

**ENVIRONMENTAL PROTECTION AGENCY**

[OPP-30458; FRL-6020-5]

**K-I Chemical U.S.A. Inc.; Applications to Register Pesticide Products****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Notice.

**SUMMARY:** This notice announces receipt of applications to register pesticide products containing new active ingredients not included in any previously registered products pursuant to the provisions of section 3(c)(4) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended.

**DATES:** Written comments must be submitted by September 8, 1998.

**ADDRESSES:** By mail, submit written comments identified by the document control number [OPP-30458] and the file symbols to: Public Information and Records Integrity Branch, Information Resources and Services Division (7502C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. In person, bring comments to: Environmental Protection Agency, Rm. 119, CM #2, 1921 Jefferson Davis Hwy., Arlington, VA.

Comments and data may also be submitted electronically to: opp-docket@epamail.epa.gov. Follow the instructions under "SUPPLEMENTARY INFORMATION." No Confidential Business Information (CBI) should be submitted through e-mail.

Information submitted as a comment concerning this notice may be claimed confidential by marking any part or all of that information as CBI. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. A copy of the comment that does not contain CBI must be submitted for inclusion in the public record. Information not marked confidential may be disclosed publicly by EPA without prior notice. The public docket is available for public inspection in Rm. 119 at the Virginia address given above, from 8:30 a.m. to 4 p.m., Monday through Friday, excluding holidays.

**FOR FURTHER INFORMATION CONTACT:** By mail: Cynthia Giles-Parker, Product Manager (PM-22), Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location, telephone number, and e-mail address: Rm. 247, CM #2, 1921 Jefferson Davis Highway, Arlington, VA 22202, (703) 305-7740, e-mail: giles-parker.cynthia@epamail.epa.gov.

**SUPPLEMENTARY INFORMATION:** EPA received applications as follows to register pesticide products containing active ingredients not included in any previously registered products pursuant to the provision of section 3(c)(4) of FIFRA. Notice of receipt of these applications does not imply a decision by the Agency on the applications.

**I. Products Containing Active Ingredients Not Included In Any Previously Registered Products**

1. File Symbol: 63588-RN. Applicant: K-I Chemical U.S.A., Inc. 11 Martine Ave., 9th Floor, White Plains, NY 10606. Product Name: Prohexanedione Calcium Manufacturing Use Product. Herbicide. Active ingredient: Prohexadione calcium [cyclohexanecarboxylic acid 3,5-dioxo-4-(1-oxopropyl)-, ion (1-) calcium, calcium salt] at 91 percent. Proposed classification/Use: General. For formulating use only.

2. File Symbol: 63588-O. Applicant: K-I Chemical U.S.A., Inc. Product Name: Baseline Plant Regulator. Active ingredient: Prohexadione calcium [cyclohexanecarboxylic acid 3,5-dioxo-4-(1-oxopropyl)-, ion (1-) calcium, calcium salt] at 75 percent. Proposed classification/Use: General. For use on peanuts.

Notice of approval or denial of an application to register a pesticide product will be announced in the **Federal Register**. The procedure for requesting data will be given in the **Federal Register** if an application is approved.

Comments received within the specified time period will be considered before a final decision is made; comments received after the time specified will be considered only to the extent possible without delaying processing of the application.

**II. Public Record and Electronic Submissions**

The official record for this notice, as well as the public version, has been established for this notice under docket number [OPP-30458] (including comments and data submitted electronically as described below). A public version of this record, including printed, paper versions of electronic comments, which does not include any information claimed as CBI, is available for inspection from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The official notice record is located at the address in "ADDRESSES" at the beginning of this document.

Electronic comments can be sent directly to EPA at: opp-docket@epamail.epa.gov

Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Comment and data will also be accepted on disks in Wordperfect 5.1/6.1 or ASCII file format. All comments and data in electronic form must be identified by the docket number [OPP-30458]. Electronic comments on this notice may be filed online at many Federal Depository Libraries.

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

**List of Subjects**

Environmental protection, Pesticides and pest, Product registration.

Dated: July 29, 1998.

**Arnold E. Layne,**

*Acting Director, Registration Division, Office of Pesticide Programs.*

[FR Doc. 98-21035 Filed 8-5-98; 8:45 am]

BILLING CODE 6560-50-F

**ENVIRONMENTAL PROTECTION AGENCY**

[OPP-30377B; FRL-6016-3]

**Novartis Seeds; Approval of a Pesticide Product Amended Registration**

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

**SUMMARY:** This notice announces Agency approval of an application submitted by Novartis Seeds Incorporation to conditionally amend the plant pesticide product involving a changed use pattern of the product pursuant to the provisions of section 3(c)(7)(B) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended.

**FOR FURTHER INFORMATION CONTACT:** By mail: Michael Mendelsohn, Biopesticides and Pollution Prevention Division (7511C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: Rm. 14, 9th floor, CM #2, 1921 Jefferson Davis Highway, Arlington, VA 22202, (703) 308-8715; e-mail: mendelsohn.mike@epamail.epa.gov.

**SUPPLEMENTARY INFORMATION:**

**Electronic Availability:** Electronic copies of this document and the Fact Sheet are available from the EPA home page at the **Federal Register**-Environmental Documents entry for this document under "Laws and Regulations" (<http://www.epa.gov/fedrgstr/>).

EPA issued a notice, published in the **Federal Register** of January 13, 1995 (60 FR 3209) (FRL-4928-9), which announced that Ciba-Geigy Corporation (Ciba-Seeds), 3054 Cornwallis Road, P.O. Box 12257, Research Triangle Park, NC, 27709, (now Novartis Seeds), had submitted an application to register the transgenic plant pesticide B.t.k. CryIA(b) Insect Control Protein as Produced in Corn (EPA File Symbol 66736-R) containing the active ingredient *Bacillus thuringiensis* delta-endotoxin as produced in corn by a cryIA(b) gene and its controlling sequences as found on plasmid vector pCIB4431 0.0001-0.0018 percent total plant protein an active ingredient not included in any previously registered product.

The application was approved on August 9, 1995, and was published in the **Federal Register** of February 14, 1996 (61 FR 5768) (FRL-4980-5), involving a changed use pattern, to include in its presently registered use, a new use for full commercial use in field corn (EPA Registration Number 66736-1). The registration was conditionally amended to allow additional use of the product for food and feed in field corn in accordance with FIFRA section 3(c)(7)(B).

On March 17, 1998 the amendment of this registration was approved as "*Bacillus Thuringiensis* European Corn Borer Control Protein" to include popcorn, containing the active ingredient *Bacillus thuringiensis* CryIA(b) delta-endotoxin and the genetic material necessary for its production (pCIB4431 in corn) involving a changed use pattern. This use is conditional and requires insect resistance data management, USDA NC-205 guidelines for refuge must be followed for popcorn, and monitoring for resistance management of the registration.

A conditional registration may be granted under section 3(c)(7)(B) of FIFRA for a product involving a changed use pattern where certain data are lacking, on condition that such data are received as specified by EPA and the applicant has submitted satisfactory data pertaining to the proposed additional use and the amended registration would not significantly increase the risk of any unreasonable adverse effect.

The Agency has considered the available data on the risks associated with the proposed use of *Bacillus thuringiensis* CryIA(b) delta-endotoxin and the genetic material necessary for its production (pCIB4431 in corn), and information on social, economic, and environmental benefits to be derived

from such use. Based on these reviews, the Agency was able to make basic environmental, health, and safety determinations which show that use of *Bacillus thuringiensis* CryIA(b) delta-endotoxin and the genetic material necessary for its production (pCIB4431 in corn) consistent with the terms and conditions of registration during the period of conditional registration will not significantly increase the risk of unreasonable adverse effect on the environment. These products are conditionally registered in accordance with FIFRA section 3(c)(7)(B).

If the conditions are not complied with the registration will be subject to cancellation in accordance with FIFRA section 6(e). The registration will automatically expire on midnight April 1, 2001.

More detailed information on the conditional registration is contained in an EPA Pesticide Fact Sheet on *Bacillus thuringiensis* CryIA(b) delta-endotoxin and the genetic material necessary for its production (pCIB4431 in corn).

A copy of this fact sheet, which provides a summary description of the chemical, use patterns and formulations, science findings, and the Agency's regulatory position and rationale, may be obtained from the National Technical Information Service (NTIS), 5285 Port Royal Road, Springfield, VA 22161.

In accordance with section 3(c)(2) of FIFRA, a copy of the approved label, the list of data references, the data and other scientific information used to support registration, except for material specifically protected by section 10 of FIFRA, are available for public inspection in the Public Information and Records Integrity Branch, Information Resources and Services Division (7502C), Office of Pesticide Programs, Environmental Protection Agency, Rm. 119, CM #2, Arlington, VA 22202 (703-305-5805). Requests for data must be made in accordance with the provisions of the Freedom of Information Act and must be addressed to the Freedom of Information Office (A-101), 401 M St., SW., Washington, DC 20460. Such requests should: (1) Identify the product name and registration number and (2) specify the data or information desired.

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

#### List of Subjects

Environmental protection, Pesticides and pests, Product registration.

Dated: July 28, 1998.

**Janet L. Andersen,**

*Director, Biopesticides Pollution Prevention Division, Office of Pesticide Programs.*

[FR Doc. 98-21036 Filed 8-5-98; 8:45 am]

BILLING CODE 6560-50-F

## ENVIRONMENTAL PROTECTION AGENCY

[OPP-00542; FRL-5797-9]

### Guidance for Identifying Pesticides That Have a Common Mechanism of Toxicity; Notice of Availability and Solicitation of Public Comments

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

**ACTION:** Notice of availability and solicitation of public comments.

**SUMMARY:** EPA is soliciting comments on a proposed pesticide policy guidance document entitled "Guidance for Identifying Pesticide Chemicals That Have a Common Mechanism of Toxicity, for Use in Assessing the Cumulative Toxic Effects of Pesticides." This proposed guidance document was developed from a background document that was announced and made available to the public for comment, and discussed publicly at the Federal Insecticide, Fungicide, and Rodenticide (FIFRA) Science Advisory Panel (SAP) meeting of March 19-20, 1997. Interested parties may request a copy of the Agency's proposed guidance document as set forth in the ADDRESSES unit of this Notice.

**DATES:** Comments must be received by September 8, 1998.

**ADDRESSES:** By mail, submit written comments to: Public Information and Records Integrity Branch, Information Resources and Services Division (7502C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. In person, deliver comments to: Rm. 119, CM #2, 1921 Jefferson Davis Highway, Arlington, VA.

Comments and data may also be submitted electronically to: opp-docket@epamail.epa.gov. Follow the instructions under Unit IV. of this document. No Confidential Business Information (CBI) should be submitted through e-mail.

Information submitted as a comment concerning this document may be claimed confidential by marking any part or all of that information as CBI. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.