

the Agency may go directly to a decision and prepare a document summarizing its findings, such as the nicosulfuron TRED.

The tolerance reassessment program is being conducted under Congressionally mandated time frames, and EPA recognizes the need both to make timely decisions and to involve the public in finding ways to effectively mitigate pesticide risks. Nicosulfuron, however, poses no risks that require mitigation. The Agency therefore, is issuing the nicosulfuron TRED, its risk assessments, and related support documents simultaneously for public comment. The comment period is intended to provide an opportunity for public input and a mechanism for initiating any necessary amendments to the TRED. All comments should be submitted using the methods in Unit I. of the **SUPPLEMENTARY INFORMATION**, and must be received by EPA on or before the closing date. These comments will become part of the Agency docket for nicosulfuron. Comments received after the close of the comment period will be marked "late." EPA is not required to consider these late comments.

In the absence of substantive comments requiring changes, the decisions reflected in the Nicosulfuron TRED will be implemented as presented. If any comment significantly affects the document, EPA will publish an amendment to the Nicosulfuron TRED in the **Federal Register**.

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

Section 408(q) of the FFDCA, 21 U.S.C. 346a(q), requires EPA to review tolerances and exemptions for pesticide residues in effect as of August 2, 1996, to determine whether the tolerance or exemption meets the requirements of section 408(b)(2) or (c)(2) of FFDCA. This review is to be completed by August 3, 2006.

#### **List of Subjects**

Environmental protection, Pesticides and pests.

Dated: February 7, 2005.

**Debra Edwards,**

*Director, Special Review and Reregistration Division, Office of Pesticide Programs.*

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## **ENVIRONMENTAL PROTECTION AGENCY**

[OPP-2004-0220; FRL-7694-9]

### **2,4-DB (4-2,4-Dichlorophenoxy) butyric acid and 2,4-DB-DMAS (Dimethylamine 4-2,4-Dichlorophenoxy) Butyrate Reregistration Eligibility Decision**

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

**ACTION:** Notice.

**SUMMARY:** This notice announces the availability of EPA's Reregistration Eligibility Decision (RED) for the pesticide 2,4-DB (4-2,4-dichlorophenoxy) butyric acid and 2,4-DB-DMAS (dimethylamine 4-2,4-dichlorophenoxy) butyrate. The Agency's risk assessments and other related documents also are available in the 2,4-DB butyric acid and 2,4-DB-DMAS butyrate docket. 2,4-DB is a member of the chlorophenoxy class of herbicides which function by mimicking the action of auxins, plant growth hormones. 2,4-DB is used to control broadleaf weeds in alfalfa, clover, soybeans, peanuts, peppermint, spearmint, and birdfoot trefoil. 2,4-DB is manufactured as an acid and as the dimethylamine salt, 2, 4-DB-DMAS. EPA has reviewed 2,4-DB butyric acid and 2,4-DB-DMAS butyrate through the public participation process that the Agency uses to involve the public in developing pesticide reregistration and tolerance reassessment decisions. Through these programs, EPA is ensuring that all pesticides meet current health and safety standards.

**FOR FURTHER INFORMATION CONTACT:** Mika J. Hunter, Special Review and Reregistration Division (7508C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 308-0041; fax number: (703) 308-8041; e-mail address: [Hunter.Mika@epa.gov](mailto:Hunter.Mika@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 an official public docket for this action under docket identification (ID) number OPP-2004-0220. The official public docket consists of the documents specifically referenced in this action, any public comments received, and other information related to this action. Although, a part of the official docket, the public docket does not include Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. The official public docket is the collection of materials that is available for public viewing at the Public Information and Records Integrity Branch (PIRIB), Rm. 119, Crystal Mall #2, 1801 S. Bell St., Arlington, VA. This docket facility is open from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The docket 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/>.

An electronic version of the public docket is available through EPA's electronic public docket and comment system, EPA Dockets. You may use EPA Dockets at <http://www.epa.gov/edocket/> to view public comments, access the index listing of the contents of the official public docket, and to access those documents in the public docket that are available electronically. Although, not all docket materials may be available electronically, you may still access any of the publicly available docket materials through the docket facility identified in Unit I.B.1. Once in the system, select "search," then key in the appropriate docket ID number.

#### **II. Background**

##### *A. What Action is the Agency Taking?*

Under section 4 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), EPA is reevaluating existing pesticides to ensure that they meet current scientific and regulatory standards. EPA has completed a Reregistration Eligibility Decision (RED) for the pesticide, 2,4-DB butyric acid and 2,4-DB-DMAS butyrate under section 4(g)(2)(A) of FIFRA. 2,4-DB and 2,4-DB-DMAS are chlorophenoxy herbicides used to control broadleaf weeds in alfalfa, clover, soybeans,

peanuts, peppermint, spearmint, and birdfoot trefoil. End-use products are formulated as soluble, emulsifiable, or flowable concentrates and can be applied aerially or on the ground. EPA has determined that the data base to support reregistration is substantially complete and that products containing 2,4-DB butyric acid and 2,4-DB-DMAS butyrate are eligible for reregistration, provided the risks are mitigated either in the manner described in the RED or by another means that achieve equivalent risk reduction. Upon submission of any required product-specific data under section 4(g)(2)(B) and any necessary changes to the registration and labeling (either to address concerns identified in the RED or as a result of product-specific data), EPA will make a final reregistration decision under section 4(g)(2)(C) for products containing 2,4-DB butyric acid and 2,4-DB-DMAS butyrate.

EPA must review tolerances and tolerance exemptions that were in effect when the Food Quality Protection Act (FQPA) was enacted in August 1996, to ensure that these existing pesticide residue limits for food and feed commodities meet the safety standard established by the new law. Tolerances are considered reassessed once the safety finding has been made or a revocation occurs. EPA has reviewed and made the requisite safety finding for the 2,4-DB butyric acid and 2,4-DB-DMAS butyrate tolerances included in this notice.

EPA is applying the principles of public participation to all pesticides undergoing reregistration and tolerance reassessment. The Agency's Pesticide Tolerance Reassessment and Reregistration; Public Participation Process, published in the **Federal Register** of May 14, 2004 (69 FR 26819) (FRL-7357-9), explains that in conducting these programs, EPA is tailoring its public participation process to be commensurate with the level of risk, extent of use, complexity of issues, and degree of public concern associated with each pesticide. Due to its uses, risks, and other factors, 2,4-DB butyric acid and 2,4-DB-DMAS butyrate was reviewed through the modified 4-Phase public participation process. Through this process, EPA worked extensively with stakeholders and the public to reach the regulatory decisions for 2,4-DB butyric acid and 2,4-DB-DMAS butyrate.

The reregistration program is being conducted under Congressionally mandated time frames, and EPA recognizes the need both to make timely decisions and to involve the public. Another comment period is not needed

because all issues related to this pesticide were resolved through consultations with stakeholders. The Agency therefore is issuing the 2,4-DB butyric acid and 2,4-DB-DMAS butyrate RED without a comment period.

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

Section 4(g)(2) of FIFRA as amended, directs that, after submission of all data concerning a pesticide active ingredient, "the Administrator shall determine whether pesticides containing such active ingredient are eligible for reregistration," before calling in product-specific data on individual end-use products and either reregistering products or taking other "appropriate regulatory action."

Section 408(q) of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a(q), requires EPA to review tolerances and exemptions for pesticide residues in effect as of August 2, 1996, to determine whether the tolerance or exemption meets the requirements of section 408(b)(2) or (c)(2) of FFDCA. This review is to be completed by August 3, 2006.

#### **List of Subjects**

Environmental protection, Pesticides and pests.

Dated: January 27, 2005.

**Debra Edwards,**

*Director, Special Review and Reregistration Division, Office of Pesticide Programs.*

[FR Doc. 05-2977 Filed 2-15-05; 8:45 am]

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## **ENVIRONMENTAL PROTECTION AGENCY**

**[OPP-2005-0024; FRL-7698-4]**

### **DCPA; Notice of Receipt of Request to Amend to Terminate Uses of 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 a request by the registrant to amend their registrations to terminate uses of certain products containing the pesticide DCPA (or dacthal). The requests would terminate DCPA use in or on alfalfa, arracacha, artichokes (Chinese and Jerusalem), beans, bean yam, beets, chestnuts (soil treatment and nursery stock), chufa, citron melon, cotton, crabapples (soil treatment and nursery stock), cucumber,

edible canna, eggplant, garlic, ginger, kale, leren, peas, pepper, potatoes, residential uses (turf and ornamentals), squash (including pumpkin), sweet potatoes, tanier, turnips, walnuts (non-bearing and nursery stock), and yam. These requests would not terminate the last DCPA products registered for use in the U.S. EPA intends to grant these requests at the close of the comment period for this announcement unless the Agency receives substantive comments within the comment period that would merit its further review of the requests. Upon acceptance of these requests, any sale, distribution, or use of products listed in this notice will be permitted only if such sale, distribution, or use is consistent with the terms as described in the final order.

**DATES:** Comments, identified by docket ID number OPP-2005-0024, must be received on or before March 18, 2005.

**ADDRESSES:** Comments may be submitted electronically, by mail, or through hand delivery/courier. Follow the detailed instructions as provided in Unit I. of the **SUPPLEMENTARY INFORMATION**.

**FOR FURTHER INFORMATION CONTACT:** Jill Bloom, Special Review and Reregistration Division (7508C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 308-8019; fax number: (703) 308-8041; e-mail address: [bloom.jill@epa.gov](mailto:bloom.jill@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 an official public docket for this action under docket ID number OPP-2005-0024. The official public docket consists of the documents specifically referenced