



## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2023-0074; FRL-11590-01-OCSP]

### 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/or amendments to terminate uses, voluntarily requested by the registrants, and accepted by the Agency, of the products listed in Table 1, Table 1A & Table 2 of Unit II, pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). This cancellation order follows an October 16, 2023, *Federal Register* Notice of Receipt of Requests from the registrants listed in Table 3 of Unit II, to voluntarily cancel and/or amend to terminate uses of certain product registrations. In the October 16, 2023, notice, EPA indicated that it would issue an order implementing the cancellations and/or 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 did not receive any comments on the notice. Further, the registrants did not withdraw their requests. Accordingly, EPA hereby issues in this notice a cancellation order granting the requested cancellations and/or 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/or amendments are effective [INSERT DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

**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](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. 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-2023-0074, is available at <https://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 (202) 566-1744. Please review the visitor instructions and additional information about the docket available at <https://www.epa.gov/dockets>.

### **II. What Action is the Agency Taking?**

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

#### **Table 1--Product Cancellations**

<b>Registration No.</b>	<b>Company No.</b>	<b>Product Name</b>	<b>Active Ingredients</b>
4-122	4	Bonide A Complete Fruit Tree Spray	Captan (081301/133-06-2) - (11.76%), Carbaryl (056801/63-25-2) - (.3%), Malathion (NO INERT USE) (057701/121-75-5) - (6%)
4-412	4	Bonide Malathion Insect Spray	Malathion (NO INERT USE) (057701/121-75-5) - (55%)
100-935	100	Helix Xtra Insecticide with Fungicides	Difenoconazole (128847/119446-68-3) - (1.25%), Fludioxonil (071503/131341-86-1) - (.13%), Metalaxyl-M (113502/70630-17-0) - (.4%), Thiamethoxam (060109/153719-23-4) - (20.7%)
100-973	100	Helix Insecticide with Fungicides	Difenoconazole (128847/119446-68-3) - (1.24%), Fludioxonil (071503/131341-86-1) - (.13%), Metalaxyl-M (113502/70630-17-0) - (.39%), Thiamethoxam (060109/153719-23-4) - (10.3%)
100-1305	100	Cruiser Maxx Cereals	Difenoconazole (128847/119446-68-3) - (3.36%), Metalaxyl-M (113502/70630-17-0) - (.56%), Thiamethoxam (060109/153719-23-4) - (2.8%)
279-3563	279	Report Extra Herbicide	Chlorsulfuron (118601/64902-72-3) - (62.5%), Metsulfuron (122010/74223-64-6) - (12.5%)
5481-485	5481	90% Dimethyl-T	DCPA (078701/1861-32-1) - (90%)
5481-486	5481	Dacthal 1.92F	DCPA (078701/1861-32-1) - (20.7%)
5481-491	5481	Dacthal W-75	DCPA (078701/1861-32-1) - (75%)
87373-131	87373	Arg Spiromesifen Technical	Spiromesifen (024875/283594-90-1) - (98.6%)
91234-275	91234	A1100.02	Spiromesifen (024875/283594-90-1) - (23.1%)
91234-276	91234	A1100.03	Spiromesifen (024875/283594-90-1) - (45.2%)
91234-277	91234	A1100.04	Spiromesifen (024875/283594-90-1) - (45.2%)
ID-080012	91411	Dupont Mankocide Fungicide	Copper hydroxide (023401/20427-59-2) - (46.1%), Mancozeb (014504/8018-01-7)

			- (15%)
MI-110002	62719	Instinct	Nitrapyrin (069203/1929-82-4) - (17.67%)
NC-130001	69969	Avipel (Dry) Corn Seed Treatment	Anthraquinone (122701/84-65-1) - (50%)
OH-110003	62719	Instinct	Nitrapyrin (069203/1929-82-4) - (17.67%)

**Table 1A--Product Cancellations**

Registration No.	Company No.	Product Name	Active Ingredients
5481-490	5481	Dacthal W-75 Herbicide	DCPA (078701/1861-32-1) - (75%)

The registrant requested only 6 months to sell existing stocks of the registration 5481-490, identified in Table 1A of Unit II.

**Table 2--Product Registration Amendments to Terminate Uses**

Registration No.	Company No.	Product Name	Active Ingredient	Uses to be Terminated
228-660	228	Nufarm Ethephon 2 Plant Growth Regulator	Ethephon (099801/16672-87-0) - (21.7%)	Non-golf turf uses; sod farms, commercial turf & golf course roughs
11556-155	11556	PNR1427 Insecticide	Flumethrin (036007/69770-45-2) - (4.5%), Imidacloprid (129099/138261-41-3) - (10%)	Cat uses
34688-85	34688	Triameen Y12D	1,3-Propanediamine, N-(3-aminopropyl)-N-dodecyl- (067300/2372-82-9) - (91.4%)	Oil Field Water Flood Systems and Metalworking Fluid uses
34688-86	34688	Triameen Y12D Preservative	1,3-Propanediamine, N-(3-aminopropyl)-N-dodecyl- (067300/2372-82-9) - (91.4%)	Oil Field Water Flood Systems and Metalworking Fluid uses

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

**Table 3--Registrants of Cancelled and/or Amended Products**

EPA Company Number	Company Name and Address
4	Bonide Products, LLC Attn: Audra Star 6301 Sutliff Road Oriskany, NY 13424
100	Syngenta Crop Protection, LLC 410 Swing Road, P.O. Box 18300 Greensboro, NC 27419-8300
228	NuFarm Americas, Inc. Agent Name: NuFarm Americas, Inc. 4020 Aerial Center Pkwy., Ste. 101 Morrisville, NC 27560
279	FMC Corporation 2929 Walnut Street Philadelphia, PA 19104
5481	Amvac Chemical Corporation 4695 Macarthur Court, Suite 1200 Newport Beach, CA 92660-1706
11556	Elanco US, Inc. 2500 Innovation Way Greenfield, IN 46140
34688	Nouryon Surface Chemistry, LLC 100 Matsonford Road, Building 5 Radnor, PA 19087
62719	Corteva Agriscience, LLC 9330 Zionsville Road Indianapolis, IN 46268
69969	Arkion Life Sciences, LLC Agent Name: Wagner Regulatory Associates, Inc. P.O. Box 640 Hockessin, DE 19707
87373	Argite, LLC Agent Name: Pyxis Regulatory Consulting, Inc. 4110 136th Street Ct., NW Gig Harbor, WA 98332
91234	Atticus, LLC Agent Name: Pyxis Regulatory Consulting, Inc. 4110 136th Street Ct., NW Gig Harbor, WA 98332-9122
91411	Cosaco, LLC Agent Name: Wagner Regulatory Associates, Inc.

	7217 Lancaster Pike, Suite A P.O. Box 640 Hockessin, DE 19707
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### **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 *Federal Register* notice of October 16, 2023 (88 FR 71356) (FRL-11443-01-OCSPP) announcing the Agency's receipt of the requests for voluntary cancellations and/or amendments to terminate uses of products listed in Table 1, Table 1A and Table 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/or amendments to terminate uses of certain product registrations identified in Table 1, Table 1A and Table 2 of Unit II. Accordingly, the Agency hereby orders that the product registrations identified in Table 1, Table 1A and Table 2 of Unit II, are canceled and/or 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*]. Any distribution, sale, or use of existing stocks of the products identified in Table 1, Table 1A and Table 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 October 16, 2023 (88 FR 71356) (FRL-11443-01-OCSPP). The comment period closed on November 15, 2023.

## 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: 5481-490*

For 581-490, listed in Table 1A of Unit II, the registrant requested only 6-months after the effective date of the cancellation to sell existing stocks, which will be the date of publication of the cancellation order in the *Federal Register*. The registrant may continue to sell and distribute existing stocks of the product listed in Table 1A until June 27, 2024, which is 6 months after publication of this cancellation order in the *Federal Register*. Thereafter, the registrant 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.

For all other voluntary cancellations listed in Table 1 of Unit II, the registrants may continue to sell and distribute existing stocks of products listed in Table 1 of Unit II, until December 27, 2024, 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 products listed in Table 2 of Unit II, under the previously approved labeling until June 27, 2025, 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 canceled products and/or 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/or terminated uses.

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

Dated: December 21, 2023.

**Charles Smith,**

*Director, Registration Division,*

*Office of Pesticide Programs.*

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