



ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2023-0074; FRL-10886-01-OCSP]

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 their registrations of certain pesticide products and to amend their pesticide product registrations to terminate one or more 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 or 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-2023-0074, through the *Federal eRulemaking Portal* at <https://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. Additional instructions on commenting and visiting the docket, along with more information about dockets generally, is available at <https://www.epa.gov/dockets>.

FOR FURTHER INFORMATION CONTACT: Christopher Green, Registration Division (7505T), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW, Washington, DC 20460-0001; telephone number: (202) 566-2707; 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. What should I consider as I prepare my comments for EPA?

1. *Submitting CBI.* Do not submit this information to EPA through [regulations.gov](https://www.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 <https://www.epa.gov/dockets/commenting-epa-dockets>.

II. What action is the Agency taking?

This notice announces receipt by EPA of requests from registrants to cancel certain and terminate certain uses of certain product registrations. 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 canceling and amending the affected registrations.

Table 1--Product Registrations with Pending Requests for Cancellation

Registration No.	Company No.	Product Name	Active Ingredients
9688-168	9688	Chemsico RTU Herbicide G II	Glyphosate-isopropylammonium (103601/38641-94-0) - (1.92%)
9688-169	9688	Chemsico RTU Herbicide G 1	Glyphosate-isopropylammonium (103601/38641-94-0) - (.96%)
9688-177	9688	Chemsico Concentrate Herbicide G 1	Glyphosate-isopropylammonium (103601/38641-94-0) - (18%)
9688-178	9688	Chemsico Concentrate Herbicide G II	Glyphosate-isopropylammonium (103601/38641-94-0) - (41%)
9688-189	9688	Chemsico Concentrate Herbicide G III	Glyphosate-isopropylammonium (103601/38641-94-0) - (25%)
34704-1150	34704	LPI.A004	Trinexapac-ethyl (112602/95266-40-3) - (12%)
87373-117	87373	ARG Mancozeb MUP	Mancozeb (014504/8018-01-7) - (86.2%)
CA-040002	54555	Dormex	Cyanamide (014002/420-04-2) - (50%)
OR-100015	2749	Shield Emulsifiable Concentrate	Chlorpropham (018301/101-21-3) - (36%)

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

Registration No.	Company No.	Product Name	Active Ingredients
264-334	264	Sevin Brand RP2 Carbaryl Insecticide	Carbaryl (056801/63-25-2) - (22.5%)
264-335	264	Sevin Brand RP4 Carbaryl Insecticide	Carbaryl (056801/63-25-2) - (43%)
264-429	264	Sevin Brand Granular Carbaryl Insecticide	Carbaryl (056801/63-25-2) - (7%)
432-982	432	Sevin Brand 97.5% Insecticide	Carbaryl (056801/63-25-2) - (97.5%)
432-1209	432	R & M Garden Dust 5%	Carbaryl (056801/63-25-2) - (5%)
432-1210	432	R & M Garden Dust 10%	Carbaryl (056801/63-25-2) -

			(10%)
432-1211	432	CP Carbaryl Insecticide Spray - RTU	Carbaryl (056801/63-25-2) - (.126%)
432-1212	432	Sevin Grub Killer Granules (2% Sevin)	Carbaryl (056801/63-25-2) - (2%)
432-1227	432	Sevin SL Carbaryl Insecticide	Carbaryl (056801/63-25-2) - (43%)
432-1511	432	Sevin 4MC Manufacturing Use Concentrate Insecticide	Carbaryl (056801/63-25-2) - (43%)
432-1525	432	Sevin Brand Carbaryl Technical	Carbaryl (056801/63-25-2) - (99.45%)

The registrants of the products listed in Table 1A of Unit II, have requested 18-months after cancellation to sell existing stocks.

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

Registration No.	Company No.	Product Name	Active Ingredients
61483-2	61483	Dura-Treet 40 Wood Preserver	Pentachlorophenol (063001/87-86-5) - (34%)
61483-3	61483	KMG-B Penta OL Technical Penta	Pentachlorophenol (063001/87-86-5) - (86%)
61483-94	61483	KMG-B Penta OL Penta Blocks	Pentachlorophenol (063001/87-86-5) - (86%)
97080-10	97080	Stella-Jones Penta	Pentachlorophenol (063001/87-86-5) - (86%)

The registrants of the products listed in Table 1B of Unit II, have requested an effective date of cancellation of February 29, 2024, for the products listed in Table 1B of Unit II.

Table 2--Product Registrations with Pending Requests for Amendment

Registration No.	Company No.	Product Name	Active Ingredient	Uses to be Terminated
67690-2	67690	A-Rest Solution	Ancymidol (108601/12771-68-5) - (.0264%)	Interior scape
94730-3	94730	Bifenthrin Technical	Bifenthrin (128825/82657-04-3) - (98.37%)	Termiticide and Soil Contact Non-Fumigation Treatment, Wood Treatment and Protection, Christmas trees, Conifer Seed Orchards, Nonbearing Fruit and Nut Trees, Greenhouse Grown Ornamental Trees, Shrubs, Plants, Flowers, Outdoor Insect Control, Indoor Insect Control, Residential

				Lawns, Ornamental Plants, Trees, Shrubs, and Vines (Woody), Turfgrass (including golf courses), Sod Farms & Food Handling Establishments: Places other than private residences in which food is held, processed, prepared, or served
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Table 3 of this unit includes the names and addresses of record for the registrants of the products listed in Table 1, Table 1A, Table 1B and Table 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, Table 1B and Table 2 of this unit.

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

EPA Company Number	Company Name and Address
264	Bayer CropScience, LP Agent Name: Bayer CropScience, LLC 801 Pennsylvania Avenue, Suite 900 Washington, DC 20004
432	Bayer Environmental Science A Division of Bayer CropScience, LP 700 Chesterfield Parkway West Chesterfield, MO 63017
9688	Chemsico A Division of United Industries Corp. P.O. Box 142642 St. Louis, MO 63114-0642
2749	Aceto Life Sciences, LLC 4 Tri Harbor Court Port Washington, NY 11050-4661
34704	Loveland Products, Inc. P.O. Box 1286 Greeley, CO 80632-1286
54555	Alzchem Trostberg GmbH Agent Name: Alzchem, LLC 11390 Old Roswell Road, St. 124 Alpharetta, GA 30009
61483	KMG-Bernuth, Inc. 300 Throckmorton, Suite 1900 Fort Worth, TX 76102
67690	Sepro Corporation 11550 N. Meridian Street, Suite 600 Carmel, IN 46032
87373	Argite, LLC Agent Name: Pyxis Regulatory Consulting, Inc.

	4110 136th Street Ct., NW Gig Harbor, WA 98332
94730	Generic Crop Science, LLC 1887 Whitney Mesa Drive, #9740 Henderson, NV 89014-2069
97080	Arbor Preservative Systems, LLC Agent Name: Lewis & Harrison 2461 South Clark Street, Suite 710 Arlington, VA 22202

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 have requested that EPA waive the 180-day comment period. Accordingly, EPA will provide 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

action, the effective date of cancellation and all other provisions of any earlier cancellation 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, Table 1A, Table 1B and Table 2 of Unit II.

A. For: 264-334, 264-335, 264-429, 432-982, 432-1209, 432-1210, 432-1211, 432-1212, 432-1227, 432-1511, and 432-1525.

For 264-334, 264-335, 264-429, 432-982, 432-1209, 432-1210, 432-1211, 432-1212, 432-1227, 432-1511, and 432-1525, listed in Table 1A of Unit II, the registrants have requested 18-months 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 the products identified 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: 61483-2; 61483-3; 61483-94, and 97080-10.

For 61483-2; 61483-3; 61483-94, and 97080-10, listed in Table 1B of Unit II, the registrants of the products listed in Table 1B of Unit II, have requested an effective date of cancellation of February 29, 2024, for the products listed in Table 1B 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 March 01, 2025. Thereafter, registrants will

be prohibited from selling or distributing the products identified in Table 1B 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 listed 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 the 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, listed 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 19, 2023.

Charles Smith,

Director, Registration Division, Office of Pesticide Programs.

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