



BILLING CODE 6560-50-P

## **ENVIRONMENTAL PROTECTION AGENCY**

**[EPA-HQ-OPP-2020-0060; FRL-10012-40]**

### **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 30 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

**ADDRESSES:** Submit your comments, identified by docket identification (ID) number EPA-HQ-OPP-2020-0060, 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>.

Please note that due to the public health emergency the EPA Docket Center (EPA/DC) and Reading Room was closed to public visitors on March 31, 2020. Our EPA/DC staff will continue to provide customer service via email, phone, and webform. For further information on EPA/DC services, docket contact information and the current status of the EPA/DC and Reading Room, please visit <https://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**

<b>Registration No.</b>	<b>Company No.</b>	<b>Product Name</b>	<b>Active Ingredients</b>
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241-409	241	Oasis Herbicide	2,4-D, 2-ethylhexyl ester & Imazapic
241-425	241	Glyphosate Residual RTU	Glyphosate-isopropylammonium & Imazapic-ammonium
241-442	241	Imazapic E 21 Herbicide	Imazapic-ammonium
241-444	241	ETI 115 01 H	Imazapic-ammonium
264-1069	264	Trilex Advanced 300	Metalaxyl; Triadimenol & Trifloxystrobin
352-600	352	DPX-MX670 MT	Atrazine & Dimethenamid
352-693	352	Dupont Diuron MUP	Diuron
352-703	352	Dupont Diuron Technical	Diuron
352-849	352	Dupont Diuron 80 Dry Herbicide	Diuron
464-8132	464	Aqucar PS 75W MUP Water Treatment Microbiocide (Alternate Name)	Tetrakis(hydroxymethyl)phosphonium sulphate (THPS)
881-10	881	Richo Bock Sanitizing Rinse	Oxirane, methyl-, polymer with oxirane, monobutyl ether, compd. with iodine
1258-1324	1258	Vantocil NR	Poly(iminoimidocarbonyliminoimidocarbonyliminohexamethylene) hydrochloride
5481-600	5481	Tri-Scept Herbicide	Trifluralin & 3-Quinolinecarboxylic acid, 2-(4,5-dihydro-4-methyl-4-(1-methylethyl)-5-oxo-1H-imidazol-2-yl)-, monoammonium salt
8378-17	8378	25-5-10 Turf Food with Crabgrass Control	Trifluralin & Benfluralin
8378-18	8378	Shaw's Premium Turf Food with Crabgrass Control	Trifluralin & Benfluralin
8378-19	8378	Premium Lawn Food with Crabgrass Control	Trifluralin & Benfluralin
8378-20	8378	Shaw's 18-5-9 Turf Food with XL Crabgrass Control	Trifluralin & Benfluralin
8378-37	8378	Shaw's Turf Food & Crabgrass Control W/Team 142	Trifluralin & Benfluralin
8660-165	8660	Sta-Green Flower & Garden Weed Preventer	Trifluralin
8660-166	8660	Flower & Garden Weed Preventer Plus Fertilizer	Trifluralin
9688-133	9688	Chemsico Green 'N Weed 15-15-15	Trifluralin
10088-56	10088	Malathion 57%	Malathion (NO INERT USE)

34704-970	34704	LPI ET 75	Imidacloprid
34704-1009	34704	Malice 75 WSP	Imidacloprid
39967-69	39967	Preventol A20	Triadimefon & Tebuconazole
39967-70	39967	Preventol A20 Preservative	Triadimefon & Tebuconazole
45385-66	45385	Chem-Tox Mal 50-OS	Malathion (NO INERT USE)
47000-77	47000	CPI Disinfectant Cleaner 30-3	1-Decanaminiun, N-decyl-N,N-dimethyl-, chloride
49585-25	49585	Garden Weeder	Trifluralin
62719-614	62719	Firststep Herbicide Tank Mix	Glycine, N-(phosphonomethyl)-, compd. with N-methylmethanamine (1:1) & Florasulam
65656-7	65656	Dicamba Acid Technical	Dicamba
66330-274	66330	Bacillus Cereus BP01 Technical	Bacillus cereus strain BP01
66330-282	66330	BP01 1.7	Bacillus cereus strain BP01
66330-291	66330	PGR-IV/BP Foliar	Gibberellic acid & Bacillus cereus strain BP01
66330-351	66330	Pix Plus Plant Regulator	Mepiquat chloride & Bacillus cereus strain BP01
67071-74	67071	Acticide SR 8213 C	Zinc pyriithione; 1,2-Benzisothiazolin-3-one & 2-Methyl-3(2H)-isothiazolone
67071-97	67071	Acticide LPN 11 (Alternate)	Zinc pyriithione; 1,2-Benzisothiazolin-3-one & 2-Methyl-3(2H)-isothiazolone
ID-110006	7969	Liberty 280 SL Herbicide	Glufosinate
MI-080003	62719	Starane Ultra	Fluroxypyr-meptyl
WA-150001	61842	Lime-Sulfur Solution	Lime sulfur

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

<b>Registration No.</b>	<b>Company No.</b>	<b>Product Name</b>	<b>Active Ingredients</b>
56228-32	56228	M-44 Cyanide Capsules Arctic Fox	Sodium cyanide

The registrant of the product listed in Table 1A, of Unit II, has requested the effective date of December 31, 2019, for the cancellation.

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

<b>Registration No.</b>	<b>Company No.</b>	<b>Product Name</b>	<b>Active Ingredient</b>	<b>Uses to be Terminated</b>
34704-858	34704	Sniper	Bifenthrin	Alfalfa Grown for Seed
71711-4	71711	Akari 5SC	Fenpyroximate	Cranberry and Highbush

		Miticide/Insecticide		Cranberry
71711-18	71711	Fenpyroximate Technical	Fenpyroximate	Cranberry and Highbush Cranberry
71711-19	71711	Fujimite 5EC Miticide/Insecticide	Fenpyroximate	Cranberry and Highbush Cranberry
71711-40	71711	NAI-2399-2 5EC Miticide/Insecticide	Fenpyroximate	Cranberry and Highbush Cranberry
71711-54	71711	Fenpyroximate 5SC MUP	Fenpyroximate	Cranberry and Highbush Cranberry
71711-60	71711	Fenpyroximate 5EC MUP	Fenpyroximate	Cranberry and Highbush Cranberry

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

<b>EPA Company No.</b>	<b>Company Name and Address</b>
241	BASF Corporation 26 Davis Drive, P. O. Box 13528 Research Triangle Park, NC 277093528
264	Bayer CropScience, LP 800 N. Lindbergh Blvd. St. Louis, MO 63167
352	E. I. Du Pont De Nemours and Company 9330 Zionsville Road Indianapolis, IN 46268
464	Nutrition & Biosciences USA 1, LLC 1652 Larkin Center Drive, 100 Larkin Center Midland, MI 48642
881	Richardson Chemical Products Co. P. O. Box 240014 Milwaukee, WI 53224
1258	Arch Chemicals, Inc. 1200 Bluegrass Lakes Parkway Alpharetta, GA 30004
5481	AMVAC Chemical Corporation 4695 MacArthur Court, Suite 1200 Newport Beach, CA 92660-1706
7969	BASF Corporation Agricultural Products

	26 Davis Drive, P. O. Box 13528 Research Triangle Park, NC 27709-3528
8378	Knox Fertilizer Company, Inc. Agent Name: Fred Betz Regulatory Strategies 922 Melvin Road Annapolis, MD 21403
8660	United Industries Corp. D/B/A Sylorr Plant Corp. P. O. Box 142642 St. Louis, MO 63114-0642
9688	Chemsico A Division of United Industries Corp. P. O. Box 142642 St Louis, MO 63114-0642
10088	Athea Laboratories, Inc. P. O. Box 240014 Milwaukee, WI 53224
34704	Loveland Products, Inc. P. O. Box 1286 Greeley, CO 80632-1286
39967	Lanxess Corporation 111 RIDC Park West Drive Pittsburgh, PA 15275-1112
45385	CTX-Cenol, Inc. 1393 East Highland Rd. Twinsburg, OH 44087
47000	Chem-Tech, Ltd. 620 Leshner Place Lansing, MI 48912
49585	Alljack Division of United Industries Corp. P. O. Box 142642 St. Louis, MO 631140642
56228	U.S. Department of Agriculture Animal and Plant Health Inspection Service 4700 River Road, Unit 149 Riverdale, MD 20737
61842	Tessengerlo Kerley, Inc. Agent Name: Pyxis Regulatory Consulting, Inc. 4110 136th Street, Ct., NW Gig Harbor, WA 98332
62719	Dow Agrosciences, LLC 9330 Zionsville Rd., 308/2E Indianapolis, IN 46268-1054
65656	Gilmore Marketing and Development Agent Name: Biologic Regulatory Consulting, Inc.

	10529 Heritage Bay Blvd. Naples, FL 34120
66330	Arysta Lifescience North America, LLC Agent Name: UPL NA, Inc. 630 Freedom Business Center, Suite 402 King of Prussia, PA 19406
67071	Thor GMBH Agent Name: Thor Specialties, Inc. 50 Waterview Drive Shelton, CT 06484
71711	Nichino America, Inc. 4550 Linden Hill Road, Suite 501 Wilmington, DE 19808

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

FIFRA section 6(f)(1) (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*.

FIFRA section 6(f)(1)(B) (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 requested that EPA waive the 180-day comment period. Accordingly, EPA is providing a 30-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.

*For product 56228-32.*

For product 56228-32, listed in Table 1A of Unit II, the registrant has requested the cancellation date to be December 31, 2019; therefore, the registrant will be permitted to sell and distribute existing stocks of the voluntarily canceled product for 1 year after the effective date of the cancellation, which will be until December 31, 2020. Thereafter, the registrant will be prohibited from selling or distributing the product, 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: July 15, 2020.

**Delores Barber,**

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

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