

all of that information as CBI. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. In addition to one complete version of the comment that includes any 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 version of the official record. Information not marked confidential will be included in the public version of the official record without prior notice. If you have any questions about CBI or the procedures for claiming CBI, please consult the person identified under "FOR FURTHER INFORMATION CONTACT."

#### *E. What Should I Consider as I Prepare My Comments for EPA?*

You may find the following suggestions helpful for preparing your comments:

1. Explain your views as clearly as possible.
2. Describe any assumptions that you used.
3. Provide copies of any technical information and/or data you used that support your views.
4. If you estimate potential burden or costs, explain how you arrived at the estimate that you provide.
5. Provide specific examples to illustrate your concerns.
6. Offer alternative ways to improve the registration activity.
7. Make sure to submit your comments by the deadline in this notice.
8. To ensure proper receipt by EPA, be sure to identify the docket control number assigned to this action in the subject line on the first page of your response. You may also provide the name, date, and **Federal Register** citation.

## II. Registration Applications

EPA received an application as follows to register a pesticide product containing a new active ingredient not included in any previously registered product pursuant to the provision of section 3(c)(4) of FIFRA. Notice of receipt of this application does not imply a decision by the Agency on the application.

#### *Product Containing an Active Ingredient not Included in any Previously Registered Product*

EPA File Symbol: 524-LRA.  
Applicant: Monsanto Company, 700 Chesterfield Parkway North, St. Louis, Mo 63198. Product name: Corn Rootworm Protected Corn Hybrids.

Active ingredient: *Bacillus thuringiensis* Cry3Bb protein and the genetic material necessary for its production (Vector ZMIR14L) in corn; Proposed classification/Use: None. For full commercial registration on corn.

**Authority:** 7 U.S.C. 136.

#### List of Subjects

Environmental protection, Pesticides and pest.

Dated: December 10, 1999.

**Janet L. Andersen,**

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

[FR Doc. 99-33163 Filed 12-21-99; 8:45 am]

**BILLING CODE 6560-50-F**

## ENVIRONMENTAL PROTECTION AGENCY

[OPP-34146B; FRL-6391-2]

### Availability of Reregistration Eligibility Decision Document for Comment; Receipt of Requests for Voluntary Cancellation, Cancellation Order

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

**ACTION:** Notice.

**SUMMARY:** This notice announces availability and starts a 60-day public comment period on the Reregistration Eligibility Decision (RED) document for the pesticide active ingredient Sulfotepp. The RED represents EPA's formal regulatory assessment of the health and environmental data base of the subject chemical, and presents the Agency's determination regarding which pesticidal uses are eligible for reregistration.

The companies that hold the pesticide registrations of pesticide products containing sulfotepp (0,0,0,0-tetraethyl dithiopyrophosphate) have asked EPA to cancel their registrations for these products. Pursuant to section 6(f)(1) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), EPA is announcing the Agency's receipt of these voluntary cancellation requests from the registrants. EPA intends to grant the requests for voluntary cancellation and intends to issue a cancellation order at the close of the comment period for this announcement. EPA is proposing that the voluntary cancellations shall be effective on September 30, 2002, unless EPA determines before September 30, 2002, that worker and bystander risks do not exceed the Agency's level of concern. After September 30, 2002, any

distribution, sale, or use of canceled sulfotepp products will only be permitted if such distribution, sale, or use is consistent with the terms of the cancellation order that the Agency intends to issue.

**DATES:** Comments, identified by docket control number OPP-34146B, must be received on or before February 22, 2000.

**ADDRESSES:** Comments may be submitted by mail, electronically, or in person. Please follow the detailed instructions for each method as provided in Unit I.C. of the "SUPPLEMENTARY INFORMATION." To ensure proper receipt by EPA, it is imperative that you identify docket control number OPP-34146B in the subject line on the first page of your response.

**FOR FURTHER INFORMATION CONTACT:** By mail: Robbi Farrell, Special Review and Reregistration Division (7508C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460; telephone number: 703-308-8065; and e-mail address: farrell.robbera@epa.gov.

#### **SUPPLEMENTARY INFORMATION:**

This announcement consists of four parts. The first part contains general information. The second part contains the announcement of the availability of the RED. The third part addresses the registrants' requests for voluntary cancellation of their registrations of pesticide products containing sulfotepp. The fourth part proposes a cancellation order, which includes requirements relating to the distribution, sale, and use of existing stocks of canceled sulfotepp products.

## I. General Information

### *A. Does this Action Apply to Me?*

This action is directed to the public in general. This action may, however, be of particular interest to those persons who are or may be required to conduct testing of chemical substances under the Federal Food, Drug and Cosmetic Act (FFDCA), or the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and those persons who use these chemicals in agricultural production. You may be potentially affected by this action if you manufacture, sell, distribute, or use sulfotepp products. Potentially affected categories and entities may include, but are not limited to commercial greenhouses and certified pesticide applicators. Since other entities may also 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 people

listed under "FOR FURTHER INFORMATION CONTACT."

*B. How Can I Get Additional Information, Including Copies of this Document and Other Related Documents?*

1. *Electronically.* You may obtain electronic copies of this document, and certain other related documents that might be available electronically, from the EPA Internet Home Page at <http://www.epa.gov/>. To access this document, on the Home Page select "Laws and Regulations" and then look up the entry for this document under the "Federal Register--Environmental Documents." You can also go directly to the Federal Register listings at <http://www.epa.gov/fedrgstr/>.

To access the RED documents and RED fact sheets electronically, go to the REDs table on the EPA Office of Pesticide Programs' home page, <http://www.epa.gov/REDs>. For related information, see <http://www.epa.gov/pesticides>.

2. *In person.* The Agency has established an official record for this action under docket control number OPP-34146B. The official record consists of the documents specifically referenced in this action, and other information related to this action, including any information claimed as Confidential Business Information (CBI). This official record includes the documents that are physically located in the docket, as well as the documents that are referenced in those documents. The public version of the official record does not include any information claimed as CBI. The public version of the official record, which includes printed, paper versions of any electronic comments submitted during an applicable comment period is available for inspection in the Public Information and Records Integrity Branch (PIRIB), Rm. 119, Crystal Mall #2, 1921 Jefferson Davis Hwy., Arlington, VA, from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The PIRIB telephone number is (703) 305-5805.

*C. How and to Whom Do I Submit Comments?*

You may submit comments through the mail, in person, or electronically. To ensure proper receipt by EPA, it is imperative that you identify docket control number OPP-34146B in the subject line on the first page of your response.

1. *By mail.* Submit your comments to: Public Information and Records Integrity Branch (PIRIB), Information Resources and Services Division (7502C), Office of Pesticide Programs

(OPP), Environmental Protection Agency, 401 M St., SW., Washington, DC 20460.

2. *In person or by courier.* Deliver your comments to: Public Information and Records Integrity Branch (PIRIB), Information Resources and Services Division (7502C), Office of Pesticide Programs (OPP), Environmental Protection Agency, Rm. 119, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA. The PIRIB is open from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The PIRIB telephone number is (703) 305-5805.

3. *Electronically.* You may submit your comments electronically by e-mail to: "[opp-docket@epa.gov](mailto:opp-docket@epa.gov)," or you can submit a computer disk as described above. Do not submit any information electronically that you consider to be CBI. Avoid the use of special characters and any form of encryption. Electronic submissions will be accepted in Wordperfect 6.1/8.0 or ASCII file format. All comments in electronic form must be identified by docket control number OPP-34146B. Electronic comments may also be filed online at many Federal Depository Libraries.

*D. How Should I Handle CBI That I Want to Submit to the Agency?*

Do not submit any information electronically that you consider to be CBI. You may claim information that you submit to EPA in response to this document as CBI by marking any part or all of that information as CBI. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. In addition to one complete version of the comment that includes any 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 version of the official record. Information not marked confidential will be included in the public version of the official record without prior notice. If you have any questions about CBI or the procedures for claiming CBI, please consult the person identified under "FOR FURTHER INFORMATION CONTACT."

*E. What Should I Consider as I Prepare My Comments for EPA?*

You may find the following suggestions helpful for preparing your comments:

1. Explain your views as clearly as possible.
2. Describe any assumptions that you used.

3. Provide copies of any technical information and/or data you used that support your views.

4. If you estimate potential burden or costs, explain how you arrived at the estimate that you provide.

5. Provide specific examples to illustrate your concerns.

6. Offer alternative ways to improve the notice or collection activity.

7. Make sure to submit your comments by the deadline in this document.

8. To ensure proper receipt by EPA, be sure to identify the docket control number assigned to this action in the subject line on the first page of your response. You may also provide the name, date, and Federal Register citation.

*F. What is the Agency's Authority for Taking these Actions?*

The legal authority for these reregistration eligibility decisions falls under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended in 1988, which directs that "the Administrator shall determine whether pesticides containing such active ingredient are eligible for reregistration" before calling in data on products and either reregistering products or taking "other appropriate regulatory action."

**II. Notice of Availability of the Reregistration Eligibility Decision**

The Agency has issued a Reregistration Eligibility Decision (RED) document for the pesticide active ingredient sulfotepp. Under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended in 1988, EPA is conducting an accelerated reregistration program to reevaluate existing pesticides initially registered before November 1984, to make sure they meet current scientific and regulatory standards. The data base to support the reregistration of the chemical listed in this document is incomplete. Due to the high risks estimated with available information and their inability to fulfill the data requirements needed to refine the risk assessment, the registrants requested a voluntary cancellation of their registrations. The Agency intends to grant the requests for voluntary cancellation. In addition, the Agency intends to order that the registrations be canceled effective September 30, 2002, and that any distribution, sale, or use of canceled sulfotepp products will not be lawful after September 30, 2004. By December 1999, all sulfotepp products will bear amended labels designed to improve worker and bystander

protection. This RED document describes risks of concern to the Agency, outlines the label amendments required for all registered products, and sets forth the timeline for cancellation and phase-out of sulfotepp and sulfotepp products.

The reregistration program is being conducted under Congressionally-mandated time frames, and EPA recognizes both the need to make timely reregistration decisions and to involve the public. Therefore, EPA is issuing this RED as a final document with a 60-day comment period. The 60-day public comment period is intended to provide an opportunity for public input and a mechanism for initiating any necessary amendments to the RED. All comments will be carefully considered by the Agency. If any comment significantly affects a RED, EPA will amend the RED by publishing the amendment in the **Federal Register**.

### III. Receipt of Requests for Voluntary Cancellation

In a memorandum of agreement ("Agreement") effective September 30, 1999, EPA and all registrants of products containing sulfotepp agreed to take several steps to reduce the risks associated with the use of sulfotepp. Based on the limited data available, EPA estimated that risks of dermal and inhalation exposure to workers and bystanders were very high. Practical, effective options for mitigation were limited, and the registrants were unable to provide the data needed to refine the risk assessment. EPA reached this agreement with the registrants to reduce those risks. As part of the Agreement, the registrants, among other things, agreed to amend the labels of their end-use products to reduce applicator risk and to cap production of sulfotepp. The registrants also requested to voluntarily cancel their sulfotepp registrations. As a result, EPA agreed not to initiate any suspension or cancellation proceedings

under sections 3 or 6 of FIFRA to achieve the risk reduction measures set forth in the Agreement.

Prior to the effective date of the Agreement, each registrant submitted to EPA, pursuant to section 6(f) of FIFRA, a request for voluntary cancellation of all existing registrations held by the registrant of pesticide products containing sulfotepp. The registrations for which cancellations have been requested are identified in the table below. In the Agreement, the registrants conditioned their requests for voluntary cancellation on the following: (1) The cancellations shall be effective on September 30, 2002; (2) the cancellations shall not become effective if EPA determines prior to September 30, 2002, that worker and bystander risks do not exceed the Agency's level of concern based on the submission of new data deemed acceptable by the Agency; and (3) any resulting cancellation order will include the terms set forth in the Agreement.

Company	Reg. No	Product	SLNs
Fuller System Inc. ....	1327-38	Fulex Dithio Smoke Fumigant	N/A
.....	1327-39	Sulfotepp Technical	N/A
Plant Products Corporation .....	8241-10	Plantfume 103	CA89005900
.....	8241-11	Sulfotepp Technical	N/A

Section 6(f)(1)(C) of FIFRA requires that EPA provide a 180-day comment period on a request for voluntary 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. As part of the Agreement, the registrants requested that the Administrator waive any applicable public comment period under section 6(f) before taking action on their requests to cancel the registrations of the products identified in the table above. In light of this request, EPA is granting the request to waive the 180-day comment period but is nonetheless providing a 60-day public comment period before taking action on the requested cancellations. This 60-day comment period will coincide with that provided for comments on the RED document as discussed in Unit II of this Notice. EPA intends to grant the requested cancellations at the close of the comment period for this announcement. The requested cancellations shall be

effective on September 30, 2002, unless EPA determines before that date that worker and bystander risks do not exceed the Agency's level of concern.

### IV. Proposed Cancellation Order

The registrants have requested voluntary cancellation of the registrations of the sulfotepp products identified in the table above. Pursuant to section 6(f) of FIFRA, EPA intends to grant the requests for voluntary cancellation and intends to order that the registrations of the pesticide products identified in the table be canceled on September 30, 2002. This announcement proposes the provisions for that cancellation order, including requirements for existing stocks. For purposes of the cancellation order that the Agency intends to issue at the close of the comment period for this announcement, the term "existing stocks" will be defined, pursuant to EPA's existing stocks policy (56 FR 29362, Wednesday, June 26, 1991), as those stocks of a 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. Any distribution, sale, or use of existing stocks of the canceled sulfotepp products after September 30, 2002, that is not consistent with the terms of the cancellation order that the Agency intends to issue will be considered a violation of section 12(a)(2)(K) of FIFRA and/or section 12(a)(1)(A) of FIFRA.

#### A. Existing Stocks Provisions

1. *Distribution or sale by registrants.* The distribution or sale of existing stocks by registrants will not be lawful under FIFRA after September 30, 2004, except for the purpose of shipping such stocks for export consistent with the requirements of section 17 of FIFRA or for proper disposal.

2. *Distribution or sale by other persons.* The distribution or sale of existing stocks by persons other than registrants will not be lawful under FIFRA after September 30, 2004, except for the purpose of shipping such stocks for export consistent with the requirements of section 17 of FIFRA or for proper disposal.

3. *Use of existing stocks.* The use of existing stocks will not be lawful under FIFRA after September 30, 2004. Any

use of existing stocks of canceled product prior to October 1, 2004, must be in accordance with either the directions for use contained in the Agreement or the existing labeling of that product.

#### List of Subjects

Environmental protection, pesticides and pests, Memorandum of agreement.

Dated: December 15, 1999.

**Lois Rossi,**

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

[FR Doc. 99-33160 Filed 12-21-99; 8:45 am]

**BILLING CODE 6560-50-F**

#### ENVIRONMENTAL PROTECTION AGENCY

**OPP-30486; FRL-6397-1**

#### 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:** Written comments, identified by the docket control number OPP-30486, must be received on or before January 21, 2000.

**ADDRESSES:** Comments may be submitted by mail, electronically, or in person. Please follow the detailed instructions for each method as provided in Unit I. of the "SUPPLEMENTARY INFORMATION." To ensure proper receipt by EPA. It is imperative that you identify docket control number OPP-30486 in the subject line on the first page of your response.

**FOR FURTHER INFORMATION CONTACT:** The Product Manager, Registration Division (7505C), listed in the table below:

Product Manager	Office address/telephone no.	E-mail address
Cynthia Giles-Parker, PM 22.	Rm. 249, CM #2, 1921 Jefferson Davis Highway, 703-305-7740	<a href="mailto:giles-parker.cynthia@epa.gov">giles-parker.cynthia@epa.gov</a>

#### SUPPLEMENTARY INFORMATION:

##### I. General Information

##### A. Does this Action Apply to Me?

You may be affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. Potentially affected categories and entities may include, but are not limited to:

Cat-egories	NAICS codes	Examples of poten-tially affected entities
Industry	111	Crop production
	112	Animal production
	311	Food manufacturing
	32532	Pesticide manufac-turing

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 the table could also be affected. The North American Industrial Classification System (NAICS) codes have been provided to assist you and others in determining whether or not this action might apply to certain entities. If you have 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 Additional Information, Including Copies of this Document and Other Related Documents?

1. *Electronically.* You may obtain electronic copies of this document, and certain other related documents that might be available electronically, from the EPA Internet Home Page at <http://www.epa.gov/>. To access this document, on the Home Page select "Laws and Regulations" and then look up the entry for this document under the "T4Federal Register--Environmental Documents." You can also go directly to the **Federal Register** listings at <http://www.epa.gov/fedrgstr/>.

2. *In person.* The Agency has established an official record for this action under docket control number OPP-30486. The official record consists of the documents specifically referenced in this action, any public comments received during an applicable comment period, and other information related to this action, including any information claimed as confidential business information (CBI). This official record includes the documents that are physically located in the docket, as well as the documents that are referenced in those documents. The public version of the official record does not include any information claimed as CBI. The public version of the official record, which includes printed, paper versions of any electronic comments submitted during an applicable comment period, is available for inspection in the Public Information and Records Integrity Branch (PIRIB), Rm. 119, Crystal Mall #2, 1921 Jefferson Davis Hwy.,

Arlington, VA, from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The PIRIB telephone number is (703)-305-5805.

##### C. How and to Whom Do I Submit Comments?

You may submit comments through the mail, in person, or electronically. To ensure proper receipt by EPA. It is imperative that you identify docket control number OPP-30486 in the subject line on the first page of your response.

1. *By mail.* Submit your comments to: Public Information and Records Integrity Branch (PIRIB), Information Resources and Services Division (7502C), Office of Pesticide Programs (OPP), Environmental Protection Agency, 401 M St., SW., Washington, DC 20460.

2. *In person or by courier.* Deliver your comments to: Public Information and Records Integrity Branch (PIRIB), Information Resources and Services Division (7502C), Office of Pesticide Programs (OPP), Environmental Protection Agency, Rm. 119, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA. The PIRIB is open from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The PIRIB telephone number is (703)-305-5805.

3. *Electronically.* You may submit your comments electronically by e-mail to: [opp-docket@epa.gov](mailto:opp-docket@epa.gov), or you can submit a computer disk as described above. Do not submit any information electronically that you consider to be CBI. Avoid the use of special characters and any form of encryption. Electronic