

Comments and data may also be submitted electronically by sending electronic mail (e-mail) to: 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. Comments and data will also be accepted on disks in WordPerfect in 5.1 file format or ASCII file format. All comments and data in electronic form must be identified by the docket number [OPP-180977]. No Confidential Business Information (CBI) should be submitted through e-mail. Electronic comments on this notice may be filed online at many Federal Depository Libraries. Additional information on electronic submissions can be found below in this document.

Information submitted in any 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 provided by the submitter for inclusion in the public record. Information not marked confidential may be disclosed publicly by EPA without prior notice. All written comments filed pursuant to this notice will be available for public inspection in Rm. 1132, Crystal Mall No. 2, 1921 Jefferson Davis Highway, Arlington, VA, from 8 a.m. to 4:30 p.m., Monday through Friday, except legal holidays.

**FOR FURTHER INFORMATION CONTACT:** By mail: Libby Pemberton, Registration Division (7505W), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: Floor 6, Crystal Station #1, 2800 Jefferson Davis Highway, Arlington, VA, (703) 308-8326; e-mail: pemberton.libby@epamail.epa.gov.

**SUPPLEMENTARY INFORMATION:** Pursuant to section 18 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (7 U.S.C. 136p), the Administrator may, at her discretion, exempt a state agency from any registration provision of FIFRA if she determines that emergency conditions exist which require such exemption. The Applicant has requested the Administrator to issue a specific exemption for the use of cymoxanil on tomatoes to control late blight. Information in accordance with 40 CFR part 166 was submitted as part of this request.

Recent failures to control late blight in tomatoes as well as potatoes with the registered fungicides, have been caused almost exclusively by immigrant strains of late blight *Phytophthora infestans*,

which are resistant to the control of choice, metalaxyl. Before the immigrant strains of late blight arrived, all of the strains in the U.S. were previously controlled by treatment with metalaxyl. The Applicants state that presently, there are no fungicides registered in the U.S. that will provide adequate control of the immigrant strains of late blight. The Applicant states that cymoxanil has been shown to be effective against these strains of late blight. Cymoxanil holds current registrations throughout many European countries for control of this disease. The Applicant indicates that a 75 percent yield reduction is expected based on the current infestation. Net revenues are expected to be reduced by over \$7 million for the affected acreage without the use of cymoxanil.

The Applicant proposes to apply cymoxanil, manufactured by E. I. duPont de Nemours Co., as Curzate M-8, at a maximum rate of 0.1 lbs. a.i. (1.25 lb. of product) per acre by ground or air, with a maximum of 3 applications per season. A 14-day PHI will be observed. Use under this exemption could potentially amount to a maximum 1,950 lb. of cymoxanil. This notice does not constitute a decision by EPA on the application. The regulations governing section 18 require publication of a notice of receipt of an application for a specific exemption proposing use of a new chemical (i.e., an active ingredient not contained in any currently registered pesticide). Such notice provides for opportunity for public comment on the application. Accordingly, interested persons may submit written views on this subject to the Field Operations Division at the address above.

A record has been established for this notice under docket number "OPP-180977" (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 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The public record is located in Room 1132 of the Public Response and Program Resources Branch, Field Operations Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA.

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.

The official record for this notice, as well as the public version, as described above will be kept in paper form. Accordingly, EPA will transfer all comments received electronically into printed, paper form as they are received and will place the paper copies in the official record which will also include all comments submitted directly in writing. The official record is the paper record maintained at the address in "ADDRESSES" at the beginning of this document.

The Agency, accordingly, will review and consider all comments received during the comment period in determining whether to issue the emergency exemption requested by the New Jersey Department of Environmental Protection.

#### List of Subjects

Environmental protection, Pesticides and pests, Crisis exemptions.

Dated: July 20, 1995.

#### Peter Caulkins,

Acting Director, Registration Division, Office of Pesticide Programs.

[FR Doc. 95-19005 Filed 8-1-95; 8:45 am]

BILLING CODE 6560-50-F

[OPP-66215; FRL-4965-8]

#### Notice of Receipt of Requests to Voluntarily Cancel Certain Pesticide Registrations

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

**ACTION:** Notice.

**SUMMARY:** In accordance with Section 6(f)(1) of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended, EPA is issuing a notice of receipt of requests by registrants to voluntarily cancel certain pesticide registrations.

**DATES:** Unless a request is withdrawn by October 31, 1995, orders will be issued cancelling all of these registrations.

**FOR FURTHER INFORMATION CONTACT:** By mail: James A. Hollins, Office of Pesticide Programs (7502C), Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location for commercial courier delivery and telephone number: Rm. 216, Crystal Mall No. 2, 1921 Jefferson Davis Highway, Arlington, VA 22202. (703) 305-5761; hollins.james@epamail.epa.gov.

## SUPPLEMENTARY INFORMATION:

## I. Introduction

Section 6(f)(1) of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended, provides that a pesticide registrant may, at any time, request that any of its pesticide registrations be cancelled. The Act

further provides that EPA must publish a notice of receipt of any such request in the **Federal Register** before acting on the request.

## II. Intent to Cancel

This Notice announces receipt by the Agency of requests to cancel some 32

pesticide products registered under section 3 or 24(c) of FIFRA. These registrations are listed in sequence by registration number (or company number and 24(c) number) in the following Table 1.

TABLE 1. --REGISTRATIONS WITH PENDING REQUESTS FOR CANCELLATION

Registration no.	Product Name	Chemical Name
000070-00011 .....	Kill-Ko Horse and Cattle Spray	(Butylcarbityl)(6-propylpiperonyl) ether 80% and related compounds 20%
000070-00138 .....	Rigo Wasp Spray with Baygon	Pyrethrins 2,2-Dichlorovinyl dimethyl phosphate
000241 OR-91-0010 ..	Pursuit Herbicide	<i>o</i> -Isopropoxyphenyl methylcarbamate
000303-00150 .....	Zilch Liquid Weed Killer	2,2-Dichlorovinyl dimethyl phosphate Ammonium salt of (+/-)-2-(4,5-dihydro-4-methyl-4-(1-methylethyl)-5-5-Bromo-3-sec-butyl-6-methyluracil
000352 TN-94-0005 ...	Dupont Bladex 4I Herbicide	Isocetyl(2-ethyl-4-methylpentyl) 2,4-dichlorophenoxyacetate
000655-00491 .....	Prentox Vapon 2	Cyanazine
000655-00703 .....	Prentox Fly & Mosquito Killer	2,2-Dichlorovinyl dimethyl phosphate (Butylcarbityl)(6-propylpiperonyl) ether 80% and related compounds 20%
000655-00730 .....	Prentox Greenhouse Spray	Pyrethrins 2,2-Dichlorovinyl dimethyl phosphate
001677-00132 .....	Solidyne	2,2-Dichlorovinyl dimethyl phosphate Polyethoxypolypropoxyethanol - iodine complex
001677-00138 .....	Mikrocide	Phosphoric acid onylphenoxypolyethoxyethanol - iodine complex
001677-00151 .....	Iodofoam Concentrate 20	Phosphoric acid onylphenoxypolyethoxyethanol - iodine complex
001769-00063 .....	Flair Aerosal Air Sanitizer and Deodorant	1,2-Propanediol
001769-00255 .....	Root Out	2,6-Dichlorobenzonitrile
001769-00277 .....	ational Chemsearch San-5-Pine	2-Benzyl-4-chlorophenol Pine oil
001769-00322 .....	Aerosol Paint-Sect	<i>O,O</i> -Diethyl <i>O</i> -(3,5,6-trichloro-2-pyridyl) phosphorothioate
003125 WA-80-0069 ..	Meta-Systox-R Spray Concentrate	<i>S</i> -(2-(Ethylsulfanyl)ethyl) <i>O,O</i> -dimethyl phosphorothioate
004581-00230 .....	Ziram F-4	Zinc dimethyldithiocarbamate
005197-00051 .....	Kem New Formula 7-11	Ammonium 2-phenylphenate
006218-00013 .....	Flora-Fog Vapona Greenhouse Fogging Insecticide	2,2-Dichlorovinyl dimethyl phosphate
006218-00026 .....	Flora Fume Vapona Greenhouse Misting Insecticide	2,2-Dichlorovinyl dimethyl phosphate
006218-00070 .....	Summit Tobacco Warehouse Fogging Insecticide	2,2-Dichlorovinyl dimethyl phosphate
006378-00022 .....	Lab One	Potassium 2-benzyl-4-chlorophenate <i>o</i> -Phenylphenol, potassium salt
006962-00027 .....	Steriloid Bacteriostat	Potassium 2-benzyl-4-chlorophenate <i>o</i> -Phenylphenol, potassium salt
007401-00060 .....	Ferti-Lome Universal Garden Spray (containing Sevin & K	2,4-Dinitro-6-octyl* phenyl crotonate, 2,6-dinitro-4-octyl* phenyl crotonate and 1-Naphthyl- <i>N</i> -methylcarbamate
007969-00042 .....	Basagran Manufacturers Concentrate	3-Isopropyl-1 <i>H</i> -2,1,3-benzothiadiazin-4(3 <i>H</i> )-one-2,2-dioxide, sodium salt
007969-00054 .....	Laddok Herbicide	2-Chloro-4-(ethylamino)-6-(isopropylamino)- <i>s</i> -triazine 3-Isopropyl-1 <i>H</i> -2,1,3-benzothiadiazin-4(3 <i>H</i> )-one-2,2-dioxide, sodium salt
007969-00103 .....	Prompt Herbicide	2-Chloro-4-(ethylamino)-6-(isopropylamino)- <i>s</i> -triazine 3-Isopropyl-1 <i>H</i> -2,1,3-benzothiadiazin-4(3 <i>H</i> )-one-2,2-dioxide, sodium salt
010370-00127 .....	Staffel's Malathion 25% Wettable Powder	<i>O,O</i> -Dimethyl phosphorodithioate of diethyl mercaptosuccinate
019713-00222 .....	Malathion Grain Protectant Dust	<i>O,O</i> -Dimethyl phosphorodithioate of diethyl mercaptosuccinate
019713-00335 .....	Aidex Mal Ex Dust Dry Insecticid	<i>O,O</i> -Dimethyl phosphorodithioate of diethyl mercaptosuccinate
064296-00001 .....	Bio-Path Fly Control Chamber	( <i>Z</i> )-9-Tricosene Metarhizium anisopliae Strain ESF1

Unless a request is withdrawn by the registrant within 90 days of publication of this notice, orders will be issued

cancelling all of these registrations. Users of these pesticides or anyone else desiring the retention of a registration

should contact the applicable registrant directly during this ninety-day period.

The following Table 2 includes the names and addresses of record for all registrants of the products in Table 1, in sequence by EPA Company Number.

TABLE 2. --REGISTRANTS REQUESTING VOLUNTARY CANCELLATION

EPA Company No.	Company Name and Address
000070	Wilbur-Ellis Co., Box 16458, Fresno, CA 93755.
000241	American Cyanamid Co., Agri Research Div - U.S. Regulatory Affairs, Box 400, Princeton, NJ 08543.
000303	Huntington Laboratories, Inc., 968-970 E. Tipton St., Huntington, IN 46750.
000352	E. I. Du Pont De Nemours & Co, Inc., Barley Mill Plaza, Walker's Mill, Wilmington, DE 19880.
000655	Prentiss Inc., 21 Vernon Street, C.B. 2000, Floral Park, NY 11001.
001677	Ecolab Inc., 370 Wabasha St. Ecolab Center, St Paul, MN 55102.
001769	CH Corp., 2727 Chemsearch Blvd., Irving, TX 75062.
003125	Bayer Corp., Agriculture Division, 8400 Hawthorn Rd., Box 4913, Kansas City, MO 64120.
004581	Elf Atochem North America Inc., Agrichemicals Div, 2000 Market St, 21st Floor, Philadelphia, PA 19103.
005197	Systems General, Inc., Box 152170, Irving, TX 75015.
006218	Summit Chemical Co, 7657 Canton Center Dr, Baltimore, MD 21224.
006378	Lab Automated Chemicals, Division of Systems General Inc., Box 152170, Irving, TX 75015.
006962	Madison Bionics, Division of Systems General, Inc., 1630 E. Northgate, Irving, TX 75062.
007401	Voluntary Purchasing Group Inc., Box 460, Bonham, TX 75418.
007969	BASF Corp., Agricultural Products, Box 13528, Research Triangle Park, NC 27709.
010370	Agrevo Environmental Health, 95 Chestnut Ridge Rd, Montvale, NJ 07645.
019713	Drexel Chemical Co, Box 13327, Memphis, TN 38113.
064296	Ecoscience Corp., 377 Plantation Dr, Worcester, MA 01605.

### III. Loss of Active Ingredients

Unless the requests for cancellation are withdrawn, one pesticide active ingredients will not longer appear in any registered products. Those who are concerned about the potential loss of this active ingredient for pesticidal use are encouraged to work directly with the registrant to explore the possibility of their withdrawing the request for

cancellation. The active ingredient is listed in the following Table 3, with the EPA Company and CAS Number.

TABLE 3. -- ACTIVE INGREDIENTS WHICH WOULD DISAPPEAR AS A RESULT OF REGISTRANTS' REQUESTS TO CANCEL

Cas No.	Chemical Name	EPA Company No.
52704-98-0.	Ammonium 2-phenylphenate	005197

### IV. Procedures for Withdrawal of Request

Registrants who choose to withdraw a request for cancellation must submit such withdrawal in writing to James A. Hollins, at the address given above, postmarked before October 31, 1995. This written withdrawal of the request for cancellation will apply only to the applicable 6(f)(1) request listed in this notice. If the product(s) have been subject to a previous cancellation action, the effective date of cancellation and all other provisions of any earlier cancellation action are controlling. The withdrawal request must also include a commitment to pay any reregistration fees due, and to fulfill any applicable unsatisfied data requirements.

### V. Provisions for Disposition of Existing Stocks

The effective date of cancellation will be the date of the cancellation order. The orders effecting these requested cancellations will generally permit a registrant to sell or distribute existing stocks for one year after the date the cancellation request was received. This policy is in accordance with the Agency's statement of policy as prescribed in **Federal Register** No. 123, Vol. 56, dated June 26, 1991. Exceptions to this general rule will be made if a product poses a risk concern, or is in noncompliance with reregistration requirements, or is subject to a data call-in. In all cases, product-specific disposition dates will be given in the cancellation orders.

Existing stocks are those stocks of registered pesticide products which are currently in the United States and which have been packaged, labeled, and released for shipment prior to the effective date of the cancellation action. Unless the provisions of an earlier order apply, existing stocks already in the hands of dealers or users can be distributed, sold or used legally until they are exhausted, provided that such

further sale and use comply with the EPA-approved label and labeling of the affected product(s). Exceptions to these general rules will be made in specific cases when more stringent restrictions on sale, distribution, or use of the products or their ingredients have already been imposed, as in Special Review actions, or where the Agency has identified significant potential risk concerns associated with a particular chemical.

### List of Subjects

Environmental protection, Pesticides and pests, Product registrations.

Dated: July 13, 1995.

### Frank Smith,

Director, Program Management and Support Division, Office of Pesticide Programs.

[FR Doc. 95-18873 Filed 8-1-95; 8:45 am]

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[OPP-64027; FRL-4965-5]

### Cancellation of Pesticides for Non-Payment of 1995 Registration Maintenance Fees

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

**ACTION:** Notice.

**SUMMARY:** Since the amendments of October, 1988, the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) has required payment of an annual maintenance fee to keep pesticide registrations in effect. The fee due last January 15 has gone unpaid for about 1,215 registrations. Section 4(i)(5)(D) of FIFRA provides that the Administrator may cancel these registrations by order and without a hearing; orders to cancel all but a few of them have been issued within the past few days. The Agency is deferring cancellation for certain of these registrations, however, to permit time for affected users to explore alternatives to cancellation directly with the registrants.

**DATES:** Reports of agreements to support continued registration or transfer of the registrations for which cancellation is being deferred must be received by October 31, 1995.

**FOR FURTHER INFORMATION CONTACT:** To report agreements to support continued registration of any of the products for which cancellation has been deferred, for instructions on payment of delinquent maintenance fees for these products, or for further information on the maintenance fee program in general, contact by mail: John Jamula, Office of Pesticide Programs (7504C), Environmental Protection Agency, 401