

1,3-D was deemed eligible for reregistration in December 1998. The volatility of 1,3-D in the environment and results of metabolism studies in plants assure that there is no reasonable expectation of finite residues to be incurred in/on any raw agricultural commodities when end-use product formulations containing 1,3-D are applied according to label directions. Therefore, this fumigant does not require food tolerances.

EPA is providing an opportunity, through this notice, for interested parties to provide risk management proposals or otherwise comment on risk management for the soil fumigant group. A complete list of the mitigation options can be found in the following document, "Risk Mitigation Options to Address Bystander and Occupational Exposures from Soil Fumigant Applications," docket number EPA-HQ-OPP-2005-0124-0048. A Reader's Guide has been created to provide an organizational structure to the 1,3-D Docket, to allow readers to more easily access and navigate the various entries contained in the 1,3-D Docket, and to facilitate public comment. You will find this guide at EPA-HQ-OPP-2005-0124-0046. 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** on 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.

Although 1,3-D has undergone reregistration, the Agency plans to follow a similar public participation process for the human health revised risk assessment to ensure that the risk assessment approaches are consistent, and that risk management decisions for the five other soil fumigants consider the relative risks and benefits of each chemical. While the Agency does not anticipate making changes to the decisions made in the 1998 RED, if, at the conclusion of the soil fumigant assessment and risk management process, EPA determines that it is appropriate to modify its 1998 risk mitigation decision for 1,3-D considering the relative risks and benefits of others, EPA may relax certain measures or consider adding new ones.

All comments should be submitted using the methods in **ADDRESSES**, and must be received by EPA on or before the closing date. Comments and

proposals will become part of the Agency Docket for 1,3-D. Comments received after the close of the comment period will be marked "late" EPA is not required to consider these late comments.

#### *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."

1,3-D was deemed eligible for reregistration in December 1998. EPA has developed a revised human health risk assessment for 1,3-D to assess the proposed post-plant use in established vineyards, and also in order to make available current and accurate information on this pesticide which will be considered as EPA assesses risk and develops risk management decisions for the five other soil fumigants.

#### **List of Subjects**

Environmental protection, Pesticides and pests.

Dated: April 19, 2007.

**Peter Caulkins,**

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

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## **ENVIRONMENTAL PROTECTION AGENCY**

**[EPA-HQ-OPP-2007-0099; FRL-8126-4]**

### **Pesticide Products; Registration Applications**

**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:** Comments must be received on or before June 1, 2007.

**ADDRESSES:** Submit your comments, identified by docket identification (ID) number EPA-HQ-OPP-2007-0099, by one of the following methods:

<bullet> *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.

<bullet> *Mail:* Office of Pesticide Programs (OPP) Regulatory Public Docket (7502P), Environmental Protection Agency, 1200 Pennsylvania Avenue, NW, Washington, DC 20460-0001.

<bullet> *Delivery:* OPP Regulatory Public Docket (7502P), Environmental Protection Agency, Room S-4400, One Potomac Yard (South Bldg.), 2777 South Crystal Dr., Arlington, VA 22202-3553. Deliveries are only accepted during the Docket's normal hours of operation (8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays). Special arrangements should be made for deliveries of boxed information. The Docket telephone number is (703) 305-5805.

**Instructions:** Direct your comments to docket ID number EPA-HQ-OPP-2007-0099. EPA's policy is that all comments received will be included in the docket without change and may be made available on-line at <http://www.regulations.gov>, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through regulations.gov or e-mail. The Federal regulations.gov website is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through regulations.gov, your e-mail address will be automatically captured and included as part of the comment that is placed in the docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

**Docket:** All documents in the docket are listed in the docket index. Although listed in the index, some information is not publicly available, e.g., CBI or other information whose disclosure is restricted by statute. Certain other

material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. 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 OPP Regulatory Public Docket in Room S-4400, One Potomac Yard (South Bldg.), 2777 South Crystal Dr., Arlington, VA 22202-3553. 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 telephone number is (703) 305-5805.

**FOR FURTHER INFORMATION CONTACT:** Carmen Rodia, Registration Division (7505P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20460-0001; telephone number: (703) 306-0327; e-mail address: [rodia.carmen@epa.gov](mailto:rodia.carmen@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:

- <bullet> Crop production (NAICS code 111).
- <bullet> Animal production (NAICS code 112).
- <bullet> Food manufacturing (NAICS code 311).
- <bullet> Pesticide manufacturing (NAICS code 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. What Should I Consider as I Prepare My Comments for EPA?

1. *Submitting CBI.* Do not submit this information to EPA through regulations.gov or e-mail. Clearly mark the part or all of the information that you claim to be CBI. For CBI information in a disk or CD ROM that you mail to EPA, mark the outside of the disk or CD ROM as CBI and then identify electronically within the disk or

CD ROM the specific information that is claimed as CBI. In addition to one complete version of the comment that includes information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

2. *Tips for preparing your comments.* When submitting comments, remember to:

- i. Identify the document by docket ID number and other identifying information (subject heading, **Federal Register** date and page number).
- ii. Follow directions. The Agency may ask you to respond to specific questions or organize comments by referencing a Code of Federal Regulations (CFR) part or section number.
- iii. Explain why you agree or disagree; suggest alternatives and substitute language for your requested changes.
- iv. Describe any assumptions and provide any technical information and/or data that you used.
- v. If you estimate potential costs or burdens, explain how you arrived at your estimate in sufficient detail to allow for it to be reproduced.
- vi. Provide specific examples to illustrate your concerns and suggest alternatives.
- vii. Explain your views as clearly as possible, avoiding the use of profanity or personal threats.
- viii. Make sure to submit your comments by the comment period deadline identified.

##### II. Registration Applications

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.

###### Products Containing Active Ingredients not Included in any Previously Registered Products

1. *File Symbol:* 71711-EA. *Applicant:* Bayer CropScience, LP in c/o Nichino America, Inc., U.S. subsidiary of Nihon Nohyaku Co., Ltd., P.O. Box 12014, Research Triangle Park, NC 27709-2014. *Product Name:* Flubendiamide Technical. *Product type:* Insecticide. *Active Ingredient:* Flubendiamide. *Proposal Classification/Use:* For formulation into end-use products.

2. *File Symbol:* 264-RNEA. *Applicant:* Bayer CropScience, LP, P.O. Box 12014, Research Triangle Park, NC 27709-2014. *Product Name:* NNI-0001 24 WG

(SYNAPSE). *Product type:* Insecticide. *Active Ingredient:* Flubendiamide at 24%. *Proposal Classification/Use:* Insecticide for controlling lepidopterous insect pests on vegetables (*Brassica* (cole) leafy, fruiting, leafy (except *Brassica*) and *cucurbit*).

3. *File Symbol:* 264-RNEL. *Applicant:* Bayer CropScience. *Product Name:* NNI-0001 480 SC (BELT). *Product type:* Insecticide. *Active Ingredient:* Flubendiamide at 39%. *Proposal Classification/Use:* Insecticide for controlling lepidopterous insect pests on pome and stone fruit, nut trees, grapes, corn, cotton and tobacco.

#### List of Subjects

Environmental protection, Pesticides and pest.

Dated: April 19, 2007.

**Lois Rossi,**

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

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#### ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2006-0874; FRL-8126-9]

#### Chlorflurenol; 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 chlorflurenol. The Agency's risk assessments and other related documents also are available in the chlorflurenol docket. Chlorflurenol is an herbicide and a plant growth regulator registered for use in agricultural, commercial, and residential settings. Chlorflurenol has no food/feed uses and, therefore, has no tolerances associated with its use. EPA has reviewed chlorflurenol through the public participation process that the Agency uses to involve the public in developing pesticide reregistration decisions. Through these programs, EPA is ensuring that all pesticides meet current health and safety standards.

#### FOR FURTHER INFORMATION CONTACT:

Tracy L. Perry, Special Review and Reregistration Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 308-1028; fax number: (703) 308-8005; e-mail address: [perry.tracy@epa.gov](mailto:perry.tracy@epa.gov).