



BILLING CODE 6560-50-P

**ENVIRONMENTAL PROTECTION AGENCY**

**[EPA-HQ-OPP-2020-0060; FRL-10015-01]**

**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 July 30, 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 July 30, 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 30-day comment period that would merit its further review of these requests, or unless the registrants withdrew their requests. The Agency received one anonymous public comment on the notice, but it didn't merit 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 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-2020-0060, 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
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	Aquacar 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-Decanaminium, 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 pyrithione; 1,2- Benzisothiazolin-3-one & 2- Methyl-3(2H)-isothiazolone
67071-97	67071	Acticide LPN 11 (Alternate)	Zinc pyrithione; 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 Cancellations.**

Registration No.	Company No.	Product Name	Active Ingredients
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 Registration Amendments to Terminate Uses.**

Registration No.	Company No.	Product Name	Active Ingredient	Uses to be Terminated
34704-858	34704	Sniper	Bifenthrin	Alfalfa Grown for Seed
71711-4	71711	Akari 5SC Miticide/Insecticide	Fenpyroximate	Cranberry and Highbush 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 of Cancelled and Amended Products.**

EPA Company No.	Company Name and Address
241	BASF Corporation 26 Davis Drive, P. O. Box 13528 Research Triangle Park, NC 27709-3528
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 Leshler Place Lansing, MI 48912
49585	Alljack Division of United Industries Corp. P.O. Box 142642 St. Louis, MO 63114-0642
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 Agrosiences, 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. Summary of Public Comments Received and Agency Response to Comments

During the public comment period provided, EPA received one anonymous public comment in response to the July 30, 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. For this reason, the Agency does not believe that the comment submitted during the comment period merits further review or a denial of the requests for voluntary cancellation or use termination.

#### **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 cancellation in Table 1A is December 31, 2019. 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 July 30, 2020 (85 FR 45877) (FRL-10012-40). The comment period closed on August 31, 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.

*A. For product 56228-32.*

For the 56228-32 listed in Table 1A of Unit II, the registrant has requested the effective date of the cancellation to be December 31, 2019; therefore, the registrant will be permitted to sell and distribute existing stocks of this product until December 31, 2020. Thereafter, the registrant will be prohibited from selling or distributing the product in Table 1A of Unit II, except for export consistent with FIFRA section 17 (7 U.S.C. 136o) or for proper disposal.

*B. For all other voluntary cancellations, identified in Table 1 of Unit II*

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 September 23, 2021, 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 March 23, 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: September 17, 2020.

**Delores Barber,**

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

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