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ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2018-0014; FRL-10002-95]

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, of the products listed in Table 1 and Table 2 of Unit II, pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). This cancellation order follows a June 5, 2019 *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 June 5, 2019 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 received three comments on the notice, but they did not 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-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. Please review the visitor instructions and additional information about the docket available at <http://www.epa.gov/dockets>.

II. What Action is the Agency Taking?

This notice announces the cancellations and 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 and Table 2 of this unit.

Table 1--Product Cancellations

Registration No.	Company No.	Product Name	Active Ingredients
5481-79	5481	Alco Sta-Gon Insecticidal Dust	Boric acid
5481-132	5481	Cryolite 93	Cryolite
39967-82	39967	Preventol PTAP	4-tert-Amylphenol
73049-9	73049	DeVine Mycoherbicide	Live Chlamydospores of Phytophthora palmivora MWV
CA-070018	60256	Lorsban 30 Flowable	Chlorpyrifos
WY-070004	400	Acramite-4SC	Bifenazate

Table 2--Product Registration Amendments to Terminate Uses

Registration No.	Company No.	Product Name	Active Ingredient	Uses to be Terminated
81964-4	81964	Tide Triadimefon Technical	Triadimefon	Pineapple use

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

Table 3--Registrants of Cancelled and Amended Products

EPA Company No.	Company Name and Address
400	Macdermid Agricultural Solutions, Inc. C/O Arysta LifeScience North America, LLC 15401 Weston Parkway, Suite 150 Cary, NC 27513
5481	Amvac Chemical Corporation 4695 Macarthur Court, Suite 1200 Newport Beach, CA 92660-1706
39967	Lanxess Corporation 111 RIDC Park West Drive

	Pittsburgh, PA 15275-1112
60256	California Seed Association 1521 "I" Street Sacramento, CA 95814
73049	Valent U.S.A., LLC 1600 Riviera Avenue, Suite 200 Walnut Creek, CA 94596-8025
81964	Chemstarr, LLC Agent Name: Pyxis Regulatory Consulting, Inc. 4110 136TH Street Ct., NW Gig Harbor, WA 98332

III. Summary of Public Comments Received and Agency Response to Comments

During the public comment period provided, EPA received three public comments; two of them are anonymous, in response to the June 5, 2019 *Federal Register* (84 FR 26104) (FRL-9994-17) notice announcing the Agency's receipt of the requests for voluntary cancellations and amendments to terminate uses of products listed in Tables 1 and 2 of Unit II. The Agency does not believe that the comments submitted during the comment period merit further review or a denial of the requests for voluntary cancellation and/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 of the registrations identified in Tables 1 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 and amendments listed in Table 1 and Table 2 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 Tables 1 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 June 5, 2019. The comment period closed on December 2, 2019.

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 all 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 January 4, 2021, which is one year after publication of this cancellation order in the *Federal Register*. Thereafter, the registrants are prohibited from selling or distributing the 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 amendment to terminate uses, registrants are permitted to sell or distribute products listed in Table 2 of Unit II under the previously approved labeling until July 6, 2021, 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 use 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: December 11, 2019.

Delores Barber,

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

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