

electronic public docket and comment system, EPA Dockets. You may use EPA Dockets at <http://www.epa.gov/edocket/> to submit or view public comments, access the index listing of the contents of the official public docket, and to access those documents in the public docket that are available electronically. Although not all docket materials may

be available electronically, you may still access any of the publicly available docket materials through the docket facility identified in Unit I.B.1. Once in the system, select "search," then key in the appropriate docket ID number.

## II. What Action is the Agency Taking?

This notice announces receipt by the Agency of an application from the registrant to cancel two pesticide products registered under section 3 or 24(c) of FIFRA. These registrations are listed in sequence by registration number (or company number and 24(c) number) in Table 1 of this unit:

TABLE 1.—REGISTRATIONS WITH PENDING REQUESTS FOR CANCELLATION

Registration Number	Product Name	Chemical Name
264–628, previously 45639–155	BETANEX 70 WP Herbicide	Desmedipham
264–629, previously 45639–156	BETAMIX 70 WP	Desmedipham and phenmedipham

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. In addition, 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. The registrants have requested that EPA waive the 180-day comment period. EPA is granting the registrants' request to waive the 180-day comment period. Therefore, EPA will provide a 30-day comment period on the proposed requests. EPA anticipates granting the cancellation request shortly after the end of the 30-day comment period for this notice.

Unless a request is withdrawn by the registrant within 30 days of publication of this notice, orders will be issued canceling all of these registrations. Users of these pesticides or anyone else desiring the retention of a registration should contact the applicable registrant directly during this 30-day period.

Table 2 of this unit includes the name and address of record for the registrant of the products in Table 1 of this unit.

TABLE 2.—REGISTRANT REQUESTING VOLUNTARY CANCELLATION

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

## III. 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. 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, the Administrator may approve such a request.

## IV. Procedures for Withdrawal of Request

Registrants who choose to withdraw a request for cancellation must submit such withdrawal in writing to the person listed under **FOR FURTHER INFORMATION CONTACT**, postmarked before August 6, 2004. This written withdrawal of the request for cancellation will apply only to the applicable FIFRA section 6(f)(1) request listed in this notice. 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. The withdrawal request must also include a commitment to pay any reregistration fees due, and to fulfill any applicable unsatisfied data requirements.

## V. Provisions for Disposition of Existing Stocks

The effective date of cancellation will be the date of the cancellation order. For purposes of the cancellation order, the term "existing stocks" is defined, pursuant to EPA's existing stocks policy (56 FR 29362, June 26, 1991), as those stocks of registered pesticide products 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 action. See the **Federal Register** of June 26,

1991 (56 FR 29362). The existing stocks provisions of the forthcoming cancellation order will be as follows:

*Distribution or sale.* It is unlawful for any person to distribute or sell existing stocks of any product identified in Table 1.

i. Registrants identified in Table 2 may sell and distribute existing stocks of their own products until 1-year from the effective date of the cancellation order.

ii. Any person may ship such existing stocks for the purpose of export consistent with FIFRA section 17 or for proper disposal in accordance with applicable law.

## List of Subjects

Environmental protection, Pesticides and pests.

Dated: June 17, 2004.

**Debra Edwards,**

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

[FR Doc. 04–15350 Filed 7–6–04; 8:45 am]

**BILLING CODE 6560–50–S**

## ENVIRONMENTAL PROTECTION AGENCY

[OPP–2004–0043; FRL–7363–9]

## Chlorpyrifos-methyl; Amendment to the Tolerance Reassessment and Risk Management Decision and Notice of Receipt of Request for Registration Cancellation

**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 modifying the terms of the voluntary cancellation notice published in the **Federal Register** on April 24, 2002 (FR 67 20118) (FRL–

6773-1), for three pesticide products containing the active ingredient chlorpyrifos-methyl based on data received from the registrants and comments and information received from the United States Department of Agriculture (USDA). EPA proposes to extend the effective cancellation for two products (Gustafson Reldan 4E Insecticide, registration number 7501-41; and Reldan 4E, registration number 62719-43) to December 31, 2004. The technical registration Reldan F Insecticidal, registration number 62719-42 will be maintained.

**DATES:** The cancellations are effective on December 31, 2004, unless the Agency receives a written withdrawal request on or before January 3, 2005. The Agency will consider withdrawal requests postmarked no later than January 3, 2005.

Users of these products who desire continued use should contact the applicable registrant on or before January 3, 2005.

**ADDRESSES:** Written withdrawal requests may be submitted electronically, by mail, or through hand delivery/courier. Follow the detailed instructions as provided in Unit I. of the **SUPPLEMENTARY INFORMATION**. To ensure proper receipt by EPA, it is imperative that you identify docket identification (ID) number OPP-2004-0043 in the subject line on the first page of your response.

**FOR FURTHER INFORMATION CONTACT:** Katie Hall, Special Review and Reregistration Division (7508C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 308-0166; e-mail address: [hall.katie@epa.gov](mailto:hall.katie@epa.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **I. General Information**

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

This action is directed to the public in general. Although this action may be of particular interest to persons who produce or use pesticides, 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 an official public docket for this action

under docket ID number OPP-2004-0043. The official public docket consists of the documents specifically referenced in this action, any public comments received, and other information related to this action. Although a part of the official docket, the public docket does not include Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. The official public docket is the collection of materials that is available for public viewing at the Public Information and Records Integrity Branch (PIRIB), Rm. 119, Crystal Mall #2, 1801 S. Bell St., Arlington, VA. This docket facility is open from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The docket 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/>.

An electronic version of the public docket is available through EPA's electronic public docket and comment system, EPA Dockets. You may use EPA Dockets at <http://www.epa.gov/edocket/> to submit or view public comments, access the index listing of the contents of the official public docket, and to access those documents in the public docket that are available electronically. Once in the system, select "search," then key in the appropriate docket ID number.

Certain types of information will not be placed in the EPA Dockets. Information claimed as CBI and other information whose disclosure is restricted by statute, which is not included in the official public docket, will not be available for public viewing in EPA's electronic public docket. EPA's policy is that copyrighted material will not be placed in EPA's electronic public docket but will be available only in printed, paper form in the official public docket. To the extent feasible, publicly available docket materials will be made available in EPA's electronic public docket. When a document is selected from the index list in EPA Dockets, the system will identify whether the document is available for viewing in EPA's electronic public docket. Although not all docket materials may be available electronically, you may still access any of the publicly available docket materials through the docket facility identified in Unit I.B.1. EPA intends to work towards providing electronic access to all of the publicly available docket materials through EPA's electronic public docket.

For public commenters, it is important to note that EPA's policy is

that public comments, whether submitted electronically or in paper, will be made available for public viewing in EPA's electronic public docket as EPA receives them and without change, unless the comment contains copyrighted material, CBI, or other information whose disclosure is restricted by statute. When EPA identifies a comment containing copyrighted material, EPA will provide a reference to that material in the version of the comment that is placed in EPA's electronic public docket. The entire printed comment, including the copyrighted material, will be available in the public docket.

Public comments submitted on computer disks that are mailed or delivered to the docket will be transferred to EPA's electronic public docket. Public comments that are mailed or delivered to the Docket will be scanned and placed in EPA's electronic public docket. Where practical, physical objects will be photographed, and the photograph will be placed in EPA's electronic public docket along with a brief description written by the docket staff.

##### **II. How Can I Respond to this Action?**

###### *A. How and to Whom Do I Submit Comments?*

You may submit comments electronically, by mail, or through hand delivery/courier. To ensure proper receipt by EPA, identify the appropriate docket ID number in the subject line on the first page of your comment. Please ensure that your comments are submitted within the specified comment period. Comments received after the close of the comment period will be marked "late." EPA is not required to consider these late comments. If you wish to submit CBI or information that is otherwise protected by statute, please follow the instructions in Unit I.D. Do not use EPA Dockets or e-mail to submit CBI or information protected by statute.

1. *Electronically.* If you submit an electronic comment as prescribed in this unit, EPA recommends that you include your name, mailing address, and an e-mail address or other contact information in the body of your comment. Also include this contact information on the outside of any disk or CD ROM you submit, and in any cover letter accompanying the disk or CD ROM. This ensures that you can be identified as the submitter of the comment and allows EPA to contact you in case EPA cannot read your comment due to technical difficulties or needs further information on the substance of your comment. EPA's policy is that EPA

will not edit your comment, and any identifying or contact information provided in the body of a comment will be included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket. 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.

i. *EPA Dockets.* Your use of EPA's electronic public docket to submit comments to EPA electronically is EPA's preferred method for receiving comments. Go directly to EPA Dockets at <http://www.epa.gov/edocket/>, and follow the online instructions for submitting comments. Once in the system, select "search," and then key in docket ID number OPP-2004-0043. The system is an "anonymous access" system, which means EPA will not know your identity, e-mail address, or other contact information unless you provide it in the body of your comment.

ii. *E-mail.* Comments may be sent by e-mail to [opp-docket@epa.gov](mailto:opp-docket@epa.gov), Attention: Docket ID Number OPP-2004-0043. In contrast to EPA's electronic public docket, EPA's e-mail system is not an "anonymous access" system. If you send an e-mail comment directly to the docket without going through EPA's electronic public docket, EPA's e-mail system automatically captures your e-mail address. E-mail addresses that are automatically captured by EPA's e-mail system are included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket.

iii. *Disk or CD ROM.* You may submit comments on a disk or CD ROM that

you mail to the mailing address identified in Unit I.C.2. These electronic submissions will be accepted in WordPerfect or ASCII file format. Avoid the use of special characters and any form of encryption.

2. *By mail.* Send your comments to: Public Information and Records Integrity Branch (PIRIB) (7502C), Office of Pesticide Programs (OPP), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001, Attention: Docket ID Number OPP-2004-0043.

3. *By hand delivery or courier.* Deliver your comments to: Public Information and Records Integrity Branch (PIRIB), Office of Pesticide Programs (OPP), Environmental Protection Agency, Rm. 119, Crystal Mall #2, 1801 S. Bell St., Arlington, VA, Attention: Docket ID Number OPP-2004-0043. Such deliveries are only accepted during the docket's normal hours of operation as identified in Unit I.B.1.

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

This notice amends the notice of receipt that was published on April 24, 2002 (FR 67 20118) (FRL-6773-1), for three pesticide products containing chlorpyrifos-methyl based on comments and information received from USDA and stakeholders.

#### A. Background

The Agency's 2001 Tolerance Reassessment and Risk Management Decision (TRED) on chlorpyrifos-methyl provided a phase-out of chlorpyrifos-methyl containing products. Under the phase-out schedule, the registrants could sell and distribute this product through December 31, 2003, and the last use date was expected to be December

31, 2004. The Agency recognized the importance of chlorpyrifos-methyl for grain storage, and allowed for a phase-out in order to transition to alternative means of pest control. As a condition of the phase-out, EPA required additional studies to better characterize risk associated with chlorpyrifos-methyl, and the registrants provided an acute delayed neurotoxicity study, and a 2-generation rat reproduction study.

The Agency has reconsidered the toxicity data gaps identified in the chlorpyrifos-methyl toxicology chapter of the TRED dated April 17, 2000. The Agency considered the use of data from a related chemical, chlorpyrifos-ethyl, to address data gaps for chlorpyrifos-methyl. EPA concluded that chlorpyrifos-methyl is likely to be less toxic than chlorpyrifos-ethyl based on a side-by-side comparison of cholinesterase inhibition levels in existing studies. EPA has also concluded that given the structural similarities between the two chemicals, toxicity data using chlorpyrifos-ethyl could be used to address data gaps for chlorpyrifos-methyl.

The Agency will extend the phase-out of chlorpyrifos-methyl containing end use products through December 2004. Accordingly, the last date for sales and distribution of chlorpyrifos-methyl containing end use products by registrants is December 31, 2004, and the last date for sales and distribution by distributors and dealers of chlorpyrifos-methyl containing end use products is December 31, 2005.

The amended registration cancellations are listed in Table 1 of this unit by registration number, product name/active ingredient, intended sales and distribution end date.

TABLE 1.—REGISTRATIONS WITH REQUESTS FOR AMENDMENTS TO PRODUCT CANCELLATION DATES IN CERTAIN PESTICIDE REGISTRATIONS

EPA Registration No.	Product Name	Active Ingredient	Intended Product Cancellation Date
7501-41	Gustafson Reldan 4E (43.2%) Insecticide	Chlorpyrifos-methyl	December 31, 2004
62719-42	Reldan F Insecticidal (97.0%)	Chlorpyrifos-methyl	Not Applicable
62719-43	Reldan 4E (43.2%)	Chlorpyrifos-methyl	December 31, 2004

Users of these products who desire continued use should contact the applicable registrant before January 3, 2005, to discuss withdrawal of the application for amendment. This 180-day period will also permit interested members of the public to intercede with registrants prior to the Agency's approval of the deletion.

Table 2 of this unit includes the names and addresses of record for all registrants of the products in Table 1 of this unit.

**TABLE 2.—REGISTRANTS REQUESTING AMENDMENTS TO DELETE USES IN CERTAIN PESTICIDE REGISTRATIONS**

EPA Company No.	Company Name and Address
7501	Gustafson, LLC 1400 Preston Road, Suite 400, Plano, TX 75093
62719	Dow Agrosiences, LLC 9330 Zionsville Road, Indianapolis, IN 46268

#### IV. What is the Agency 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 amended to delete one or more uses. The Act further provides that, before acting on the request, EPA must publish a notice of receipt of any such request in the **Federal Register**. Thereafter, the Administrator may approve such a request.

#### V. Procedures for Withdrawal of Request

Registrants who choose to withdraw a request for use deletion must submit the withdrawal in writing to Katie Hall using the instructions listed under **FOR FURTHER INFORMATION CONTACT**. The Agency will consider written withdrawal requests postmarked no later than January 3, 2005.

#### VI. Provisions for Disposition of Existing Stocks

Existing stocks are those stocks of registered pesticide products which are currently labeled in the United States and which have been packaged, labeled, and released for shipment prior to the effective date of the cancellation action.

The Agency intends to authorize the registrants to sell or distribute product under the previously approved labeling through December 31, 2004, after approval of the revision, unless other

restrictions have been imposed, as in special review actions. Stocks in the hands of dealers and distributors other than the registrants could be sold or distributed until December 31, 2005. The Agency anticipates that use of the products proposed for cancellation will end December 31, 2006. Any future tolerance modifications would be calculated from the December 31, 2006, date. EPA will issue a **Federal Register** notice with the cancellation order and final existing stock provisions.

#### List of Subjects

Environmental protection, Pesticides and pests.

Dated: June 18, 2004.

**Debra Edwards,**

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

[FR Doc. 04-15209 Filed 7-6-04; 8:45 am]

**BILLING CODE 6560-50-S**

#### ENVIRONMENTAL PROTECTION AGENCY

[OPP-2004-0180; FRL-7364-8]

#### Tribenuron Methyl; Notice of Filing a Pesticide Petition to Establish a Tolerance for a Certain Pesticide Chemical in or on Food

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

**ACTION:** Notice.

**SUMMARY:** This notice announces the initial filing of a pesticide petition proposing the establishment of regulations for residues of a certain pesticide chemical in or on various food commodities.

**DATES:** Comments, identified by docket identification (ID) number OPP-2004-0180, must be received on or before August 6, 2004.

**ADDRESSES:** Comments may be submitted electronically, by mail, or through hand delivery/courier. Follow the detailed instructions as provided in Unit I. of the **SUPPLEMENTARY INFORMATION**.

#### FOR FURTHER INFORMATION CONTACT:

James A. Tompkins, Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 305-5697; e-mail address: [tompkins.jim@epa.gov](mailto:tompkins.jim@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. General Information

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

You may be potentially affected by this action if you are a agricultural

producer, food manufacturer, or pesticide manufacturer. Potentially affected entities may include, but are not limited to:

- Crop production (NAICS 111)
- Animal production (NAICS 112)
- Food manufacturing (NAICS 311)
- Pesticide manufacturing (NAICS 32532)

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 this unit could also be affected. The North American Industrial Classification System (NAICS) codes have been provided to assist you and others in determining whether this action might apply to certain entities. 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 an official public docket for this action under docket ID number OPP-2004-0180. The official public docket consists of the documents specifically referenced in this action, any public comments received, and other information related to this action. Although a part of the official docket, the public docket does not include Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. The official public docket is the collection of materials that is available for public viewing at the Public Information and Records Integrity Branch (PIRIB), Rm. 119, Crystal Mall #2, 1801 South Bell St., Arlington, VA. This docket facility is open from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The docket 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/>.

An electronic version of the public docket is available through EPA's electronic public docket and comment system, EPA Dockets. You may use EPA Dockets at <http://www.epa.gov/edocket/> to submit or view public comments, access the index listing of the contents of the official public docket, and to access those documents in the public docket that are available electronically. Although not all docket materials may be available electronically, you may still access any of the publicly available docket materials through the docket