

Registration Number 7969-275), Treevix Powered by Kixor Herbicide (EPA Registration Number 7969-276), Sharpen Powered by Kixor Herbicide (EPA Registration Number 7969-278), Integrity Powered by Kixor Herbicide (EPA Registration Number 7969-279), Optill Powered by Kixor Herbicide (EPA Registration Number 7969-280), and BAS 800 02/03 Powered by Kixor Herbicide (EPA Registration Number 7969-277).

The Agency approved the applications after considering all required data on risks associated with the proposed use of saflufenacil, and information on social, economic, and environmental benefits to be derived from its use. Specifically, the Agency considered the nature of the chemical and its pattern of use, application methods and rates, and level and extent of potential exposure. Based on these reviews, the Agency was able to make basic health and safety determinations which show that saflufenacil, when used in accordance with widespread and commonly recognized practice, will not generally cause unreasonable adverse effects on the environment.

B. FFDCA Tolerances

Along with the applications for registration of Kixor Herbicide Technical, Treevix Powered by Kixor Herbicide, Sharpen Powered by Kixor Herbicide, Integrity Powered by Kixor Herbicide, Optill Powered by Kixor Herbicide, and BAS 800 02/03 Powered by Kixor Herbicide, BASF Corporation filed a petition for tolerances under section 408 of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a. The petition requested that tolerances be established for residues of saflufenacil in or on legume vegetables (group 06), citrus fruits (group 10), pome fruits (group 11), stone fruits (group 12), tree nuts (group 14), pistachio, cereal grains (group 15), undelinted cotton seed, cotton gin byproducts, grape, foliage of legume vegetables (group 07), forage, fodder and straw of cereal grains (group 16), sorghum stover, almond hulls, sunflower seed, animal kidney, and animal liver.

In the **Federal Register** of June 13, 2008 (73 FR 33814) (FRL-8367-3), EPA issued a notice pursuant to section 408(d)(3) of FFDCA, 21 U.S.C. 346a(d)(3), announcing the filing of this petition.

III. What Action is the Agency Taking?

Although the Agency solicited comments on the petition for tolerances under the FFDCA, it did not do so regarding the applications for

registration under FIFRA. Therefore, EPA is now seeking comment on the registrations for the saflufenacil technical and end-use products, issued under section 3 of FIFRA. After consideration of all comments received, the Agency will take appropriate action based on that consideration and issue another **Federal Register** notice responding to comments received.

List of Subjects

Environmental protection, Pesticides and pest.

Dated: September 16, 2009.

Rachel C. Holloman,

Acting Director, Registration Division, Office of Pesticide Programs.

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ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2009-0191; FRL-8437-7]

Organic Arsenicals; Product Cancellation Order 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 products containing the pesticide organic arsenicals, pursuant to section 6(f)(1) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended. This cancellation order follows a July 8, 2009 **Federal Register** Notice of Receipt of Requests from the organic arsenical registrants to voluntarily cancel or amend to terminate uses of their organic arsenical product registrations.

DATES: The cancellations are effective September 30, 2009.

FOR FURTHER INFORMATION CONTACT: Tom Myers, Pesticide Re-evaluation Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 308-8589; fax number: (703) 308-8005; e-mail address: myers.tom@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-2009-0191. 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?

The organic arsenicals include the pesticides monosodium methanearsonate (MSMA), disodium methanearsonate (DSMA), calcium acid methanearsonate (CAMA), and cacodylic acid and its sodium salt. The requests terminate the following uses of MSMA: Residential; forestry; non-bearing fruit and nuts; citrus, bearing and non-bearing; bluegrass, fescue and ryegrass grown for seed; drainage ditch banks; railroad, pipeline, and utility rights of way; fence rows; storage yards; and similar non-crop areas. In addition, the requests terminate all uses of MSMA in Florida except for use on cotton grown in Calhoun, Columbia, Escambia, Gadsden, Hamilton, Holmes, Jackson, Jefferson, Okaloosa, Santa Rosa, Suwannee, Walton, and Washington counties. The requests would not terminate the last MSMA products registered for use in the United States. These requests for voluntary cancellation and amendment of MSMA containing products are the result of an agreement in principle signed by the EPA and the technical registrants of the

organic arsenicals on January 16 and February 5, 2009. The registrants have requested voluntary cancellation of all products containing DSMA, CAMA, cacodylic acid and its sodium salt in accordance with the agreement. The requests would terminate the last DSMA, CAMA, and cacodylic acid and its sodium salt products registered for use in the United States. In the July 8, 2009 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 30-day comment period that would merit its further review of these requests, or unless the registrant(s) withdrew their request(s) within this period. The Agency received comments on the notice but none merited 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 organic

arsenical products subject to this cancellation order is permitted only in accordance with the terms of this order, including any existing stocks provisions.

This notice announces the cancellation and amendments to terminate uses, as requested by registrants, of end-use and manufacturing-use organic arsenical products registered under section 3 of FIFRA. These registrations are listed in sequence by registration number in Tables 1 and 2 of this unit.

TABLE 1.—ORGANIC ARSENICAL PRODUCT CANCELLATIONS

Registration Number	Product Name	Chemical Name
239–2510	Ortho Crabgrass Killer Formula II	CAMA
239–2572	Ortho Crabgrass Killer Spray	CAMA
538–10	Scotts Summer Crabgrass Control	DSMA
538–169	Scotts Spot Grass and Weed Control	Cacodylic acid
		Cacodylic acid, sodium salt
538–178	Scotts Post Emergent Crabgrass Control	MSMA
769–635	SMCP MSMA 70W Liquid MSMA Plus Surfactant	MSMA
769–636	SMCP MSMA 70 Liquid	MSMA
769–637	SMCP MSMA 6.66	MSMA
769–664	X-CEL Veg Kil	Cacodylic acid
		Cacodylic acid, sodium salt
769–705	SMCP MSMA HC 8 Liquid High Concentrate	MSMA
769–916	Science Grass & Weed Top-Killer	Cacodylic acid
		Cacodylic acid, sodium salt
769–975	Liquid Edger Herbicide	Cacodylic acid
		Cacodylic acid, sodium salt
869–175	Green Light Liquid Edger	Cacodylic acid
		Cacodylic acid, sodium salt
869–243	Green Light MSMA Crabgrass Killer 2	MSMA
2217–229	Selective Crabgrass Killer Contains DSMA	DSMA
2217–434	Crabgrass Killer	DSMA
2217–512	Nutgrass Killer	MSMA
2217–513	Crabgrass Killer	MSMA
2217–630	Gordon's Crabgrass and Nutgrass Killer	MSMA
2217–808	EH 795 Residential Herbicide	MSMA
		2,4-D dimethylamine salt
		Benzoic acid, 3,6-dichloro-2-methoxy-, compd with N-methylmetharamine (1:1)

TABLE 1.—ORGANIC ARSENICAL PRODUCT CANCELLATIONS—Continued

Registration Number	Product Name	Chemical Name
		Propanoic acid 2-(4-chloro-2-methylphenoxy)-3, (R) compd with N-methylmetharamine (1:1)
2217–815	EH 1335 Herbicide	MSMA
		2,4-D dimethylamine salt
		Benzoic acid, 3,6-dichloro-2-methoxy-, compd with N-methylmetharamine (1:1)
		Propanoic acid 2-(4-chloro-2-methylphenoxy)-, (R) compd with N-methylmetharamine (1:1)
2217–830	EH 1378 Herbicide	MSMA
		2-,4-D dimethylamine salt
		Benzoic acid, 3,6-dichloro-2-methoxy-, compd with N-methylmetharamine (1:1)
		Propanoic acid 2-(4-chloro-2-methylphenoxy)-, (R) compd with N-methylmetharamine (1:1)
5481–67	Alco Ho No Mo Liquid	Cacodylic acid
		Cacodylic acid, sodium salt
5481–227	DSMA Liquid Plus Surfactant	DSMA
5481–228	MSMA 40 Plus Surfactant	MSMA
5481–229	MSMA 60 Plus Surfactant	MSMA
5481–230	MSMA 66 Concentrate	MSMA
5481–231	MSMA 80 Concentrate	MSMA
5887–172	Improved Crabgrass Killer	MSMA
5905–67	MSMA Arsonate Liquid	MSMA
5905–GA-82-0011	MSMA Arsonate Liquid	MSMA
7401–23	Ferti-Lome Crabgrass and Dallis Grass Killer	MSMA
7401–246	Hi-Yield Super Decimate+Surfactant	MSMA
7401–366	Ferti-Lome Improved Bermuda Grass Killer	MSMA
		Cacodylic acid, sodium salt
8660–48	Crabgrass Killer	DSMA
8660–63	Clean-Up Herbicide	Cacodylic acid
		Cacodylic acid, sodium salt
8660–120	Vertagreen Crabgrass & Weed Killer	MSMA
8660–121	Greenup Nutgrass & Chickweed Killer	MSMA
9779–86	Riverside 612 Herbicide	MSMA
9779–96	Riverside 120 Herbicide	MSMA
9779–128	DSMA Herbicide	DSMA
9779–155	Riverside 145 Herbicide	MSMA
9779–170	Riverside MSMA 4	MSMA
9779–174	Riverside DSMA Liquid Plus Surfactant	DSMA

TABLE 1.—ORGANIC ARSENICAL PRODUCT CANCELLATIONS—Continued

Registration Number	Product Name	Chemical Name
9779–317	Prometryne+MSMA	MSMA
		Prometryn
10088–74	Lawn and Turf Weed Control	MSMA
19713–45	Drexel DSMA Liquid	DSMA
19713–113	Drexel DSMA 81P	DSMA
19713–117	Drexel Kack Herbicide	Cacodylic acid
		Cacodylic acid, sodium salt
19713–141	Drexel Ezy-Pickin Cotton Defoliant	Cacodylic acid
		Cacodylic acid, sodium salt
19713–153	Kack Plus MSMA Herbicide	MSMA
		Cacodylic acid
		Cacodylic acid, sodium salt
19713–162	MSMA 6 Tree Killer	MSMA
19713–276	IDA, INC. DSMA Slurry	DSMA
19713–311	Pearson's Easy- Edger and Cleaner	Cacodylic acid
		Cacodylic acid, sodium salt
19713–530	Drexel DSMA 81 Dry Powder	DSMA
19713–532	DSMA Slurry	DSMA
19713–533	Super Dal-E-Rad Calar	CAMA
19713–534	APC Holdings DSMA Liquid	DSMA
19713–535	APC Holdings DSMA Liquid 4	DSMA
28293–234	Unicorn Liquid Edger	Cacodylic acid
		Cacodylic acid, sodium salt
28293–361	Unicorn Weed Edger	Cacodylic acid
		Cacodylic acid, sodium salt
33955–510	Acme Weed Killer Nonselective Herbicide for General Weed Control	Cacodylic acid
		Cacodylic acid, sodium salt
33955–553	Acme Ready-To Use Weed & Grass Killer	Cacodylic acid
		Cacodylic acid, sodium salt
42519–4	Cacodylate 3.25	Cacodylic acid
		Cacodylic acid, sodium salt
42519–8	Sodium Cacodylate Solution	Cacodylic acid
		Cacodylic acid, sodium salt
42519–10	Leaf-All	Cacodylic acid
		Cacodylic acid, sodium salt
46515–1	Liquid Fence & Grass Edger	Cacodylic acid

TABLE 1.—ORGANIC ARSENICAL PRODUCT CANCELLATIONS—Continued

Registration Number	Product Name	Chemical Name
		Cacodylic acid, sodium salt
46515–12	Super K-Gro Ready-to-Use Crabgrass Killer	CAMA
59144–20	Liquid Edger Ready-to-Use	Cacodylic acid
		Cacodylic acid, sodium salt
61483–19	DSMA Liquid	DSMA
61483–20	Super Arsonate	MSMA
61483–25	Ansar 529 HC Herbicide	MSMA
61483–40	DSMA 4	DSMA
72155–1	Herbicide 3D RTU	MSMA
		2,4-D dimethylamine salt
		Benzoic acid, 3,6-dichloro-2-methoxy-, compd with N-methylmetharamine (1:1)
		Propanoic acid 2-(4-chloro-2-methylphenoxy)-, (R) compd with N-methylmetharamine (1:1)
72155–3	Lawn Herbicide TN Concentrate	MSMA
		2,4-D dimethylamine salt
		Benzoic acid, 3,6-dichloro-2-methoxy-, compd with N-methylmetharamine (1:1)
		Propanoic acid 2-(4-chloro-2-methylphenoxy)-, (R) compd with N-methylmetharamine (1:1)
72155–5	Lawn Herbicide 3D Concentrate	MSMA
		2,4-D dimethylamine salt
		Benzoic acid, 3,6-dichloro-2-methoxy-, compd with N-methylmetharamine (1:1)
		Propanoic acid 2-(4-chloro-2-methylphenoxy)-, (R) compd with N-methylmetharamine (1:1)
72155–6	Lawn Herbicide 3D-40 Concentrate	MSMA
		2,4-D dimethylamine salt
		Benzoic acid, 3,6-dichloro-2-methoxy-, compd with N-methylmetharamine (1:1)
		Propanoic acid 2-(4-chloro-2-methylphenoxy)-, (R) compd with N-methylmetharamine (1:1)

TABLE 2.—ORGANIC ARSENICAL PRODUCT REGISTRATIONS WITH PENDING REQUESTS FOR AMENDMENT

Registration Number	Product Name	Chemical name
2217–709	Quadmec Turf Herbicide	MSMA
		2,4-D dimethylamine salt
		Benzoic acid, 3,6-dichloro-2-methoxy-, compd withN N-methylmetharamine (1:1)
		Propanoic acid 2-(4-chloro-2-ethylphenoxy)-, (R) compd withN N-methylmetharamine (1:1)

TABLE 2.—ORGANIC ARSENICAL PRODUCT REGISTRATIONS WITH PENDING REQUESTS FOR AMENDMENT—Continued

Registration Number	Product Name	Chemical name
2217-797	EH 1143 Herbicide	MSMA
		MCPA, dimethylamine salt
		Benzoic acid, 3,6-dichloro-2-methoxy-, compd with N-methylmetharamine (1:1)
		Propanoic acid 2-(4-chloro-2-ethylphenoxy)-, (R) compd with N-methyl metharamine (1:1)
5905-66	MSMA Plus	MSMA
5905-162	Helena Brand MSMA High Concentrate	MSMA
5905-164	MSMA Plus HC	MSMA
9779-133	Riverside 120 Herbicide	MSMA
19713-40	Drexar 530	MSMA
19713-41	Drexel MSMA 6.6	MSMA
19713-42	MSMA 6 Plus	MSMA
19713-151	Drexel MSMA 8	MSMA
19713-267	IDA, Inc. MSMA 4 Plus	MSMA
19713-269	IDA, Inc. MSMA 6.6	MSMA
19713-278	IDA, Inc. MSMA 6 Plus	MSMA
19713-528	Diumate	MSMA
		Diuron
19713-529	Drexel MSMA 600 Herbicide	MSMA
19713-531	Drexel MSMA 660	MSMA
19713-550	Drexel MSMA 120	MSMA
42519-1	Target 6.6	MSMA
42519-3	Target 5 Plus	MSMA
42750-28	Weed Hoe 120	MSMA
42750-29	Weed Hoe 108	MSMA
61483-13	Daconate	MSMA
61483-14	Daconate 6	MSMA
61483-15	Bueno-6	MSMA
61483-17	Daconate Super Brand	MSMA
61483-18	Bueno	MSMA
62719-339	MSMA 6.6	MSMA
62719-340	MSMA Plus S	MSMA
62719-343	MSMA 51%	MSMA

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

this unit, in sequence by EPA company number.

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

EPA Company no.	Company Name and Address
239	The Scotts Co., d/b/a/ The Ortho Group P.O. Box 190 Marysville, OH 43040
538	Scotts Co., The, 14111 Scottslawn Rd Marysville, OH 43041
769	Value Gardens Supply, LLC d/b/a/ Value Garden Supply P.O. Box 585 Saint Joseph, MO 64502
869	Valent GI Corp., c/o Valent USA Corp., Agent For: Green Light Co. 1600 Riviera Ave. Suite 200 Walnut Creek, CA 94596
2217	PBI/Gordon Corp. P.O. Box 014090 Kansas City, MO 64101–0090
5481	Amvac Chemical Corp., d/b/a/ Amvac, 4695 Macarthur Ct. Suite 1250 Newport Beach, CA 92660–1706
5887	Value Gardens Supply, LLC d/b/a/ Value Garden Supply P.O. Box 585 Saint Joseph, MO 64502
5905	Helena Chemical Co. 7664 Moore Rd. Memphis, TN 38120
7401	Mandava Associates, LLC, Agent for: Voluntary Purchasing Groups, Inc. N. Dallas Pkwy., Suite 200 Plano, TX 75024
8660	United Industries Corp., d/b/a Sylorr Plant Corp. P.O. Box 142642 St. Louis, MO 63114–0642
9779	Winfield Solutions, LLC P.O. Box 64589 St. Paul, MN 55164–0589
10088	Athea Laboratories Inc. P.O. Box 240014 Milwaukee, WI 53224
19713	Drexel Chemical Co. P.O. Box 13327 Memphis, TN 38113–0327
28293	Phaeton Corp., d/b/a/ Unicorn Laboratories P.O. Box 290 Madison, GA 30650
33955	PBI/Gordon Corp. P.O. Box 014090 Kansas City, MO 64101–0090
42519	Luxemborg-Pamol, Inc. 5100 Poplar Ave. Suite 2700 Memphis, TN 38137
42750	Albaugh Inc. 1525 NE 36th Street Ankeny, IA 50021
46515	Celex, Division of United Industries Corp. P.O. Box 142642 St. Louis, MO 63114–0642

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