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)
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.

<table>
<thead>
<tr>
<th>Registration No.</th>
<th>Company No.</th>
<th>Product Name</th>
<th>Active Ingredients</th>
</tr>
</thead>
<tbody>
<tr>
<td>AL-040003</td>
<td>279</td>
<td>AIM EC Herbicide</td>
<td>Carfentrazone-ethyl</td>
</tr>
<tr>
<td>AL-080002</td>
<td>82541</td>
<td>DuPont Direx 4L Herbicide</td>
<td>Diuron</td>
</tr>
<tr>
<td>AL-080003</td>
<td>82541</td>
<td>DuPont Karmex XP (DF) Herbicide</td>
<td>Diuron</td>
</tr>
<tr>
<td>AL-940001</td>
<td>5481</td>
<td>Orthene 75 S Soluble Powder</td>
<td>Acephate</td>
</tr>
</tbody>
</table>

Table 1A--Product Cancellations.

<table>
<thead>
<tr>
<th>Registration No.</th>
<th>Company No.</th>
<th>Product Name</th>
<th>Active Ingredients</th>
</tr>
</thead>
<tbody>
<tr>
<td>432-1360</td>
<td>432</td>
<td>Bayleton 50 Turf and Ornamental Fungicide in Water Soluble Packets</td>
<td>Triadimefon</td>
</tr>
<tr>
<td>432-1367</td>
<td>432</td>
<td>Bayleton 50 WDG Nursery and Greenhouse Systemic Fungicide</td>
<td>Triadimefon</td>
</tr>
<tr>
<td>432-1445</td>
<td>432</td>
<td>Bayleton Flo Turf and Ornamental Fungicide</td>
<td>Triadimefon</td>
</tr>
<tr>
<td>432-1446</td>
<td>432</td>
<td>Tartan Fungicide</td>
<td>Trifloxystrobin &amp; Triadimefon</td>
</tr>
<tr>
<td>432-1513</td>
<td>432</td>
<td>Armada 50 WDG</td>
<td>Triadimefon &amp; Trifloxystrobin</td>
</tr>
</tbody>
</table>

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.

<table>
<thead>
<tr>
<th>Registration No.</th>
<th>Company No.</th>
<th>Product Name</th>
<th>Active Ingredient</th>
<th>Uses to be Terminated</th>
</tr>
</thead>
<tbody>
<tr>
<td>5481-197</td>
<td>5481</td>
<td>Technical Grade PCNB</td>
<td>Pentachloronitrobenzene</td>
<td>Beans, cotton, garlic, peanuts, peppers and tomatoes</td>
</tr>
<tr>
<td>5481-8988</td>
<td>5481</td>
<td>Turfcide 10% Granular</td>
<td>Pentachloronitrobenzene</td>
<td>Beans, cotton, peanuts, peppers and additionally beans, peppers and tomatoes as vegetable bedding plants</td>
</tr>
<tr>
<td>5481-8992</td>
<td>5481</td>
<td>Turfcide 4F</td>
<td>Pentachloronitrobenzene</td>
<td>Beans, cotton, garlic, peanuts, peppers, tomatoes and additionally peppers and tomatoes as vegetable bedding plants</td>
</tr>
</tbody>
</table>

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.

<table>
<thead>
<tr>
<th>EPA Company No.</th>
<th>Company Name and Address</th>
</tr>
</thead>
</table>
| 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.


Delores Barber,

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

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