol, Inc. 1393 East Highland Road Twinsburg, OH 44087
53883	Control Solutions, Inc. 5903 Genoa-Red Bluff Road Pasadena, TX 77507-1041
55260	Agriphar S.A. Agent: Ceres International LLC 1087 Heartsease Drive West Chester, PA 19382
62190	Arch Wood Protection, Inc. 5660 New Northside Drive, N.W. Suite 1100 Atlanta, GA 30328
82397 MN070006	Tifa International LLC 109 Stryker Lane Hillsborough, NJ 08844
86363	Kaizen Technologies, LLC Agent: Lighthouse Product Services 1966 W. 15th Street Suite 6 Loveland, CO 80538

### III. What is the Agency's Authority for Taking this Action?

Section 6(f)(1) of FIFRA provides that a registrant of a pesticide product may at any time request that any of its pesticide registrations be canceled. FIFRA further provides that, before acting on the request, EPA must publish a notice of receipt of any such request in the **Federal Register**.

Section 6(f)(1)(B) of FIFRA requires that before acting on a request for voluntary cancellation, EPA must provide a 30-day public comment period on the request for voluntary cancellation or use termination. In addition, FIFRA section 6(f)(1)(C) requires

that EPA provide a 180-day comment period on a request for voluntary cancellation or termination of any minor agricultural use before granting the request, unless:

1. The registrants request a waiver of the comment period, or
2. The EPA Administrator determines that continued use of the pesticide would pose an unreasonable adverse effect on the environment.

The registrants in Table 2. of Unit II. have requested that EPA waive the 180-day comment period. Accordingly, EPA will provide a 30-day comment period on the proposed requests.

#### **IV. Procedures for Withdrawal of Request**

Registrants who choose to withdraw a request for cancellation should submit such withdrawal in writing to the person listed under **FOR FURTHER INFORMATION CONTACT**. If the products have been subject to a previous cancellation action, the effective date of cancellation and all other provisions of any earlier cancellation action are controlling.

#### **V. Provisions for Disposition of Existing Stocks**

Existing stocks are those stocks of registered pesticide products that are currently in the United States and that were packaged, labeled, and released for shipment prior to the effective date of the cancellation action. Because the Agency has identified no significant potential risk concerns associated with these pesticide products, upon cancellation of the products identified in Table 1. of Unit II., EPA anticipates allowing registrants to sell and distribute existing stocks of these products (except for registration no. 000100-01104 and 000100-01130) for 1 year after publication of the cancellation order in the **Federal Register**. Thereafter, registrants will be prohibited from selling or

distributing the pesticides identified in Table 1. of Unit II., except for export consistent with FIFRA section 17 or for proper disposal. Persons other than registrants will generally be allowed to sell, distribute, or use existing stocks until such stocks are exhausted, provided that such sale, distribution, or use is consistent with the terms of the previously approved labeling on, or that accompanied, the canceled products.

The continued sale and distribution of existing stocks of these products (registration no. 000100-01104 and 000100-01130) will be allowed through November 1, 2014. Additionally, the use of existing stocks of these products will be allowed until those existing stocks are exhausted.

**List of Subjects**

Environmental protection, Pesticides and pests.

Dated: June 4, 2013.

Michael Goodis,

*Acting Director, Pesticide Re-Evaluation Division, Office of Pesticide Programs.*

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