

TABLE 1.—PRODUCT CANCELLATIONS AND REGISTRANT OF THE CANCELLED PRODUCTS

EPA Registration Number	Product Name	EPA Company Number	Company Name and Address
524–528	Corn Event MON 863	524	Monsanto Company, 800 North Lindbergh Blvd., St. Louis, MO 63167
524–545	MON 863 x MON 810	524	Monsanto Company, 800 North Lindbergh Blvd., St. Louis, MO 63167

### III. Cancellation Order

The Agency considers the expiration of a conditional, time-limited registration to be a cancellation under FIFRA section 3. This notice, therefore, serves as a cancellation order issued under FIFRA section 3 for the product registrations identified in Table 1 of Unit II. Under this order, and consistent with the expiration date referenced in the **SUMMARY**, the product registrations identified in Table 1 of Unit II. are hereby cancelled effective September 30, 2010. After September 30, 2010, all sales of Corn Event MON 863 and MON 863 x MON 810 seed are prohibited, except as described in Unit IV. regarding existing stocks. Any distribution, sale, or use of the products identified in Table 1 of Unit II. in a manner inconsistent with this order, including the Provisions for Disposition of Existing Stocks set forth in Unit IV., will be considered a violation of FIFRA section 12(a)(2)(K) and/or section 12(a)(1)(A).

### IV. Provisions for Disposition of Existing Stocks

Under FIFRA section 6(a)(1), EPA may permit the continued sale and use of existing stocks of a pesticide whose registration has been cancelled. For purposes of this order, “existing stocks” is defined, pursuant to EPA’s existing stocks policy published in the **Federal Register** issued on June 26, 1991 (56 FR 29362), as those stocks of registered pesticide products which are currently in the United States and which were packaged, labeled, and released for shipment (defined under 40 CFR 152.3) prior to the effective date of the cancellation action. The effective date of these cancellations is September 30, 2010. Pursuant to section 6(a)(1) of FIFRA, this cancellation order that is the subject of this notice includes the following existing stock provisions:

1. Prior to seed shipment through July 1, 2011, Monsanto Company (Monsanto) and persons licensed by Monsanto to produce, use, or distribute MON 863-containing seed may apply seed treatment to, and test for germination in order to comply with Federal and State

laws, that seed which has been sold to growers for planting by July 1, 2011.

2. Monsanto and persons licensed by Monsanto to produce, use, or distribute MON 863-containing seed may sell or distribute existing stocks of Corn Event MON 863 and MON 863 x MON 810 seed through July 1, 2011, for planting by July 1, 2011.

3. Existing stocks of Corn Event MON 863 and MON 863 x MON 810 seed can only be planted by July 1, 2011, for the production of a corn crop.

4. An adequate amount of refuge seed must be commercially available to growers to ensure the planting of appropriate corn rootworm and corn borer refuges that are consistent with the previously existing terms and conditions of the Corn Event MON 863 and MON 863 x MON 810 registrations.

5. Monsanto Insect Resistant Management (IRM)/Grower Guides will contain IRM compliance and refuge requirements that are consistent with IRM/Grower Guides required under the previously existing terms and conditions of the Corn Event MON 863 and MON 863 x MON 810 registrations.

6. Any remaining inventory of Corn Event MON 863 and MON 863 x MON 810 seed that has not been sold, distributed, or used by July 1, 2011, will be handled in accordance with legal and regulatory requirements (non-treated seed can be sold as grain, and treated seed must be disposed of properly).

7. Monsanto shall report the following to the Agency:

a. Insect Resistance Management compliance communication and assessment will be reported via the Agricultural Biotechnology Stewardship Technical Committee (ABSTC) Compliance Assurance Program (CAP) in January 2011 for any 2010 planting and in January 2012 for any 2011 planting.

b. Monsanto will submit a Grower Point of Sale (GPOS) Report to EPA in January 2011 for any 2010 sales and in January 2012 for any 2011 sales.

c. Monsanto will submit a Pesticide Use Report to EPA by December 15, 2010, and by December 15, 2011.

d. For the Cry3Bb1 and/or Cry1Ab proteins expressed in Corn Event MON

863 and MON 863 x MON 810, Monsanto will submit results of monitoring and investigations of damage reports in August 2011 for any 2010 planting and in August 2012 for any 2011 planting.

### List of Subjects

Environmental protection, Pesticides and pests.

Dated: August 19, 2010.

**W. Michael McDavit,**

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

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### ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OPP–2010–0306; FRL–8838–8]

### Resmethrin; 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 the registrants to voluntarily cancel all remaining registrations of products containing the pesticide resmethrin. The requests would terminate all resmethrin 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. If these requests are granted, any sale, distribution, or use of products listed in this notice will be permitted after the registration has been canceled only if such sale, distribution, or use is consistent with the terms as described in the final order. Resmethrin users or anyone else that desires the retention of

a resmethrin registration should contact the applicable registrants during the comment period.

**DATES:** Comments must be received on or before February 22, 2011.

**ADDRESSES:** Submit your comments, identified by docket identification (ID) number EPA-HQ-OPP-2010-0306, 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 docket ID number EPA-HQ-OPP-2010-0306. 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](http://www.regulations.gov) or e-mail. The [regulations.gov](http://www.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](http://www.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:** Bonnie Adler, Pesticide Re-evaluation Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 308-8523; fax number: (703) 308-7070; e-mail address: [adler.bonnie@epa.gov](mailto:adler.bonnie@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. What Should I Consider as I Prepare My Comments for EPA?*

1. *Submitting CBI.* Do not submit this information to EPA through [regulations.gov](http://www.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 to Cancel Registrations**

This notice announces receipt by EPA of requests from registrants to cancel all resmethrin product registrations. Resmethrin is a member of the pyrethroid class of pesticides. It is used to control a broad spectrum of flying and crawling insects in residential, commercial and industrial settings as well as in animal living areas. It is used as a crack and crevice spray and enclosed space fog in food handling establishments. There are no agricultural uses registered for resmethrin.

The registrants have requested voluntary cancellation of these resmethrin containing products due to the pending cancellation of the technical product. The 2006 Resmethrin Reregistration Eligibility Decision (RED), coupled with the costs to satisfy the recently issued Endocrine Disrupter Screening Program (EDSP) testing orders are not justified by the market opportunity in the vector control business segment or other uses for

resmethrin. In addition, registrants may not formulate their products, as the technical producer of resmethrin has requested a voluntary cancellation of their technical registration. Resmethrin users or anyone else that desires the

retention of a resmethrin registration should contact the applicable registrants during the comment period. The data required to support a resmethrin product are identified in Table 1. In addition, the generic data requirements

for resmethrin, which are listed in the **Federal Register** of May 19, 2010 (75 FR 28019) (FRL-8825-7), would also be required.

TABLE 1.—DATA REQUIRED TO SUPPORT ALL END USE PRODUCTS OF RESMETHRIN

2006 Resmethrin RED Data Call-In	
830.1550	Product Identity and Composition
830.1600	Description of Materials Used to Produce the Product
830.1620	Description of Production Process
830.1650	Description of Formulation Process
830.1670	Discussion of Formation Impurities
830.1700	Preliminary Analysis
830.1750	Certified Limits
830.1800	Enforcement Analytical Method
830.6302	Color
830.6303	Physical State
830.6304	Odor
830.6313	Stability to Sunlight, Normal & Elevated Temperatures, Metals & Metal Ions
830.6314	Oxidation/Reduction: Chemical Incompatibility
830.6315	Flammability/Flame Extension
830.6316	Explosibility
830.6317	Storage Stability of Product
830.6319	Miscibility
830.6320	Corrosion Characteristics
830.6321	Dielectric Breakdown Voltage
830.7000	pH of Water Solution or Suspensions
830.7050	UV/Visible Absorption
830.7100	Viscosity
830.7200	Melting Point/Melting Range (only required if product is a solid)
830.7220	Boiling Point/Boiling Range (only required if product is a liquid)
830.7300	Density/Relative Density
830.7370	Dissociation Constants in Water
830.7520	Particle Size, Fiber Length and Diameter Distribution
830.7550	Partition Coefficient (N-octanol/water), Shake Flask Method
830.7560	Partition Coefficient (N-octanol/water), Generator Column Method
830.7570	Partition Coefficient (N-octanol/water), Estimation by Liquid Chromatography
830.7840	Water Solubility: Column Elution Method or Shake Flask Method (solubility)

TABLE 1.—DATA REQUIRED TO SUPPORT ALL END USE PRODUCTS OF RESMETHRIN—Continued

830.7860	Water Solubility: Generator Column Method (solubility)
830.7950	Vapor Pressure
870.1100	Acute Oral Toxicity
870.1200	Acute Dermal Toxicity
870.1300	Acute Inhalation Toxicity
870.2400	Acute Eye Irritation
870.2500	Acute Dermal Irritation
870.2600	Skin Sensitization
810.3100	Soil Treatments for Imported Fire Ants
810.3200	Livestock, Poultry, Fur- and Wool-Bearing Animal Treatments
810.3300	Treatments to Control Pests to Humans and Pets
810.3400	Mosquito, Black Fly and Biting Midge (Sand Fly) Treatments
810.3500	Premise Treatments
SS-1	Special Study for Arthropods

In letters received by the Agency, the registrants requested EPA to cancel all pesticide product registrations identified in this notice in Table 2. Specifically, the registrants have requested voluntary cancellation of all remaining products containing resmethrin. This action would terminate the use of resmethrin products

registered in the United States including its use as a wide area mosquito abatement insecticide.

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

This notice announces receipt by EPA of requests from registrants to cancel all remaining registrations of products containing the pesticide resmethrin. The

affected products and the registrants making the requests are identified in Tables 2 and 3 of this unit.

Unless a request is withdrawn by the registrant or if the Agency determines that there are substantive comments that warrant further review of this request, EPA intends to issue an order canceling the affected registrations.

TABLE 2.—RESMETHRIN PRODUCT REGISTRATIONS WITH PENDING REQUESTS FOR CANCELLATION

Registration Number	Product Name	Chemical
000004-00312	Houseplant Helper	Resmethrin
000004-00337	Bonide Insect Fog	Resmethrin
000004-00373	Bonide Flying and Crawling Insect Spray	Resmethrin Piperonyl Butoxide Pyrethrins
000004-00418	Bonide Pressurized Spray Insecticide 0.25%	Resmethrin
000239-02476	Othro Systemic Rose & Floral Spray	Resmethrin Acephate Triforine
000419-00178	Burgess Insect Frog Fogging Insecticide with Pyrethroid	Resmethrin
000432-00555	SBP-1382 Insecticide 4.22 MF Solvent Dilutable Concentrate Formula I	Resmethrin
000432-00595	SBP-1382 Insecticide Concentrate 40% Formula I	Resmethrin
000432-00596	SBP-1382 Insecticide 40 MF Solvent Dilutable Concentrate Formula I	Resmethrin
000432-00634	Respond with SBP-1382 Liquid Insecticide Spray 0.5% Formula III	Resmethrin
000432-00635	SBP-1382 3% Multipurpose Spray	Resmethrin

TABLE 2.—RESMETHRIN PRODUCT REGISTRATIONS WITH PENDING REQUESTS FOR CANCELLATION—Continued

Registration Number	Product Name	Chemical
000432-00667	SCOURGE Insecticide W/ SBP-1382/ Piperonyl Butoxide 18% + 54% MF FORM.II	Resmethrin Piperonyl Butoxide
000432-00716	SCOURGE Insecticide with SPB-1382/ Piperonyl Butoxide 4% + 12% MF FII	Resmethrin Piperonyl Butoxide
000432-00719	SCOURGE Insecticide with SPB-1382/PBO 1.5 + 4.5% Formula II	Resmethrin Piperonyl Butoxide
000432-01097	SYNTHRIN 40% Mosquito Formulation	Resmethrin
000432-01100	PY-SY Concentrate Resmethrin	Resmethrin Pyrethrins
000432-01135	Synthrin .5% Liquid	Resmethrin
000432-01140	Synthrin Plus Pyrenone 415 M.A.G.C.	Resmethrin Piperonyl Butoxide Pyrethrins
000432-01167	Turbicide Pest Control System with Synthrin Butacide	Resmethrin Piperonyl Butoxide
000432-01246	Aqua-Scourge	Resmethrin Piperonyl Butoxide
000498-00116	Chase-MM Flying Insect Killer Formula 2	Resmethrin d-trans-Chrysanthemum monocarboxylic ester of dl-2-allyl-4-hydroxy-3-methyl-2-cyclo- penten-1-one
000498-00117	Chase -MM House and Garden Insect Killer Formula 3	Resmethrin d-trans-Chrysanthemum monocarboxylic ester of dl-2-allyl-4-hydroxy-3-methyl-2-cyclo- penten-1-one
000498-00142	Spray PAK Flea and Tick Killer for Cats & Dogs with Deodorant	Resmethrin
000655-00778	PRENTOX Resmethrin 3%	Resmethrin
000655-00779	PRENTOX Resmethrin 0.5% RTU	Resmethrin
000655-00787	PRENTOX Resmenthin EC3	Resmethrin
001543-00008	Absorbine Supershield II Fly Repellent	Resmethrin Butoxypolypropylene glycol
001543-00009	Absorbine Concentrated Fly Repellent	Resmethrin Butoxypolypropylene glycol
002724-00527	SPEER Home and Garden Pressurized Spray	Resmethrin d-trans-Chrysanthemum monocarboxylic ester of dl-2-allyl-4-hydroxy-3-methyl-2-cyclo- penten-1-one
003862-00080	TERMINATOR	Resmethrin
005481-00154	SBP-1382 - 2 E. C.	Resmethrin
007056-00180	CSA Aerosol Insecticide Formula Seven	Resmethrin
008536-00031	Premium Grade Card-O-SectT #25	Resmethrin
008536-00032	NE-1 Insecticide	Resmethrin
008536-00034	Cardinal 3% ULV Insecticide	Resmethrin
028293-00095	Unicorn Thermfog RTU	Resmethrin
028293-00100	Unicorn Wasp & Hornet Killer	Resmethrin

TABLE 2.—RESMETHRIN PRODUCT REGISTRATIONS WITH PENDING REQUESTS FOR CANCELLATION—Continued

Registration Number	Product Name	Chemical
028293-00107	Unicorn Liquid Insect Killer No. 2	Resmethrin
028293-00152	Unicorn Flea & Tick Spray IV	Resmethrin d-trans-Chrysanthemum monocarboxylic ester of dl-2-allyl-4-hydroxy-3-methyl-2-cyclo- penten-1-one
040391-00004	Resmethrin Insect Spray	Resmethrin
040391-00005	AUTO FOG-5	Resmethrin
040391-00011	AUTO FOG-10	Resmethrin
040391-00012	AUTO FOG-30	Resmethrin
044446-00008	Duel Flying & Crawling Insect Killer	Resmethrin
044446-00019	HAWK Thermfog	Resmethrin
045385-00027	Fogging Insecticide	Resmethrin
045385-00078	CENOL Mill Spray with SBP-1382	Resmethrin
045385-00080	CENOL Kill Quick 2% Emulsifiable Con- centrate	Resmethrin
045385-00081	CENOL Liquid House Plant Insecticide	Resmethrin Piperonyl Butoxide Pyrethrins
046579-00002	Resmethrin 5 Contact and Space Spray	Resmethrin
046579-00009	Resmethrin 1 Contact and Space Spray	Resmethrin
046579-00010	Resmethrin ULV 3-9 Multipurpose Spray	Resmethrin Piperonyl Butoxide
046579-00011	Resmethrin 5-1.5 Contact and Space Spray	Resmethrin Piperonyl Butoxide
046579-00012	Resmethrin ULV 3 Multipurpose Spray	Resmethrin
046813-00061	Wasp & Hornet Killer II	Resmethrin
047000-00079	Flyers Insecticide	Resmethrin d-trans-Chrysanthemum monocarboxylic ester of dl-2-allyl-4-hydroxy-3-methyl-2-cyclo- penten-1-one
047000-00083	Freez-Kill	Resmethrin
047000-00099	Flyer's Insecticide	Resmethrin d-trans-Chrysanthemum monocarboxylic ester of dl-2-allyl-4-hydroxy-3-methyl-2-cyclo- penten-1-one
047000-00132	Wasp & Hornet Insect Bomb	Resmethrin
048668-00004	PPP Flea and Tick Shampoo	Resmethrin
048668-00005	PPP Flea & Tick Spray	Resmethrin
053883-00147	Commercial Fogging Spray	Resmethrin
067517-00013	Space Mist Insecticide	Resmethrin
073049-00078	SBP-1382 Concentrate 40	Resmethrin
073049-00079	SBP-1382 Insecticide Concentrate 15%	Resmethrin
073049-00080	SBP-1382 Pressurized Wasp & Hornet Spray 0.15%	Resmethrin

TABLE 2.—RESMETHRIN PRODUCT REGISTRATIONS WITH PENDING REQUESTS FOR CANCELLATION—Continued

Registration Number	Product Name	Chemical
073049-00081	SBP-1382 Aqueous Pressurized Spray Insecticide 0.50%	Resmethrin
073049-00082	SBP-1382 Insecticide Aqueous Pressurized Spray 0.25%	Resmethrin
073049-00083	SBP-1382 Insecticide Aqueous Pressurized 0.35% for House & Garden	Resmethrin
073049-00084	Your Brand SBP-1382 Insecticide Spray 0.10	Resmethrin
073049-00085	SBP-1382/Bioallethrin Aqueous Pressurized Spray	Resmethrin d-trans-Chrysanthemum monocarboxylic ester of dl-2-allyl-4-hydroxy-3-methyl-2-cyclopenten-1-one
073049-00086	SBP-1382 Technical with Antioxidant	Resmethrin
073049-00087	SBP-1382 Bioallethrin Insecticide Conc. 10% - 7.5% FORMULA I	Resmethrin
073049-00088	SBP-1382 Aqueous Press Spray Insect. 0.25/ House & Garden	Resmethrin
073049-00089	SBP - 1382 Yard and Patio Outdoor Fogger	Resmethrin
073049-00090	SBP-1382 Oil Base Insecticide 0-20%	Resmethrin
073049-00091	Bioresmethrin Liquid Insecticide Spray 0.25% Formula I	Resmethrin
073049-00092	Your Brand SBP-1382/Bioallethrin (.20% + .125%) Aqueous Press. Spray for H&G	Resmethrin S-Bioallethrin
073049-00095	SBP-1382/Bioallethrin Insecticide Concentrate 10%-6.25% Formula I	Resmethrin S-Bioallethrin
073049-00097	SBP-1382 0.35% Space and Residual Aqueous Pressurized Spray	Resmethrin
073049-00098	SBP-1382 Insecticide Concentrate 12% Formula I with Residual Activity	Resmethrin
073049-00100	SBP-1382 Insecticide Concentrate 12.5% Formula I	Resmethrin
073049-00101	SBP-1382 T.E.C. 6%	Resmethrin
073049-00102	SBP-1382/Bioallethrin Aqueous Pressurized Spray (PD 6.5)	Resmethrin d-trans-Chrysanthemum monocarboxylic ester of dl-2-allyl-4-hydroxy-3-methyl-2-cyclopenten-1-one
073049-00103	SBP-1382/Bioallethrin Insecticide Concentrate 8%-16% Formula I	Resmethrin S-Bioallethrin
073049-00106	SBP-1382 Insecticide Transparent Emulsion Spray 0.35%	Resmethrin
073049-00107	ULTRATEC Insecticide W/SPB-1382 Tran. Emul. Dil. Conc. 2%	Resmethrin
073049-00108	SBP-1382 Aqueous Pressurized Spray Insecticide 0.25%	Resmethrin
073049-00109	SBP-1382 Residual Aqueous Presurized Ant and Roach Spray 0.35%	Resmethrin
073049-00110	SBP-1382 Insecticide Transparent Emulsion Spray 0.25%	Resmethrin
073049-00111	SBP-1382 Liquid Spray 0.50%	Resmethrin

TABLE 2.—RESMETHRIN PRODUCT REGISTRATIONS WITH PENDING REQUESTS FOR CANCELLATION—Continued

Registration Number	Product Name	Chemical
073049-00112	SBP-1382 Liquid Insecticide Spray 0.5% Formula I	Resmethrin
073049-00113	Vectrin Four-Plus-One	Resmethrin Piperoyl Butoxide Pyrethrins
073049-00131	SBP-1382 Insecticide Emulsifiable Concentrate 26%	Resmethrin
073049-00132	SBP-1382 Insecticide Emulsifiable 26% Formula I For Repackaging Use	Resmethrin
073049-00133	SBP-1382 Concentrate 16% Formula III	Resmethrin
073049-00134	SBP 1382 Insecticide Concentrate 40% Formula II	Resmethrin
073049-00135	SBP-1382/Esbioallethrin/P.B.O Insecticide Aq. Press Spray 0.20% + 0.10% +	Resmethrin Piperoyl Butoxide d-trans-Chrysanthemum monocarboxylic ester of dl-2-allyl-4-hydroxy-3-methyl-2-cyclopenten-1-one
073049-00140	Crossfire Concentrate 1 W/SBP-1382/Esbioth./Pip.But. 8.34%-4.17%-16.67% For.I	Resmethrin Piperoyl Butoxide d-trans-Chrysanthemum monocarboxylic ester of dl-2-allyl-4-hydroxy-3-methyl-2-cyclopenten-1-one
073049-00142	SBP-1382 Oil Base Insecticide 0.20% Formula III	Resmethrin
073049-00143	SBP-1382 Liquid Insecticide Spray 0.25% Formula III	Resmethrin
073049-00144	SBP-1382 Insecticide Press. Spray 0.25% Formula III for Wasps & Hornet	Resmethrin
073049-00148	SBP-1382/Esbiothrin/P.B. Insecticide Conc. 3%-4.5%-18% Formula II	Resmethrin Piperoyl Butoxide d-trans-Chrysanthemum monocarboxylic ester of dl-2-allyl-4-hydroxy-3-methyl-2-cyclopenten-1-one
073049-00164	Tetralate Butacide (15-7.5-15) W-B Concentrate	Resmethrin Tetramethrin Piperoyl Butoxide
073049-00165	Tetralate-Butacide Insect Killer WBA N109	Resmethrin Tetramethrin Piperoyl Butoxide
073049-00190	SBP-1382/PYR./P.B.O. Transparent Emuls. Spray 0.08 + 0.02 + 0.02%	Resmethrin Piperoyl Butoxide Pyrethrins
073049-00206	Blanco 0.2 Liquid Insecticide Spray	Resmethrin
073049-00207	Ford's SBP-1382 Insecticide Transparent Emulsion Spray 0.25%	Resmethrin
073049-00208	CSA House and Garden Spray	Resmethrin
073049-00209	Ford's Commercial Spray	Resmethrin
073049-00230	NIA 17370 Insecticide Spray 0.05	Resmethrin
073049-00231	Synthrin Aqueous Pressurized Spray Insecticide 0.50	Resmethrin

TABLE 2.—RESMETHRIN PRODUCT REGISTRATIONS WITH PENDING REQUESTS FOR CANCELLATION—Continued

Registration Number	Product Name	Chemical
073049-00232	Synthrin House and Garden Insecticide Spray 0.25%	Resmethrin
073049-00233	Tetralate 25–10.6 WB	Resmethrin Tetramethrin
073049-00234	Tetramethrin 2.5 FMC 17370 1.06 DWB Concentrate	Resmethrin Tetramethrin
073049-00255	Tetralate Multipurpose Insect Killer	Resmethrin Tetramethrin
073049-00259	Tetralate 2.0–0.44 WB	Resmethrin Tetramethrin
073049-00260	Tetramethrin 26.64 NIA 17370 5.85 WB Concentrate	Resmethrin Tetramethrin
073049-00262	Tetralate General Purpose 0.25%–0.25% Insect Killer	Resmethrin Tetramethrin
073049-00263	Tetralate 2.5–2.5 WB	Resmethrin Tetramethrin
073049-00264	Tetralate 16.670–7.0655	Resmethrin Tetramethrin
073049-00265	Tetralate 20.84–20.84 W.B.	Resmethrin Tetramethrin
073049-00276	Synthrin House and Garden Insecticide 0.25%	Resmethrin
073049-00357	SBP-1382 Micro-Min Insecticide Spray 0.5% with Mineral Oil	Resmethrin
073049-00358	SBP-1382 Insecticide Concentrate 3%	Resmethrin
073049-00372	Synthrin Technical with Antioxidant Insecticide	Resmethrin
073049-00381	Exterm-A-Vape	Resmethrin
074621-00002	Bug Stomper 4-3	Resmethrin d-trans-Chrysanthemum monocarboxylic ester of dl-2-allyl-4-hydroxy-3-methyl-2-cyclopenten-1-one
081038-00001	Skeet-Daddle Fogging Insecticide	Resmethrin
082277-00001	RG Vaporizing Aerosol	Resmethrin
FL 910017	SBP-1382 Insecticide 40 MF Solvent Dil. Conc. Form. 1	Resmethrin

Table 3 of this unit includes the names and addresses of record for the registrants of the products listed in Table 2 of this unit, in sequence by EPA company number. This number corresponds to the first part of the EPA registration numbers of the products listed above.

TABLE 3.—REGISTRANTS REQUESTING VOLUNTARY CANCELLATION

EPA Company Number	Company Name and Address
000004	Bonide Products, Inc. Agent Registrations By Design, Inc. P.O. Box 1019 Salem, VA 24153–3805

TABLE 3.—REGISTRANTS REQUESTING VOLUNTARY CANCELLATION—Continued

EPA Company Number	Company Name and Address
000239	The Scotts Company 14111 Scottslawn Road Marysville, OH 43041

TABLE 3.—REGISTRANTS REQUESTING VOLUNTARY CANCELLATION—Continued

EPA Company Number	Company Name and Address
000419	CTX Cenol 7210 Red Rd., Suite 206 A Miami, FL 33143
000432	Bayer Environmental Science P.O. Box 12014 Research Triangle Park, NC 27709
000498	Chase Products Co. P.O. Box 70 Maywood, IL 60153
000655	Prentiss, Inc. 3600 Mansell Rd. Suite 350 Alpharetta, GA 30022
001543	W.F. Young, Inc. 302 Benton Drive East Longmeadow, MA 01028
002724	Wellmark Inter- national 1501 E. Woodfield Rd, Suite 200 West Schaumburg, IL 60173
003862	ABC Compounding Co., Inc. P.O. Box 16247 Atlanta, GA 30321- 0247
005481	Amvac Chemical Corporation 4695 MacArthur Court, Suite 1250 Newport Beach, CA 92660
007056	IQ Products Co. 16212 State Hwy 249 Houston, TX 77086- 1014
008536	Soils Corporation P.O. Box 782 Hollister, CA 95024- 0782
028293	Phaeton Corporation Agent Registrations By Design, Inc. P.O. Box 1019 Salem, VA 24153

TABLE 3.—REGISTRANTS REQUESTING VOLUNTARY CANCELLATION—Continued

EPA Company Number	Company Name and Address
040391	Entech Systems Corporation 509 Tower Valley Drive Hillsboro, MO 63050
044446	Quest Chemical Corporation 12255 F.M. 529 Northwoods In- dustrial Park Houston, TX 77041
045385	CTX Cenol 7210 Red Road, Suite 206A Miami, FL 33143
046579	Dickson Chemical Company, Inc. 2110 S Prairie St. Stuttgart, AR 72160
046813	K-G Packaging Company 316 Highland Ave Hartford, WI 53027
047000	Chem-Tech, LTD. 4515 Fleur Dr. 303 Des Moines, IA 50321
048668	Professional Pet Products 1873 N.W. 97th Ave. Miami, FL 33172
053883	Control Solutions Inc. 427 Hide Away Cir- cle Cub Run, KY 42729
067517	PM Resources, Inc. 13001 Saint Charles Rock Rd. Bridgeton, MO 63044
073049	Valent BioSciences Corporation 870 Technology Way Libertyville, IL 60048
074621	Bug Stomper II, LLC P.O. Box 704 Springhill, LA 71075
081038	ICR Labs., 1330 Dillon Heights Ave. Baltimore, MD 21228-1199

TABLE 3.—REGISTRANTS REQUESTING VOLUNTARY CANCELLATION—Continued

EPA Company Number	Company Name and Address
082277	Earthfire Corp. P.O. Box 12398 Scottsdale, AZ 85267
FL910017	Lee County Mos- quito Control Dis- trict P.O. Box 60005 Fort Meyers, FL 33096

#### IV. 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 canceled or amended to terminate one or more uses. FIFRA further provides that, before acting on the request, EPA must publish a notice of receipt of any such request in the **Federal Register**.

Section 6(f)(1)(B) of FIFRA requires that before acting on a request for voluntary cancellation, EPA must provide a 30-day public comment period on the request for voluntary cancellation or use termination. In addition, section 6(f)(1)(C) of FIFRA requires that EPA provide a 180-day comment period on a request for voluntary cancellation or termination of any minor agricultural use before granting the request, unless:

1. The registrants request a waiver of the comment period, or
2. The Administrator determines that continued use of the pesticide would pose an unreasonable adverse effect on the environment.

The resmethrin registrants have not requested that EPA waive the 180-day comment period. Accordingly, EPA will provide a 180-day comment period on the proposed requests.

#### V. Procedures for Withdrawal of Requests

Registrants who choose to withdraw a request for product cancellation should submit the withdrawal in writing to the person listed under **FOR FURTHER INFORMATION CONTACT**. If the product(s) have been subject to a previous cancellation action, the effective date of cancellation and all other provisions of any earlier cancellation action are controlling.

## VI. Provisions for Disposition of Existing Stocks

Existing stocks are those stocks of registered pesticide products that are currently in the United States and that were packaged, labeled, and released for shipment prior to the effective date of the action. If the request(s) for voluntary cancellation are granted, the Agency intends to publish the cancellation order in the **Federal Register**.

In any order issued in response to these requests for cancellation of product registrations, EPA proposes to include the following provisions for the treatment of any existing stocks of the products listed in Table 2.

After December 31, 2012, registrants are prohibited from formulating, selling, or distributing existing stocks of products containing resmethrin for all uses, including the use of resmethrin as a wide area mosquito abatement insecticide.

Persons other than the registrant may sell, distribute, or use existing stocks of canceled products until supplies are exhausted, provided that such sale, distribution, or use is consistent with the terms of the previously approved labeling on, or that accompanied, the canceled products.

### List of Subjects

Environmental protection, Pesticides and pests.

Dated: August 19, 2010.

**Peter Caulkins,**

*Acting Director, Pesticide Re-evaluation Division, Office of Pesticide Programs.*

[FR Doc. 2010-21143 Filed 8-24-10; 8:45 am]

BILLING CODE 6560-50-S

## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2010-0623; FRL-8843-1]

### Fenoxycarb; Notice of Receipt of Request 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 registrations of products containing the pesticide fenoxycarb. The request would terminate the last fenoxycarb 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 request, or unless a registrant withdraws its request. If these requests are granted, any sale, distribution, or use of products listed in this notice will be permitted after the registrations have been canceled 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 September 24, 2010.

**ADDRESSES:** Submit your comments, identified by docket identification (ID) number EPA-HQ-OPP-2010-0623, 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 docket ID number EPA-HQ-OPP-2010-0623. 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 [www.regulations.gov](http://www.regulations.gov) or e-mail. The [www.regulations.gov](http://www.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 [www.regulations.gov](http://www.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:** Katie Weyrauch, Pesticide Re-evaluation Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 308-0166; fax number: (703) 308-8090; e-mail address: [weyrauch.katie@epa.gov](mailto:weyrauch.katie@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. What Should I Consider as I Prepare My Comments for EPA?

1. *Submitting CBI.* Do not submit this information to EPA through