

Any person other than the registrant may distribute, sell, and use existing stocks of any product listed in Table 1 or 2 that is labeled for use on apples, broccoli raab, cabbage, collards, fennel, grapes, head lettuce, lespedeza, spinach, tomatillo, and trefoil after the effective date of this cancellation/amendment order until such existing stocks are exhausted.

#### List of Subjects

Environmental protection, Pesticides and pests.

Dated: July 8, 2005.

#### Debra Edwards,

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

[FR Doc. 05-14070 Filed 7-19-05; 8:45 am]

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### ENVIRONMENTAL PROTECTION AGENCY

[OPP-2005-0173; FRL-7724-1]

#### Notice of Receipt of a Request for an Amendment to Delete a Use in a Certain Pesticide Registration

**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 an irrevocable request for an amendment by a registrant to delete a use in a certain pesticide registration. 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 amended to delete one or more uses. FIFRA further provides

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

**DATES:** EPA intends to approve the request for deletion of use on cats from EPA Registration Number 2596-151.

This request for amendment to delete a use is irrevocable. Therefore, the Agency will not consider a request for withdrawal.

**FOR FURTHER INFORMATION CONTACT:** Ann Sibold, Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 305-6502; e-mail address: [sibold.ann@epa.gov](mailto:sibold.ann@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. General Information

###### A. Does this Action Apply to Me?

This action is directed to the public in general. Although this action may be of particular interest to persons who produce or use pesticides, 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 information in this notice, 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-2005-0173. 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 submit or 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. What Action is the Agency Taking?

This notice announces receipt by the Agency of an irrevocable application from a registrant to delete a use in one pesticide registration. This registration is listed in Table 1, of this unit including registration number, product name, active ingredient, and specific use deleted:

TABLE 1.—REGISTRATION WITH REQUEST FOR AN AMENDMENT TO DELETE A USE IN A CERTAIN PESTICIDE REGISTRATION

EPA registration no.	Product name	Active ingredient	Delete from label
2596-151	Ref 119	Phenothrin	Use on cats and kittens

Table 2, of this unit includes the name and address of record for the registrant of the product listed in Table 1, of this unit.

TABLE 2.—REGISTRANT REQUESTING AN AMENDMENT TO DELETE A USE IN A CERTAIN PESTICIDE REGISTRATION

EPA company no.	Company name and address
The Hartz Mountain Corporation	400 Plaza Drive, Secaucus, NJ 07094-3688

##### III. 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 amended to delete one or more uses. The Act further provides that, before acting on the request, EPA must publish a notice of receipt of any such request in the **Federal Register** and provide for a 30-day period in which the public may

comment. Thereafter, the Administrator may approve such a request.

#### IV. Procedures for Withdrawal of Request

The request for deletion of use on cats and kittens is irrevocable. Therefore, the Agency will not consider requests for withdrawal.

#### V. Provisions for Disposition of Existing Stocks

The effective date of the amendment will be stated in the notice of amended registration and will be no earlier than October 31, 2005. The Agency has authorized the registrant to sell or distribute product under the previously approved labeling as follows: Products in the United States which have been packaged, labeled, and released for shipment prior to the effective date of the amendment may be sold or distributed by Hartz from its facilities until December 31, 2005, and may be sold, or distributed, by persons other than the registrant until March 31, 2006. After this date, products may not be distributed unless for the purposes of proper disposal or export. The Agency has provided restrictions on existing stocks because the Agency has identified potential risk concerns associated with this registration.

#### List of Subjects

Environmental protection, Pesticides and pests.

Dated: July 1, 2005.

**Lois Rossi,**

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

[FR Doc. 05-14066 Filed 7-19-05; 8:45 am]

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#### ENVIRONMENTAL PROTECTION AGENCY

[OPP-2005-0053; FRL-7702-7]

#### Fenbuconazole; Notice of Filing a Pesticide Petition to Establish a Tolerance for a Certain Pesticide Chemical in or on Food

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

**ACTION:** Notice.

**SUMMARY:** This notice announces the initial filing of a pesticide petition proposing the establishment of regulations for residues of a certain pesticide chemical in or on various food commodities.

**DATES:** Comments, identified by docket identification (ID) number OPP-2005-

0053, must be received on or before August 19, 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:

Tony Kish, Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 308-9443; e-mail address: [kish.tony@epa.gov](mailto:kish.tony@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. General Information

##### A. Does this Action Apply to Me?

You may be potentially affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. Potentially affected entities may include, but are not limited to:

- Crop production (NAICS 111)
- Animal production (NAICS 112)
- Food manufacturing (NAICS 311)
- Pesticide manufacturing (NAICS 32532)

This listing is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be affected by this action. Other types of entities not listed in this unit could also be affected. The North American Industrial Classification System (NAICS) codes have been provided to assist you and others in determining whether this action might apply to certain entities. 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-2005-0053. 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.

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Certain types of information will not be placed in the EPA Dockets. Information claimed as CBI and other information whose disclosure is restricted by statute, which is not included in the official public docket, will not be available for public viewing in EPA's electronic public docket. EPA's policy is that copyrighted material will not be placed in EPA's electronic public docket but will be available only in printed, paper form in the official public docket. To the extent feasible, publicly available docket materials will be made available in EPA's electronic public docket. When a document is selected from the index list in EPA Dockets, the system will identify whether the document is available for viewing in EPA's electronic public docket. 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. EPA intends to work towards providing electronic access to all of the publicly available docket materials through EPA's electronic public docket.

For public commenters, it is important to note that EPA's policy is that public comments, whether submitted electronically or on paper, will be made available for public viewing in EPA's electronic public docket as EPA receives them and without change, unless the comment contains copyrighted material, CBI, or other information whose disclosure is restricted by statute. When EPA identifies a comment containing copyrighted material, EPA will provide