

TABLE 3.—REGISTRANTS OF CANCELLED AND AMENDED ORGANIC ARSENICAL PRODUCTS—Continued

EPA Company no.	Company Name and Address
59144	RegWest Company, LLC, Agent for: Gro Tec, Inc. 30856 Rocky Rd. Greely, CO 80631–9375
61483	KMG-Bernuth, Inc. 9555 W. Sam Houston Pkwy South, Suite 600 Houston, TX 77099
62719	Dow Agrosiences LLC 9330 Zionsville Rd 308/2e Indianapolis, IN 46268–1054
72155	Bayer Advanced, P.O. Box 12014 2 TW Alexander Dr. Research Triangle Park, NC 27709

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

Comments were received on the dates for disposition of existing stocks of products containing the organic arsenicals. Based on these comments, some of the dates have been amended.

### IV. Cancellation Order

Pursuant to FIFRA section 6(f), EPA hereby approves the requested cancellations and amendments to terminate uses of organic arsenical registrations identified in Tables 1 and 2 of Unit II. Accordingly, the Agency orders that the organic arsenical product registrations identified in Tables 1 and 2 of Unit II. are hereby canceled and amended to terminate the affected uses. 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 considered a violation of FIFRA.

### V. What is the Agency's Authority for Taking this Action?

Section 6(f)(1) of FIFRA 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 Administrator may approve such a request.

### 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 cancellation action. The cancellation order issued in this notice includes the following existing stocks provisions.

After December 31, 2009, registrants are prohibited from selling or distributing existing stocks of products containing MSMA labeled for all uses, except cotton, sod farms, golf courses, and highway rights-of-way. Also, after December 31, 2009 registrants are prohibited from selling or distributing existing stocks of products containing DSMA, CAMA, cacodylic acid and its sodium salt.

After December 31, 2010, persons other than registrants are prohibited from selling or distributing existing stocks of products containing MSMA labeled for all uses, except cotton, sod farms, golf courses, and highway rights-of-way, and products containing DSMA, CAMA, and/or cacodylic acid and its sodium salt.

After December 31, 2010, existing stocks of products containing MSMA labeled for all uses, except cotton, sod farms, golf courses, and highway rights-of-way and products containing DSMA, CAMA, cacodylic acid and its sodium salt, already in the hands of users can be used legally until they are exhausted, provided that such use complies with the EPA-approved label and labeling of the affected product.

After December 31, 2012, registrants are prohibited from selling or distributing existing stocks of products containing MSMA labeled for use on sod farms, golf courses, and highway rights-of-way.

After June 30, 2013, persons other than registrants are prohibited from selling or distributing existing stocks of products containing MSMA labeled for use on sod farms, golf courses, and highway rights-of-way. After December 31, 2013, use of products containing

MSMA labeled for all uses, except cotton, is prohibited.

### List of Subjects

Environmental protection, Pesticides and pests.

Dated: September 21, 2009.

**Richard P. Keigwin, Jr.,**

*Director, Pesticide Re-evaluation Division,  
Office of Pesticide Programs.*

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### ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OPP–2006–0955; FRL–8438–6]

### Rodenticides; Product Cancellation Order

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** This notice announces EPA's order for the cancellation of registrations, voluntarily requested by the registrants and accepted by the Agency, of certain rodenticide products containing the pesticides bromadiolone, bromethalin, cholecalciferol, diphacinone (and its sodium salt), warfarin (and its sodium salt), and zinc phosphide, pursuant to section 6(f)(1) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended. This cancellation order follows a December 24, 2008 **Federal Register** Notice of Receipt of Requests from several registrants to voluntarily cancel certain bromadiolone, bromethalin, cholecalciferol, diphacinone (and its sodium salt), warfarin (and its sodium salt), and zinc phosphide product registrations. These are not the last bromadiolone, bromethalin, cholecalciferol, diphacinone (and its

sodium salt), warfarin (and its sodium salt), and zinc phosphide products registered for use in the United States. In the December 24, 2008 notice, EPA indicated that it would issue an order cancelling the products 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 within this period. 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. Any distribution, sale, or use of the bromadiolone, bromethalin, cholecalciferol, diphacinone (and its sodium salt), warfarin (and its sodium salt), and zinc phosphide 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 are effective September 30, 2009.

**FOR FURTHER INFORMATION CONTACT:** Rusty Wasem, Pesticide Re-evaluation Division, Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: 703-305-6979; fax number: 703-308-7070; e-mail address: [wasem.russell@epa.gov](mailto:wasem.russell@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. If you have any questions regarding the applicability of this action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

###### B. How Can I Get Copies of this Document and Other Related Information?

1. *Docket.* EPA has established a docket for this action under docket identification (ID) number EPA-HQ-OPP-2006-0955. Publicly available docket materials are available either in the electronic docket at <http://www.regulations.gov>, or, if only

available in hard copy, at the Office of Pesticide Programs (OPP) Regulatory Public Docket in Rm. S-4400, One Potomac Yard (South Bldg.), 2777 S. Crystal Dr., Arlington, VA. The hours of operation of this Docket Facility are from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The Docket Facility telephone number is 703-305-5805.

2. *Electronic access.* You may access this **Federal Register** document electronically through the EPA Internet under the “**Federal Register**” listings at <http://www.epa.gov/fedrgstr>.

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

This notice announces the cancellation, as requested by registrants, of certain end-use and manufacturing-use rodenticide products registered under section 3 of FIFRA. These registrations are listed by registration number in Table 1 of this unit.

TABLE 1.—RODENTICIDE PRODUCT CANCELLATIONS

EPA Registration Number	Product Name
Cholecalciferol (PC Code 202901)	
3240-28	Rampage Mouse Seed
3240-42	Rampage Rat & Mouse Bait
12455-57	Quintox Mouse Seed
Bromadiolone (PC Code 112001)	
12455-68	Contrac Mouse Bait Station
12455-103	Contrac Bait Trays
12455-104	Contract Mouse Control Kit
Bromethalin (PC Code 112802)	
12455-100	Fastrac Mouse Seed Place Pac
47629-10	Bromethalin Manufacturing Concentrate
Diphacinone (PC Code 067701)	
3487-26	Eagles-14 Diphacinone Rat Bait
11885-12	Master Mix Blue Death-D Rat & Mouse Bait
11885-15	Master Mix Blue Death-D Rat & Mouse Hide-A-Pack

TABLE 1.—RODENTICIDE PRODUCT CANCELLATIONS—Continued

EPA Registration Number	Product Name
12455-67	Ditrac Mouse Bait Station
Diphacinone, Sodium Salt (PC Code 067705)	
3240-17	Motomco Water Soluble Diphacinone Rodenticide Concentrate Kills Rats & Mice
Warfarin (PC Code 086002)	
3487-19	Eagles-7 Rat Bait
5887-51	Black Leaf Warf Pellets
5887-98	Black Leaf Warf Pellets Mouse Killer
12455-15	Warfarin Rat and Mouse Bait
62577-7	Echols Mouse & Rat Pellets
72500-7	Kaput Mouse Blocks
Warfarin, Sodium Salt (PC Code 086003)	
12455-22	Liqua-Tox Liquid Concentrate
Zinc Phosphide (PC Code 088601)	
12455-59	ZP Rodent Bait Place Pac
12455-85	Mole and Gopher Bait

Table 2 of this unit includes the names and addresses of record for all registrants of the products in Table 1 of this unit, in ascending order sequence by EPA company number.

TABLE 2.—REGISTRANTS OF CANCELLED RODENTICIDE PRODUCTS

EPA Company Number	Company Name and Address
3240	Motomco Ltd. 3699 Kinsman Blvd. Madison, WI 53704
3487	Bacon Products Corp. P.O. Box 22187 Chattanooga, TN 37422
5887	Value Gardens Supply LLC 9100 W. Bloomington Fwy. Ste. 113 Bloomington, MN 55431

TABLE 2.—REGISTRANTS OF CANCELLED RODENTICIDE PRODUCTS—Continued

EPA Company Number	Company Name and Address
11185	ADM Alliance Nutrition, Inc. P.O. Box C1 Quincy, IL 62305
12455	Bell Laboratories 3699 Kinsman Blvd. Madison, WI 53704
47629	Woodstream Corp. 69 N. Locust St. P.O. Box 324 Lititz, PA 17543
62577	Kittrich Corporation 4940 Top Line Dr. Dallas, TX 75247
72500	Scimetrics Ltd. Corp. c/o Regwest Co. LLC 30856 Rocky Rd. Greeley, CO 80631

### 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 December 24, 2008 **Federal Register** notice (73 FR 79104) (FRL–8394–5) announcing the Agency's receipt of the requests for voluntary cancellations of certain rodenticide products.

### IV. Cancellation Order

Pursuant to FIFRA section 6(f), EPA hereby approves the requested cancellations of rodenticide registrations identified in Table 1. Accordingly, the Agency orders that the rodenticide product registrations identified in Table 1 are hereby cancelled effective June 4, 2011. Any distribution, sale, or use of the cancelled products inconsistent with the Provisions for Disposition of Existing Stocks set forth in Unit VI. will be considered a violation of FIFRA.

### V. What is the Agency's Authority for Taking this Action?

Section 6(f)(1) of FIFRA provides that a registrant of a pesticide product may at any time request that any of its pesticide registrations be cancelled 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 Administrator may approve such a request.

### 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 cancellation action. The cancellation order issued in this notice includes the following existing stocks provisions.

The cancellation of products identified in Table 1 is effective June 4, 2011. The registrants of these products may continue to produce, sell and distribute the rodenticide products identified in Table 1 until the cancellation date of June 4, 2011. After June 4, 2011, registrants may no longer distribute or sell new or existing stocks of products listed in Table 1. After June 4, 2011, persons other than the registrants may distribute, sell or use existing stocks of the products listed in Table 1 until such existing stocks are depleted.

### List of Subjects

Environmental protection, Pesticides and pests.

Dated: September 18, 2009.

**Richard P. Keigwin, Jr.**

*Director, Pesticide Re-evaluation Division,  
Office of Pesticide Programs.*

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### ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OPP–2009–0609; FRL–8433–3]

### Notice of Receipt of a Pesticide Petition Filed for Residues of Pesticide Chemicals in or on Various Commodities

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** This notice announces the Agency's receipt of an initial filing of a pesticide petition proposing the establishment or modification of regulations for residues of pesticide chemicals in or on various commodities.

**DATES:** Comments must be received on or before October 30, 2009.

**ADDRESSES:** Submit your comments, identified by docket identification (ID) number EPA–HQ–OPP–2009–0609 and the pesticide petition number (PP) 9F7561, by one of the following methods:

• *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.

• *Mail:* Office of Pesticide Programs (OPP) Regulatory Public Docket (7502P), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460–0001.

• *Delivery:* OPP Regulatory Public Docket (7502P), Environmental Protection Agency, Rm. S–4400, One Potomac Yard (South Bldg.), 2777 S. Crystal Dr., Arlington, VA. Deliveries are only accepted during the Docket Facility's normal hours of operation (8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays). Special arrangements should be made for deliveries of boxed information. The Docket Facility telephone number is (703) 305–5805.

**Instructions:** Direct your comments to docket ID number EPA–HQ–OPP–2009–0609 and the pesticide petition number (PP) 9F7561. EPA's policy is that all comments received will be included in the docket without change and may be made available on-line at <http://www.regulations.gov>, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through [regulations.gov](http://www.regulations.gov) or e-mail. The [regulations.gov](http://www.regulations.gov) website is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through [regulations.gov](http://www.regulations.gov), your e-mail address will be automatically captured and included as part of the comment that is placed in the docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

**Docket:** All documents in the docket are listed in the docket index available at <http://www.regulations.gov>. Although listed in the index, some information is not publicly available, e.g., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket