



BILLING CODE 6560-50-P

## **ENVIRONMENTAL PROTECTION AGENCY**

**[EPA-HQ-OPP-2018-0014; FRL-10013-65]**

### **Cancellation Order for Certain Pesticide Registrations and Amendments to Terminate Uses**

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

**ACTION:** Notice.

**SUMMARY:** This notice announces EPA's order for the cancellations and amendments to terminate uses, voluntarily requested by the registrants and accepted by the Agency, pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). This cancellation order follows a February 4, 2020 *Federal Register* Notice of Receipt of Requests from the registrants listed in Table 3 of Unit II to voluntarily cancel and amend to terminate uses of these product registrations. In the February 4, 2020 notice, EPA indicated that it would issue an order implementing the cancellations and amendments to terminate uses, unless the Agency received substantive comments within the 180-day comment period that would merit its further review of these requests, or unless the registrants withdrew their requests. The Agency did not receive any comments on the notice. Further, the registrant for 1007-99, 1007-100 and 1007-1001 did withdraw their requests to cancel these product registrations; therefore, these product registrations have been removed from this notice. Accordingly, EPA hereby issues in this notice a cancellation order granting the requested cancellations and amendments to terminate uses. 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 and amendments are effective [INSERT DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

**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*.

**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-2018-0014, 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), West William Jefferson Clinton 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.

Due to the public health concerns related to COVID-19, the EPA Docket Center (EPA/DC) and Reading Room is closed to visitors with limited exceptions. The staff continues to provide remote customer service via email, phone, and webform. For the latest status information on EPA/DC services and docket access, visit <https://www.epa.gov/dockets>.

## II. What Action is the Agency Taking?

This notice announces the cancellations and amendments to terminate uses, as requested by the registrants, of products registered under FIFRA section 3 (7 U.S.C. 136a). These registrations are listed in sequence by registration number in Tables 1, 1A and 2 of this unit.

**Table 1--Product Cancellations.**

Registration No.	Company No.	Product Name	Active Ingredients
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 Cancellations.**

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

<b>Registration No.</b>	<b>Company No.</b>	<b>Product Name</b>	<b>Active Ingredient</b>	<b>Uses to be Terminated</b>
5481-197	5481	Technical Grade PCNB	Pentachloronitrobenzene	Beans, cotton, garlic, peanuts, peppers and tomatoes
5481-8988	5481	Turfcide 10% Granular	Pentachloronitrobenzene	Beans, cotton, peanuts, peppers and additionally beans, peppers and tomatoes as vegetable bedding plants
5481-8992	5481	Turfcide 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 registrants of the products 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 above.

**Table 3--Registrants of Cancelled and Amended Products.**

<b>EPA Company No.</b>	<b>Company Name and Address</b>
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
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. Summary of Public Comments Received and Agency Response to Comments**

During the public comment period provided, EPA received no comments in response to

the February 4, 2020 *Federal Register* notice announcing the Agency's receipt of the requests for voluntary cancellations and amendments to terminate uses of the products listed in Tables 1, 1A and 2 of Unit II.

#### **IV. Cancellation Order**

Pursuant to FIFRA section 6(f) (7 U.S.C. 136d(f)(1)), EPA hereby approves the requested cancellations and amendments to terminate uses identified in Tables 1, 1A and 2 of Unit II. Accordingly, the Agency hereby orders that the product registrations identified in Tables 1 and 2 of Unit II are canceled and amended to terminate the affected uses. The effective date of the cancellations that are subject of this notice is [INSERT DATE OF PUBLICATION IN THE *FEDERAL REGISTER*]. The effective date of the cancellations in Table 1A is June 30, 2023. Any distribution, sale, or use of existing stocks of the products identified in Tables 1, 1A and 2 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 (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*. 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* of February 4, 2020 (85 FR 6166) (FRL-10004-11). The comment period closed on August 3, 2020.

#### **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 action. The existing stocks provision for the products subject to this order is as follows.

*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 cancellations, identified in Table 1 of Unit II, the registrants may continue to sell and distribute existing stocks of the products listed in Table 1 until [INSERT DATE 1 YEAR AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*], which is 1 year after publication of this 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 (7 U.S.C. 136o) or for proper disposal.

Now that EPA has approved product labels reflecting the requested amendments to terminate uses, registrants are permitted to sell or distribute the products listed in Table 2 of Unit II under the previously approved labeling until February 25, 2022, a period of 18 months after publication of the cancellation order in this *Federal Register*, 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 the 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: August 18, 2020.

**Delores Barber,**

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

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