



ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2009-1017; FRL-9396-3]

Product Cancellation Order for Certain Pesticide Registrations

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces EPA's order for the cancellations, voluntarily requested by the registrants and accepted by the Agency, of the products listed in Table 1 of Unit II., pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). This cancellation order follows a June 12, 2013 **Federal Register** Notice of Receipt of Requests from the registrants listed in Table 2 of Unit II. to voluntarily cancel these product registrations. In the June 12, 2013 **Federal Register** notice, EPA indicated that it would issue an order implementing the cancellations, unless the Agency received substantive comments within the 30-day comment period that would merit its further review of these requests, or unless the registrants withdrew their requests. The Agency received two comments on the June 12, 2013 **Federal Register** notice but only one merited its further review of the requests. Further, the registrants did not withdraw their requests. Accordingly, EPA hereby issues in this notice a cancellation order granting the requested cancellations. Any distribution, sale, or use of the products subject to this cancellation order is permitted only in accordance with the terms of this order, including any existing stocks provisions.

DATES: The cancellations are effective [*insert date of publication in the Federal Register*].

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*.

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. Since others also may be interested, the Agency has not attempted to describe all the specific entities that may be affected by this action.

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-2009-1017 is available at <http://www.regulations.gov> or at the Office of Pesticide Programs Regulatory Public Docket (OPP Docket) in the Environmental Protection Agency Docket Center (EPA/DC), EPA West Bldg., 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. What Action is the Agency Taking?

This notice announces the cancellation, as requested by registrants, of products registered under FIFRA section 3. These registrations are listed in sequence by registration number in Table 1 of this unit.

Table 1.--Product Cancellations

EPA Registration Number	Product Name	Chemical Name
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 Permeththrin 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
062190-00032	Arch CMIT/MIT	5-Chloro-2-methyl-3(2H)- isothiazolone, 2-Methyl-3(2H)- isothiazolone
062190-00035	Arch CMIT/MIT 14 MUP	2-Methyl-3(2H)-isothiazolone, 5- Chloro-2-methyl-3(2H)- isothiazolone
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 Table 1 of this unit.

Table 2.--Registrants of Cancelled Products

EPA Company Number	Company Name and Address
100	Syngenta Crop Protection, LLC 410 Swing Rd. P.O. Box 18300 Greensboro, NC 27419-8300
192	Value Garden Supply, LLC D/B/A Value Garden Supply P.O. Box 585 Saint Joseph, MO 64502
239	The Scotts Company D/B/A The Ortho Group P.O. 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 Rd. 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 P.O. Box 5569 Yuma, AZ 85366-8844
10807	Amrep, Inc. 990 Industrial Park Dr. Marietta, GA 30062
45385	CTX-Cenol, Inc. 1393 East Highland Rd. Twinsburg, OH 44087
53883	Control Solutions, Inc. 5903 Genoa-Red Bluff Rd. Pasadena, TX 77507-1041
55260	Agriphar S.A. Agent: Ceres International, LLC 1087 Heartsease Dr. West Chester, PA 19382
62190	Arch Wood Protection, Inc. 5660 New Northside Dr., NW. Suite 1100 Atlanta, GA 30328
82397	Tifa International, LLC

MN070006	109 Stryker Lane Hillsborough, NJ 08844
86363	Kaizen Technologies, LLC Agent: Lighthouse Product Services 1966 W. 15 th St. Suite 6 Loveland, CO 80538

III. Summary of Public Comments Received and Agency Response to Comments

The Agency received two comments on the voluntary cancellation notice but only one merited its further review of the requests. The one comment the Agency received that merited further review of the requests was a comment regarding the request for voluntary cancellation of tralkoxydim registrations. The comment was submitted by Dow AgroSciences Canada Inc. (DASCI), and requested that, as a result of DASCI's interests in Canada, the EPA retain the U.S. tolerances that currently exist for tralkoxydim for import purposes. The comment submitted by DASCI does not impact the Agency's decision to grant the request for voluntary cancellation of the tralkoxydim registrations. EPA is not proposing any tolerance actions for tralkoxydim at this time. If any tolerance actions are necessary in the future, there will be an announcement in the **Federal Register** and there will be a public comment period on the proposed action. For these reasons, the Agency does not believe that the comments submitted during the comment period merit further review or a denial of the requests for voluntary cancellation.

IV. Cancellation Order

Pursuant to FIFRA section 6(f), EPA hereby approves the requested cancellations of the registrations identified in Table 1 of Unit II. Accordingly, the Agency hereby orders that the product registrations identified in Table 1 of Unit II. are canceled. The

effective date of the cancellations that are the subject of this notice is [*insert date of publication of this cancellation order in the **Federal Register***]. Any distribution, sale, or use of existing stocks of the products identified in Table 1 of Unit II., in a manner inconsistent with any of the provisions for disposition of existing stocks set forth in Unit VI. will be a violation of FIFRA.

V. 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 or amended to terminate one or more uses. FIFRA further provides that, before acting on the request, EPA must publish a notice of receipt of any such request in the **Federal Register**. Thereafter, following the public comment period, the EPA Administrator may approve such a request. The notice of receipt for this action was published for comment in the **Federal Register** issue of June 12, 2013 (78 FR 35268) (FRL-9388-5). The comment period closed on July 12, 2013.

VI. Provisions for Disposition of Existing Stocks

Existing stocks are those stocks of registered pesticide products which are currently in the United States and which were packaged, labeled, and released for shipment prior to the effective date of the cancellation action. The existing stocks provisions for the products subject to this order are as follows.

1. For Products 000100-01104 and 000100-01130 identified in Table 1 of Unit II.:

Thereafter, registrants will be prohibited from selling or distributing the products 000100-0114 and 000100-01130 identified in Table 1 of Unit II., except for export in accordance with FIFRA section 17, or proper disposal.

The registrant may continue to sell and distribute the existing stocks of these products until November 1, 2014. Persons other than the registrant may sell, distribute, or use existing stocks of these products until existing 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 cancelled products.

2. For all other products identified in Table 1 of Unit II.:

The registrants may continue to sell and distribute existing stocks of products listed in Table 1 of Unit II., until September 22, 2014, which is 1 year after the publication of the cancellation order in the **Federal Register**. Thereafter, the registrants are prohibited from selling or distributing products listed in Table 1 of Unit II., except for export in accordance with FIFRA section 17, or proper disposal. Persons other than the registrants may sell, distribute, or use existing stocks of products listed in Table 1 of Unit II., until existing 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.

List of Subjects

Environmental protection, Pesticides and pests.

Dated: September 13, 2013.

Richard P. Keigwin, Jr.,

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

[FR Doc. 2013-22847 Filed 09/19/2013 at 8:45 am; Publication Date: 09/20/2013]