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Dated: July 24, 2008.

**Stephen L. Johnson,**

Administrator.

[FR Doc. E8-17463 Filed 7-29-08; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2003-0397; FRL-8374-6]

### Molinate; Product Cancellation Order and Amendment to Terminate Uses

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

**ACTION:** Notice.

**SUMMARY:** This notice announces EPA's amendment to the order for the termination of uses, voluntarily requested by the registrant and accepted

by the Agency, of products containing the pesticide molinate, pursuant to section 6(f)(1) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended. This amendment follows an April 7, 2004 **Federal Register** Notice of Order to Amend Registrations to Terminate Uses of molinate to control water grass in rice grown in California and the south central/south eastern states of Arkansas, Louisiana, Missouri, Tennessee, and Texas. Nothing in today's action changes the previous stop production date of June 30, 2008, nor does it change the stop use date of August 31, 2009. Today's action only clarifies the deadline for persons other than the registrant to sell and distribute molinate until July 1, 2009.

**DATES:** The cancellation amendment is effective July 30, 2008.

**FOR FURTHER INFORMATION CONTACT:** Wilhelmena Livingston, Special Review and Reregistration Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 308-8025; fax number: (703) 308-8005; e-mail address: [livingston.wilhelmena@epa.gov](mailto:livingston.wilhelmena@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. 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-2003-0397. 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. What Action is the Agency Taking?

This notice announces the amendment of the April 7, 2004 (69 FR 18368) (FRL-7350-9) order to amend registrations to terminate uses of certain end-use molinate products registered under section 3 of FIFRA. These registrations are listed in sequence by registration number in Table 1 of this unit.

TABLE 1—MOLINATE PRODUCTS AFFECTED

EPA Registration Number	Product Name
100-981	Riceco Molinate Technical
100-982	Riceco Touche
100-983	Molinate 15-G
100-1021	Ordram 8-E An emulsifiable liquid
100-1036	Arrosolo 3-3E
100-1039	Ordram 15-G
100-1040	Ordram Technical
100-1102	Ordram 15GM Rice Herbicide
74530-7	Molinate Technical
CA77015900	Ordram 8-E an emulsifiable liquid
CA84017200	Ordram 8-E an emulsifiable liquid
CA85005300	Ordram 8-E an emulsifiable liquid
TX81002600	Ordram 8-E an emulsifiable liquid
TN93000700	Ordram 15-G

Table 2 of this Unit includes the name and address of record for the Registrants of the product in Table 1 of this Unit, in sequence by EPA company number:

TABLE 2—REGISTRANTS OF AMENDED MOLINATE PRODUCTS

EPA Company Number	Company Name and Address
100	Syngenta Crop Protection, Inc. P.O. Box 18300 Greenboro, NC 27419-8300
74530	Helm Agro U.S., Inc. Nordkanalstrasse 28D-20097 Hamburg, Germany

On April 7, 2004, EPA published a Cancellation Order with respect to products containing S-ethyl hexahydro-1H-azepine-1-carbothioate (moninate) (69 FR 18368). That order provided: "The cancellation of these registrations has an effective date of June 30, 2008. After that date, Syngenta Crop Protection Inc., and Helm Agro U.S. Inc. may not sell or distribute any molinate products except as detailed in the cancellation order. Syngenta Crop Protection, Inc., and Helm Agro U.S. Inc., will be permitted to distribute the molinate active ingredient in 2009 for the purposes of facilitating usage by August 31, 2009. No use of products containing molinate is permitted after the 2009 growing season (August 31, 2009)."

Today's action is intended to clarify that in the case of molinate, the original August 31, 2009 deadline for cessation of use was established to provide a reasonable time for the material to work through the channels of trade following the cessation of sale and distribution of molinate products by the registrants, Syngenta Crop Protection, Inc., and Helm Agro U.S. Inc., on June 30, 2008. Today's action does not affect the cancellation of the registrations in Table 1 of Unit II. In addition, clarifying that persons other than the registrants (distributors and retailers) may sell and distribute molinate will neither conflict with the Agency's application of the guidelines outlined in PR Notice 97-7, nor will it introduce more molinate into the pesticide use cycle than had been stipulated by the terms of the five year phase-out. Allowing additional time for distributors and retailers to sell and distribute molinate to end users was contemplated by the original cancellation order by continuing to allow distribution and use. Clarifying this intent will ensure that this product is utilized safely, in accordance with the approved labeling requirements. Thus, today's action clarifies that persons other than the registrant may sell and distribute molinate until July 1, 2009. After July 1, 2009, all sale and

distribution is prohibited, except for the purposes of disposal or export. Today's action does not change that end users with existing stocks of products containing molinate may continue to use these products until August 31, 2009, provided that the use complies with previously EPA approved product label requirements for the respective products. Thereafter, all use shall be prohibited except that existing stocks held by end users may be transported for purposes of disposal or returning unused product to the manufacturer or point-of-sale.

## III. Amended Order

EPA hereby amends the April 7, 2004 order to clarify the provisions for the disposition of existing stocks. Existing stocks are stocks of registered pesticide product which are currently in the United States and which have been packaged, labeled, and released for shipment prior to the effective date of the cancellation order, which in this case is June 30, 2008. Specifically, persons other than the registrant (distributors and retailers) may sell and distribute products listed in Table 1 of Unit II containing molinate until July 1, 2009. After July 1, 2009, all sale and distribution is prohibited, except for the purposes of disposal or export. End users may continue to use existing stocks until August 31, 2009, provided that the use complies with previously EPA approved product label requirements for the respective products. Thereafter, all use shall be prohibited except that existing stocks held by end users may be transported for purposes of disposal or returning of unused product to the manufacturer or point-of-sale.

## 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**. Thereafter, following the public comment period, the Administrator may approve such a request.

## List of Subjects

Environmental protection, Pesticides and pests.

Dated: July 24, 2008.

**Steven Bradbury,**

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

[FR Doc. E8-17475 Filed 7-29-08]

BILLING CODE 6560-50-S

## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2004-0340; FRL-8375-7]

### Disulfoton; Amendment to Terminate Certain Uses of Disulfoton Pesticide Registrations

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

**ACTION:** Notice.

**SUMMARY:** This notice announces EPA's order for the amendments to terminate certain uses, voluntarily requested by the registrant and accepted by the Agency, of products containing the pesticide disulfoton, pursuant to section 6(f)(1) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended. This termination order follows a May 21, 2008 **Federal Register** Notice of Receipt of Requests from the disulfoton technical registrant to voluntarily amend to terminate certain uses of their disulfoton product registrations. The request included termination of all disulfoton use on barley and wheat. Additionally, the use of the granular formulation of disulfoton, Di-Syston 15G (EPA Reg. No. 264-723), on broccoli and commercial ornamentals is being terminated. This order also terminates the use of Di-Syston 15G and the emulsifiable concentrate formulation of disulfoton, Di-Syston 8 EC, (EPA Reg. No. 264-734) on potatoes. This order also amends the disulfoton technical product registration (EPA Reg. No. 264-734) to terminate potato, barley, and wheat uses. These are not the last disulfoton uses or products registered in the United States. In the May 21, 2008 notice, EPA indicated that it would issue an order implementing the amendments to terminate uses, unless the Agency received substantive comments within the 30 day comment period that would merit its further review of these requests, or unless the registrant withdrew their requests within this period. The Agency received comments on the notice but none merited its further review of the requests. The comments received by the Agency are described in Unit III. of this notice. Further, the registrant did not withdraw their requests. Accordingly, EPA hereby issues in this notice a cancellation order granting the requested amendments to

terminate uses. Any distribution, sale, or use of the disulfoton products subject to this cancellation order is permitted only in accordance with the terms of this order, including any existing stocks provisions.

**DATES:** The cancellations are effective July 30, 2008.

**FOR FURTHER INFORMATION CONTACT:** Eric Miederhoff, Special Review and Reregistration Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 347-8028; fax number: (703) 308-7070; e-mail address: [miederhoff.eric@epa.gov](mailto:miederhoff.eric@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. 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-2004-0340. 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. What Action is the Agency Taking?

This notice announces the amendments to terminate certain uses, as requested by the technical registrant,

of several disulfoton products registered under section 3 of FIFRA. The affected registrations are listed in sequence by registration number in Table 1 of this unit.

TABLE 1—DISULFOTON PRODUCT REGISTRATION AMENDMENTS TO TERMINATE USES

EPA Registration Number	Product Name	Delete from Label
264-723	Di-Syston 15G	Broccoli, Potato, Wheat, Barley, Ornamentals (commercial uses)
264-725	Di-Syston Technical	Potato, Wheat, Barley
264-734	Di-Syston 8 EC	Potato, Wheat, Barley

Table 2 of this unit includes the names and addresses of record for all registrants of the products in Table 1 of this unit, in sequence by EPA company number.

TABLE 2—REGISTRANTS OF AMENDED DISULFOTON PRODUCTS

EPA Company Number	Company Name and Address
264	Bayer CropSciences, 2 T.W. Alexander Drive, Research Triangle Park, NC 27709

#### III. Summary of Public Comments Received and Agency Response to Comments

Two comments were received during the 30 day comment period established by the May 21, 2008 notice (73 FR 29507; FRL-8364-7). One comment noted the importance of rotating chemicals with different modes of action to help reduce the development of chemical resistance in pest populations. However, this comment did not articulate a specific concern with the actions proposed by the notice. The other comment requested the retention of disulfoton use for control of leafminers in buxus, a family of evergreen shrubs and small trees, often grown for ornamental purposes. The 2002 disulfoton Reregistration Eligibility Decision (RED) examined the risks and benefits of continued use of the granular formulation of disulfoton on commercial ornamentals. Exposure