

docket materials are available either in the electronic docket at <http://www.regulations.gov>, or, if only available in hard copy, at the Office of Pesticide Programs (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.

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/fedrgrstr>.

## II. Background

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

In accordance with 40 CFR 155.58(c), this notice announces the availability of EPA's final registration review decision for *Pseudomonas syringae*, case 6007. The Registration Review Case for *Pseudomonas syringae* was composed of the following Active Ingredients:

*Pseudomonas syringae* strains ESC-10 and ESC-11 (PC Codes 006441 and 006451) are microbial pesticides that are used to control various molds and rots on harvested apples, cherries, pears, lemons, oranges, grapefruit, potatoes, and sweet potatoes.

*Pseudomonas syringae* strain 742RS (PC Code 006411) is a microbial pesticide that is used to prevent or reduce the growth of frost-forming bacteria on leaves and blossoms of almonds, apples, peaches, pears, tomatoes, cherries, potatoes and strawberries:

EPA has deleted the *Pseudomonas syringae* strain 742RS from the registration case pursuant to 40 CFR 155.42(b)(5) because all registrations of all products containing that active ingredient are cancelled. The registrant submitted a voluntary cancellation request for all products containing strain 742RS on April 7, 2008. These proposed voluntary cancellations were published (73 FR 53007, September 12, 2008 FRL-8380-7. No comments were received to support *Pseudomonas syringae* strain 742RS products, and they were cancelled on March 12, 2009.

The exemption from the requirement of a tolerance for residues of *Pseudomonas syringae* strain 742RS in or on all raw agricultural commodities when applied as a frost protection agent or biological control agent to growing agricultural crops in accordance with good agricultural practices that is listed in 40 CFR 180.1114 was reassessed on June 3, 2002 and it was determined that

it meets the FQPA 1996 safety standard. The Agency will take separate action to propose revision of any affected exemptions from the requirement of a tolerance for *Pseudomonas syringae* strain 742RS that are not supported for import use only.

In accordance with 40 CFR 155.57, a registration review decision is the Agency's determination whether a pesticide meets, or does not meet, the standard for registration in FIFRA. EPA has considered *Pseudomonas syringae* in light of the FIFRA standard for registration. The *Pseudomonas syringae* Final Decision document in the docket describes the Agency's rationale for issuing a registration review final decision for this pesticide.

In addition to the final registration review decision document, the registration review docket for *Pseudomonas syringae* also includes other relevant documents related to the registration review of this case. The proposed registration review decision was posted to the docket and the public was invited to submit any comments or new information. During the 60-day comment period, no public comments were received.

In accordance with 40 CFR 155.58(c), the registration review case docket for *Pseudomonas syringae* will remain open until all actions required in the final decision have been completed.

Background on the registration review program is provided at: [http://www.epa.gov/oppsrrd1/registration\\_review](http://www.epa.gov/oppsrrd1/registration_review). Links to earlier documents related to the registration review of this pesticide are provided at: [http://www.epa.gov/oppsrrd1/registration\\_review/pseudomonas\\_syringae/index.htm](http://www.epa.gov/oppsrrd1/registration_review/pseudomonas_syringae/index.htm).

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

Section 3(g) of FIFRA and 40 CFR part 155, subpart C, provide authority for this action.

### List of Subjects

Environmental protection, Pesticides and pests, Registration review.

Dated: September 17, 2009.

**Keith A. Matthews,**

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

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**BILLING CODE 6560-50-S**

## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2007-0567; FRL-8435-3]

### ***Pseudomonas fluorescens*; Registration Review Final Decision; Notice of Availability**

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

**ACTION:** Notice.

**SUMMARY:** This notice announces the availability of EPA's final registration review decision for the pesticide *Pseudomonas fluorescens*, case 6006. Registration review is EPA's periodic review of pesticide registrations to ensure that each pesticide continues to satisfy the statutory standard for registration, that is, that the pesticide can perform its intended function without causing unreasonable adverse effects on human health or the environment. Through this program, EPA is ensuring that each pesticide's registration is based on current scientific and other knowledge, including its effects on human health and the environment.

**FOR FURTHER INFORMATION CONTACT:** For pesticide-specific information, contact: Susanne Cerrelli, Biopesticides and Pollution Prevention Division (7511P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 308-8077; fax number: (703) 308-7026; e-mail address: [cerrelli.susanne@epa.gov](mailto:cerrelli.susanne@epa.gov).

For general information on the registration review program, contact: Kevin Costello, Special Review and Reregistration Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 305-5026; fax number: (703) 308-8090; e-mail address: [costello.kevin@epa.gov](mailto:costello.kevin@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 pesticide-specific contact 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 a docket for this action under docket identification (ID) number EPA-HQ-OPP-2007-0567. 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 Office of Pesticide Programs (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.

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>.

## II. Background

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

In accordance with 40 CFR 155.58(c), this notice announces the availability of EPA's final registration review decision for *Pseudomonas fluorescens*, case 6006. The Registration Review Case for *Pseudomonas fluorescens* was composed of the following active ingredients:

*Pseudomonas fluorescens* strain A506 (PC Code 006438) is a microbial pesticide that is used to prevent or reduce the growth of frost-forming bacteria on leaves and blossoms of almonds, apples, peaches, pears, tomatoes, cherries, grapes potatoes and strawberries. When *Pseudomonas fluorescens* is used with antibiotic pesticide products in accordance with labeling instructions, it can help improve control of fire blight and discoloration on pear and apple crops; and bunch rot in grapes caused by *Acetobacter* bacteria when used in combination with *Aspergillus niger* and *Botrytis cinerea*.

*Pseudomonas fluorescens* strain 1629RS (PC Code 006439) is a microbial pesticide that is used to prevent or reduce the growth of frost-forming bacteria on leaves and blossoms of almonds, apples, peaches, pears, tomatoes, cherries, grapes potatoes and strawberries. EPA has deleted the *Pseudomonas fluorescens* strain 1629RS from the registration review case in

accordance with 40 CFR 155.42(b)(5) because all registrations of products containing that active ingredient have been canceled. The registrant submitted a voluntary cancellation request for all products containing strain 1629RS on April 7, 2008. These proposed voluntary cancellations were published September 12, 2008, (73 FR 53007) (FRL-8380-7). No comments were received to support these *Pseudomonas fluorescens* strain 1629RS products, and they were canceled on March 12, 2009.

The exemption from the requirement of a tolerance for residues of *Pseudomonas fluorescens* strains A506 and 1629RS in or on all raw agricultural commodities when applied as a frost protection agent or biological control agent to growing agricultural crops in accordance with good agricultural practices that is listed in 40 CFR 180.1114 was reassessed on June 3, 2002, and it was determined that it meets the FQPA 1996 safety standard. The Agency will take separate actions to propose revision of any affected exemptions from the requirement of a tolerance for *Pseudomonas fluorescens* strain 1629RS that are not supported for import use only.

In accordance with 40 CFR 155.57, a registration review decision is the Agency's determination whether a pesticide meets, or does not meet, the standard for registration in FIFRA. EPA has considered *Pseudomonas fluorescens* in light of the FIFRA standard for registration. The *Pseudomonas fluorescens* final decision document in the docket describes the Agency's rationale for issuing a registration review final decision for this pesticide.

In addition to the final registration review decision document, the registration review docket for *Pseudomonas fluorescens* also includes other relevant documents related to the registration review of this case. The proposed registration review decision was posted to the docket and the public was invited to submit any comments or new information. During the 60-day comment period, no public comments were received.

In accordance with 40 CFR 155.58(c), the registration review case docket for *Pseudomonas fluorescens* will remain open until all actions required in the final decision have been completed.

Background on the registration review program is provided at: [http://www.epa.gov/oppsrd1/registration\\_review](http://www.epa.gov/oppsrd1/registration_review). Links to earlier documents related to the registration review of this pesticide are provided at: <http://www.epa.gov/oppsrd1/>

[registration\\_review/pseudomonas\\_fluorescens/index.htm](http://www.epa.gov/oppsrd1/registration_review/pseudomonas_fluorescens/index.htm).

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

Section 3(g) of FIFRA and 40 CFR part 155, subpart C, provide authority for this action.

### List of Subjects

Environmental protection, Registration review, Pesticides and pests, *Pseudomonas fluorescens*.

Dated: September 17, 2009.

**Keith A. Matthews,**

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

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## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2009-0095; FRL-8435-4]

### Registration Review; New Biopesticides Dockets Opened for Review and Comment

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

**ACTION:** Notice.

**SUMMARY:** EPA has established registration review dockets for the pesticides listed in the table in Unit III.A. With this document, EPA is opening the public comment period for these registration reviews. Registration review is EPA's periodic review of pesticide registrations to ensure that each pesticide continues to satisfy the statutory standard for registration, that is, the pesticide can perform its intended function without unreasonable adverse effects on human health or the environment. Registration review dockets contain information that will assist the public in understanding the types of information and issues that the Agency may consider during the course of registration reviews. Through this program, EPA is ensuring that each pesticide's registration is based on current scientific and other knowledge, including its effects on human health and the environment.

**DATES:** Comments must be received on or before November 30, 2009.

**ADDRESSES:** Submit your comments identified by the docket identification (ID) number for the specific pesticide of interest provided in the table in Unit III.A., by one of the following methods:

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