

and Cosmetic Act (FFDCA), 21 U.S.C. 346a, proposing the establishment or modification of regulations in 40 CFR part 174 or part 180 for residues of pesticide chemicals in or on various food commodities. EPA has determined that the pesticide petitions described in this notice contain the data or information prescribed in FFDCA section 408(d)(2); however, EPA has not fully evaluated the sufficiency of the submitted data at this time or whether the data support granting of the pesticide petitions. Additional data may be needed before EPA can make a final determination on these pesticide petitions.

Pursuant to 40 CFR 180.7(f), a summary of each of the petitions that is the subject of this notice, prepared by the petitioner, is included in a docket EPA has created for each rulemaking. The docket for each of the petitions is available on-line at <http://www.regulations.gov>.

As specified in FFDCA section 408(d)(3), (21 U.S.C. 346a(d)(3)), EPA is publishing notice of the petition so that the public has an opportunity to comment on this request for the establishment or modification of regulations for residues of pesticides in or on food commodities. Further information on the petition may be obtained through the petition summary referenced in this unit.

#### New Tolerance Exemptions

1. PP 7E7188. (EPA-HQ-OPP-2009-0407). Sellew and Associates LLC., 84 Shadybrook Lane, Carlisle, MA 01741, proposes to establish an exemption from the requirement of a tolerance for residues of the microbial pesticide, Trichoderma hamatum Isolate 382, in or on all food commodities. The petitioner believes no analytical method is needed because Sellew and Associates LLC., is proposing to establish an exemption from the requirement of a tolerance without numerical limitation. For this reason an analytical method for detecting and measuring levels of the pesticide residue is considered unnecessary. Contact: Ann Sibold, (703) 305-6502, [sibold.ann@epa.gov](mailto:sibold.ann@epa.gov).

2. PP 9F7558. (EPA-HQ-OPP-2009-0440). Technology Sciences Group Inc., 1150 18th St., NW., Suite 1000, Washington, DC 20036, acting on behalf of Biomor Israel Ltd., PO Box 81, Qatzrin 12900, ISRAEL, proposes to establish an exemption from the requirement of a tolerance for residues of the biochemical pesticide, Tea Tree Oil, in or on all food commodities. The petitioner believes no analytical method is needed because Biomor Israel Ltd., is proposing to establish an exemption

from the requirement of a tolerance without numerical limitation. For this reason an analytical method for detecting and measuring levels of the pesticide residue is considered unnecessary. Contact: Raderrio Wilkins, (703) 308-1259, [wilkins.raderrio@epa.gov](mailto:wilkins.raderrio@epa.gov).

#### List of Subjects

Environmental protection, Agricultural commodities, Feed additives, Food additives, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: July 15, 2009.

**W. Michael McDavit,**

*Acting Director, Biopesticides and Pollution Prevention Division, Office of Pesticide Programs.*

[FR Doc. E9-17401 Filed 7-21-09; 8:45 am]

**BILLING CODE 6560-50-S**

#### ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2009-0365; FRL-8425-4]

#### Azinphos-methyl; Notice of Receipt of Request for Label Amendments

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

**ACTION:** Notice.

**SUMMARY:** EPA is seeking public comment on a June 18, 2009 request by azinphos-methyl (AZM) registrants to amend their registrations to change the rate reductions outlined in the November 16, 2006 final decision for some of the remaining uses of AZM, and to extend the use of aerial application on blueberries in Michigan through the end of the AZM phase out in 2012. On November 16, 2006, EPA issued a final decision to phase out all uses of AZM not later than September 30, 2012 and to require certain interim risk mitigation measures through label changes. Risk mitigation measures in the final decision include buffer zones around water bodies and occupied structures, application rate reductions, and stewardship programs. The request by the registrants is a request to change some of the rate reductions and certain application practices that have been required through the end of the AZM phaseout; the registrants have not requested to extend the use of AZM beyond the September 30, 2012 cancellation date for the remaining uses of AZM.

**DATES:** Comments must be received on or before September 21, 2009.

**ADDRESSES:** Submit your comments identified by the docket identification

(ID) number EPA-HQ-OPP-2009-0365, by one of the following methods:

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

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

- **Delivery:** OPP Regulatory Public Docket (7502P), Environmental Protection Agency, Rm. S-4400, One Potomac Yard (South Bldg.), 2777 S. Crystal Dr., Arlington, VA. Deliveries are only accepted during the Docket Facility'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 Facility telephone number is (703) 305-5805.

**Instructions:** Direct your comments to the docket ID number EPA-HQ-OPP-2009-0365. 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 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 available at <http://www.regulations.gov>. 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 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.

**FOR FURTHER INFORMATION CONTACT:** Tom Myers, Chemical Review Manager, Special Review and Reregistration Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 308-8589; fax number: (703) 308-7070; e-mail address: [myers.tom@epa.gov](mailto: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, farm worker, 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. 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. Background on the Receipt of Requests for AZM Label Amendments

AZM is an organophosphate insecticide that was first registered in the United States in 1959. On November 16, 2006, EPA issued a determination that due to farm worker and ecological risks all remaining uses of AZM will be phased out by 2012. The AZM registrants, at the request of EPA, submitted registration amendment and voluntary cancellation requests to terminate certain uses in 2007 and 2009 and cancel all remaining AZM product registrations in 2012, subject to certain terms and conditions. A cancellation order for the remaining uses of AZM was published in the **Federal Register** on February 20, 2008 (73 FR 9328) (FRL-8349-8). A correction of typographical errors in the February 20, 2008 **Federal Register** notice was issued on March 26, 2008 (73 FR 16006) (FRL-8355-1). Subject to the terms and conditions described in Unit II. of the February 20, 2008 notice, the AZM product registrations were cancelled and amended as follows: Use of AZM products on Brussels sprouts and nursery stock was prohibited as of September 30, 2008. Use of AZM products on walnuts, almonds, and pistachios is prohibited effective October 30, 2009. All AZM products

currently held by registrants are cancelled effective September 30, 2012 (ending use on apples/crabapples, blueberries, cherries, pears, and parsley). In addition to the aforementioned use deletions and product cancellations, the use of AZM was increasingly limited during the phase out period through application rate reductions and other label restrictions, including buffer zones around water bodies and occupied structures. The application rate reductions required in the AZM Final Decision document are located in Table 1.

TABLE 1.—RATE REDUCTIONS REQUIRED IN THE AZM FINAL DECISION DOCUMENT, DATED NOVEMBER 16, 2006.

Crop	Year	Rate
Apples, Crabapples	2007	4.0 lbs ai/A per year
	2008, 2009	3.0 lbs ai/A per year
	2010	2.0 lbs ai/A per year
	2011, 2012	1.5 lbs ai/A per year
Pears	2007, 2008	3.0 lbs ai/A per year
	2009, 2010	2.0 lbs ai/A per year
	2011, 2012	1.5 lbs ai/A per year
Cherries	2007, 2008, 2009	1.5 lbs ai/A per year
	2010, 2011, 2012	0.75 lbs ai/A per year
Blueberries	2007	1.5 lbs ai/A per year
	2008, 2009	1.25 lbs ai/A per year
	2010, 2011, 2012	0.75 lbs ai/A per year
	After September 30, 2009 aerial application on blueberries is prohibited.	

The additional label changes required are described in the document “Final Decisions for the Remaining Uses of Azinphos-methyl, US EPA, November 16, 2006,” located in docket EPA-HQ-OPP-2005-0061.

### III. What Action is the Agency Taking?

This notice announces receipt by EPA of a request from registrants to amend registrations to alter the rate reductions outlined in the November 16, 2006 Final Decision for the Remaining Uses of AZM, and to extend the use of aerial application on blueberries in Michigan through the end of the AZM phase out. The registrants have requested that for apples/crabapples, blueberries, cherries, and pears that growers be allowed to use higher applications rates than originally required in the Final Decision document of November 16, 2006. Additionally, registrants have requested that the aerial use of AZM on blueberries, currently scheduled to be prohibited starting January 1, 2010, be allowed through the end of the phaseout (September 30, 2012). The request by the registrants would change some of the rate reductions and certain application practices that have been required through the end of the AZM phaseout; the registrants have not requested to extend use of AZM beyond the September 30, 2012 cancellation date for the remaining uses of AZM. The changes requested by the registrants are listed in the Table 2.

**TABLE 2.—REQUESTED AZM LABEL CHANGES AS DESCRIBED IN THE JUNE 18, 2009 REGISTRANT SUBMISSION**

Crop	Year	Rate
Apples, Crabapples	2010, 2011, 2012	2.0 lbs ai/A per year
Pears	2010, 2011, 2012	2.0 lbs ai/A per year
Cherries	2010, 2011, 2012	1.5 lbs ai/A per year
Blueberries	2010, 2011, 2012	1.0 lbs ai/A per year
Maintain aerial application on blueberries through September 30, 2012.		

The Agency is requesting comment on the registrant submission to amend registrations. The registrant request letter is in the docket for comment, along with an EPA-produced document with considerations for commenters on the registrant request. The Agency welcomes comments from all stakeholders, as well as any new information on human health or environmental risks not previously considered.

### List of Subjects

Environmental protection, Pesticides and pests, Azinphos-methyl.

Dated: July 15, 2009.

**Richard P. Keigwin, Jr.,**  
*Director, Special Review and Reregistration Division, Office of Pesticide Programs.*

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### ENVIRONMENTAL PROTECTION AGENCY

**[EPA-HQ-OPP-2009-0503; FRL-8427-2]**

#### 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 their registrations of products containing the pesticides disulfoton and methamidophos. The requests would terminate the last disulfoton and methamidophos products registered for use in the United States. 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, or unless the registrants withdraw their requests within this period. 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 must be received on or before August 21, 2009.

**ADDRESSES:** Submit your comments, identified by docket identification (ID) number: Disulfoton – EPA-HQ-OPP-2009-0054; Methamidophos – EPA-HQ-OPP-2008-0842, by one of the following methods:

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

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

- *Delivery:* OPP Regulatory Public Docket (7502P), Environmental Protection Agency, Rm. S-4400, One Potomac Yard (South Bldg.), 2777 S. Crystal Dr., Arlington, VA. The hours of operation of this Docket

Crystal Dr., Arlington, VA. Deliveries are only accepted during the Docket Facility'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 Facility telephone number is (703) 305-5805.

**Instructions:** Direct your comments to docket ID number EPA-HQ-OPP-2009-0054 for disulfoton and to docket ID number EPA-HQ-OPP-2009-0842 for methamidophos. 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 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 available at <http://www.regulations.gov>. 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 Rm. S-4400, One Potomac Yard (South Bldg.), 2777 S. Crystal Dr., Arlington, VA. The hours of operation of this Docket