



BILLING CODE 6560-50-P

**ENVIRONMENTAL PROTECTION AGENCY**

**[EPA-HQ-OPP-2018-0014; FRL-10004-11]**

**Notice of Receipt of Requests to Voluntarily Cancel Certain Pesticide Registrations and Amend Registrations to Terminate Certain Uses**

**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 the registrants to voluntarily cancel certain pesticide product registrations and to amend certain product registrations to terminate uses. 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 their requests. If these requests are granted, any sale, distribution, or use of products listed in this notice will be permitted after the registrations have been cancelled and uses terminated 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 180 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

**ADDRESSES:** Submit your comments, identified by docket identification (ID) number EPA-HQ-OPP-2018-0014, 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: Information Technology and Resources Management Division (7502P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW, Washington, DC 20460-0001. ATTN: Christopher Green.

*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.html>.

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:** Christopher Green, 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) 347-0367; email address: [green.christopher@epa.gov](mailto:green.christopher@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. 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 preparing and submitting your comments, see the commenting tips at <http://www.epa.gov/dockets/comments.html>.

## II. What Action is the Agency Taking?

This notice announces receipt by EPA of requests from registrants to cancel certain pesticide products and amend product registrations to terminate certain uses registered under FIFRA section 3 (7 U.S.C. 136a) or 24(c) (7 U.S.C. 136v(c)). The affected products and the registrants making the requests are identified in Tables 1-3 of this unit.

Unless a request is withdrawn by the registrant or if the Agency determines that there are substantive comments that warrant further review of this request, EPA intends to issue an order in the *Federal Register* canceling and amending the affected registrations.

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

Registration No.	Company No.	Product Name	Active Ingredients
1007-99	1007	Nolvasan Solution	Chlorhexidine diacetate
1007-100	1007	Fort Dodge Nolvasan S (Active) Nolvasan S (Alternate)	Chlorhexidine diacetate
1007-101	1007	Chlorhexidine Diacetate	Chlorhexidine diacetate
AL-040003	279	AIM EC Herbicide	Carfentrazone-ethyl
AL-080002	82541	DuPont Direx 4L Herbicide	Diuron

AL-080003	82541	DuPont Karmex XP (DF) Herbicide	Diuron
AL-940001	5481	Orthene 75 S Soluble Powder	Acephate

**Table 1A--Product Registrations with Pending Requests for Cancellation**

Registration No.	Company No.	Product Name	Active Ingredients
432-1360	432	Bayleton 50 Turf and Ornamental Fungicide in Water Soluble Packets	Triadime fon
432-1367	432	Bayleton 50 WDG Nursery and Greenhouse Systemic Fungicide	Triadime fon
432-1445	432	Bayleton Flo Turf and Ornamental Fungicide	Triadime fon
432-1446	432	Tartan Fungicide	Trifloxystrobin & Triadime fon
432-1513	432	Armada 50 WDG	Triadime fon & Trifloxystrobin

The registrant of the products listed in Table 1A, of Unit II, has requested the effective date of June 30, 2023, for the cancellations.

**Table 2--Product Registrations with Pending Requests for Amendment**

Registration No.	Company No.	Product Name	Active Ingredient	Uses to be Terminated
5481-197	5481	Technical Grade PCNB	Pentachloronitrobenzene	Beans, cotton, garlic, peanuts, peppers and tomatoes.
5481-8988	5481	Turficide 10% Granular	Pentachloronitrobenzene	Beans, cotton, peanuts, peppers and additionally beans, peppers and tomatoes as vegetable bedding plants.
5481-8992	5481	Turficide 4F	Pentachloronitrobenzene	Beans, cotton, garlic, peanuts, peppers, tomatoes and additionally peppers and tomatoes as vegetable bedding plants.

Table 3 of this unit includes the names and addresses of record for all the registrants of the products listed in Tables 1, 1A & 2 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, Table 1A and Table 2 of this unit.

**Table 3--Registrants Requesting Voluntary Cancellation and/or Amendments**

EPA Company No.	Company Name and Address
279	FMC Corporation 2929 Walnut Street Philadelphia, PA 19104
432	Bayer Environmental Science A Division of Bayer CropScience, LP 5000 CentreGreen Way, Suite 400 Cary, NC 27513
1007	Zoetis, Inc. 333 Portage Street Kalamazoo, MI 49007-4931
5481	AMVAC Chemical Corporation 4695 MacArthur Court, Suite 1200 Newport Beach, CA 92660-1706
82541	Catfish Farmers Registration Corporation 1100 Highway 82 East, Suite 202 Indianola, MS 38751

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

Section 6(f)(1) of FIFRA (7 U.S.C. 136d(f)(1)) 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*.

Section 6(f)(1)(B) of FIFRA (7 U.S.C. 136d(f)(1)(B)) 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) (7 U.S.C. 136d(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 listed in Table 3 of Unit II have not requested that EPA waive the 180-day comment period. Accordingly, EPA will provide a 180-day comment period on the proposed requests.

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

Registrants who choose to withdraw a request for product cancellation or use termination should submit the withdrawal in writing to the person listed under **FOR FURTHER INFORMATION CONTACT**. If the products have been subject to a previous cancellation or termination action, the effective date of cancellation or termination and all other provisions of any earlier cancellation or termination 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 action. If the requests for voluntary cancellation and amendments to terminate uses are granted, the Agency intends to publish the cancellation order in the *Federal Register*.

In any order issued in response to these requests for cancellation of product registrations and for amendments to terminate uses, EPA proposes to include the following provisions for the treatment of any existing stocks of the products listed in Table 1 and Table 1A of Unit II.

##### *A. For products 1007-99, 1007-100 & 1007-101.*

For products 1007-99, 1007-100 & 1007-101, listed in Table 1 of Unit II, the registrants have requested to sell existing stocks until May 31, 2021. Registrants will be permitted to sell and distribute existing stocks of these products until May 31, 2021. Thereafter, registrants will be prohibited from selling or distributing these products, except for export consistent with FIFRA section 17 (7 U.S.C. 136o) or for proper disposal.

*B. For products 432-1360, 432-1367, 432-1445, 432-1446 & 432-1513.*

For the products 432-1360, 432-1367, 432-1445, 432-1446 & 432-1513 listed in Table 1A of Unit II, the registrant has requested the effective date of the cancellations to be June 30, 2023; therefore, registrants will be permitted to sell and distribute existing stocks of these products until June 30, 2024. Thereafter, registrants will be prohibited from selling or distributing the products in Table 1A of Unit II, except for export consistent with FIFRA section 17 (7 U.S.C. 136o) or for proper disposal.

For all other voluntary product cancellations, identified in Table 1 of Unit II, registrants will be permitted to sell and distribute existing stocks of voluntarily canceled products for 1 year after the effective date of the cancellation, which will be the date of publication of the cancellation order in the *Federal Register*. Thereafter, registrants will be prohibited from selling or distributing all other products identified in Table 1 of Unit II, except for export consistent with FIFRA section 17 (7 U.S.C. 136o) or for proper disposal.

Once EPA has approved product labels reflecting the requested amendments to terminate uses, identified in Table 2 of Unit II, registrants will be permitted to sell or distribute products under the previously approved labeling for a period of 18-months after the date of *Federal Register* publication of the cancellation order, unless other restrictions have been imposed. Thereafter, registrants will be prohibited from selling or distributing the products whose labels include the terminated uses identified in Table 2 of Unit II, except for export consistent with FIFRA section 17 or for proper disposal.

Persons other than the registrant may sell, distribute, or use existing stocks of canceled products and products whose labels include the terminated uses until supplies 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 and terminated uses.

**Authority:** 7 U.S.C. 136 *et seq.*

Dated: January 21, 2020.

**Delores Barber,**

*Director, Information Technology and Resources Management Division, Office of Pesticide Programs.*

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