

addressed to the person listed under **FOR FURTHER INFORMATION CONTACT**.

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

The Agency's authority for taking this action is contained in sections 3(c)(2)(B) and 6(f)(2) of FIFRA, 7 U.S.C. 136 *et seq.*

### List of Subjects

Environmental protection, Pesticides and pests.

Dated: June 3, 2010.

**Richards P. Keigwin, Jr.,**

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

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**BILLING CODE 6560-50-S**

## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2010-0425; FRL-8828-8]

### Pesticide Products; Registration Applications

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

**ACTION:** Notice.

**SUMMARY:** EPA has received applications to register pesticide products containing active ingredients not included in any previously registered pesticide products. Pursuant to the provisions of section 3(c)(4) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), EPA is hereby providing notice of receipt and opportunity to comment on these applications.

**DATES:** Comments must be received on or before July 16, 2010.

**ADDRESSES:** Submit your comments, identified by docket identification (ID) number EPA-HQ-OPP-2010-0425, 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-2010-0425. 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:** Marianne Lewis, Registration Division (7505), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number:

(703) 308-8043; e-mail address: [lewis.marianne@epa.gov](mailto:lewis.marianne@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 an agricultural producer, food manufacturer, or pesticide manufacturer. Potentially affected entities may include, but are not limited to:

- Crop production (NAICS code 111).
- Animal production (NAICS code 112).
- Food manufacturing (NAICS code 311).
- Pesticide manufacturing (NAICS code 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. 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:

- Identify the document by docket ID number and other identifying information (subject heading, **Federal Register** date and page number).
- 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. Registration Applications

EPA has received applications to register pesticide products containing active ingredients not included in any previously registered pesticide products. Pursuant to the provisions of section 3(c)(4) of FIFRA, EPA is hereby providing notice of receipt and opportunity to comment on these applications. Notice of receipt of these applications does not imply a decision by the Agency on these applications.

1. *File Symbol:* 264-RRRI. *Docket Number:* EPA-HQ-OOP-2010-0425. *Applicant:* Bayer CropScience LP2, T.W. Alexander Dr., Research Triangle Park, NC 27709. *Product name:* Penflufen TC. *Active ingredient:* Fungicide with Penflufen at 98.72%. *Proposed classification/Use:* Manufacturing use product. For formulation into an end-use fungicide for terrestrial food use for in-furrow potato use and seed piece treatment on vegetable, tuberous and corm, (CSG1); for use as seed treatment fungicide on alfalfa, grains, cereal (CG15 & 16); vegetables, legume, including soybeans (CG 6 & 7); canola, borage, crambe, cuphea, echium, flax seed, gold of pleasure, hare's ear mustard, lesquerella, lunaria, meadowfoam, milkweed, mustard seed, oil radish, poppy seed, rapeseed, sesame, sweet rocket, calendula, castor oil plant, Chinese tallowtree, euphorbia, evening primrose, jojoba, niger seed, rose hip, safflower, stokes aster, sunflower, tallowwood, tea oil plant, veronia, cottonseed. *Contact:* Marianne Lewis, (703) 308-8043, [lewis.marianne@epa.gov](mailto:lewis.marianne@epa.gov).

2. *File Symbol:* 264-RRRO. *Docket Number:* EPA-HQ-OOP-2010-0425. *Applicant:* Bayer CropScience LP2, T.W. Alexander Dr., Research Triangle Park, NC 27709. *Product name:* PEN 240FS. *Active ingredient:* Fungicide with

Penflufen at 22.7%. *Proposed classification/Use:* Terrestrial food use for in-furrow application on potato and other tuberous and corm vegetables (CSG1C), seed piece application on potato; for use as seed treatment on alfalfa, beans and peas including soybean and legume (CG 6 & 7); cotton, cereal grains (CG 15 & 16); corn, rice, canola, borage, crambe, cuphea, echium, flax seed, gold of pleasure, hare's ear mustard, lesquerella, lunaria, meadowfoam, milkweed, mustard seed, oil radish, poppy seed, rapeseed, sesame, sweet rocket, calendula, castor oil plant, Chinese tallowtree, euphorbia, evening primrose, jojoba, niger seed, rose hip, safflower, stokes aster, sunflower, tallowwood, tea oil plant, veronia, cottonseed. *Contact:* Marianne Lewis, (703) 308-8043, [lewis.marianne@epa.gov](mailto:lewis.marianne@epa.gov).

3. *File Symbol:* 264-RREN. *Docket Number:* EPA-HQ-OOP-2010-0425. *Applicant:* Bayer CropScience LP2, T.W. Alexander Dr., Research Triangle Park, NC 27709. *Product name:* PENRED 240FS. *Active ingredient:* Fungicide with Penflufen at 22.4%. *Proposed classification/Use:* Terrestrial food use for in-furrow application on potato and other tuberous and corm vegetables (CSG1C), seed piece application on potato; for use as seed treatment on alfalfa, beans and peas including soybean and legume (CG 6 & 7); cotton, cereal grains (CG 15 & 16); corn, rice, canola, borage, crambe, cuphea, echium, flax seed, gold of pleasure, hare's ear mustard, lesquerella, lunaria, meadowfoam, milkweed, mustard seed, oil radish, poppy seed, rapeseed, sesame, sweet rocket, calendula, castor oil plant, Chinese tallowtree, euphorbia, evening primrose, jojoba, niger seed, rose hip, safflower, stokes aster, sunflower, tallowwood, tea oil plant, veronia, cottonseed. *Contact:* Marianne Lewis, (703) 308-8043, [lewis.marianne@epa.gov](mailto:lewis.marianne@epa.gov).

4. *File Symbol:* 264-RREL. *Docket Number:* EPA-HQ-OOP-2010-0425. *Applicant:* Bayer CropScience LP2, T.W. Alexander Dr., Research Triangle Park, NC 27709. *Product name:* PENCLO 273.5FS. *Active ingredient:* Fungicide with Penflufen at 6.0% and Clothianidin at 18.6%. *Proposed classification/Use:* Seed treatment on cotton. *Contact:* Marianne Lewis, (703) 308-8043, [lewis.marianne@epa.gov](mailto:lewis.marianne@epa.gov).

5. *File Symbol:* 264-RREU. *Docket Number:* EPA-HQ-OOP-2010-0425. *Applicant:* Bayer CropScience LP2, T.W. Alexander Dr., Research Triangle Park, NC 27709. *Product name:* PENTRI 308FS. *Active ingredient:* Fungicide with Penflufen at 13.3% and Trifloxystrobin at 13.3%. *Proposed*

*classification/Use:* Seed treatment on alfalfa, beans and peas including soybean (CG 6) rice, corn, cotton and wheat. *Contact:* Marianne Lewis, (703) 308-8043, [lewis.marianne@epa.gov](mailto:lewis.marianne@epa.gov).

6. *File Symbol:* 264-RRER. *Docket Number:* EPA-HQ-OOP-2010-0425. *Applicant:* Bayer CropScience LP2, T.W. Alexander Dr., Research Triangle Park, NC 27709. *Product name:* PENCLOTRIME 310.68FS. *Active ingredient:* Fungicide with Penflufen at 0.82%, Clothianidin at 22.3%, Metalaxyl at 0.55%, and Trifloxystrobin at 0.55%. *Proposed classification/Use:* Seed treatment on canola, mustard seed, and rapeseed. *Contact:* Marianne Lewis, (703) 308-8043, [lewis.marianne@epa.gov](mailto:lewis.marianne@epa.gov).

7. *File Symbol:* 264-RREE. *Docket Number:* EPA-HQ-OOP-2010-0425. *Applicant:* Bayer CropScience LP2, T.W. Alexander Dr., Research Triangle Park, NC 27709. *Product name:* PENPROME 177FS. *Active ingredient:* Fungicide with Penflufen at 3.59%, Metalaxyl at 5.74%, and Prothioconazole at 7.18%. *Proposed classification/Use:* Seed treatment on alfalfa, beans and peas (dried) including soybean (CG 6), rice, wheat, barley, and triticale. *Contact:* Marianne Lewis, (703) 308-8043, [lewis.marianne@epa.gov](mailto:lewis.marianne@epa.gov).

8. *File Symbol:* 264-RREG. *Docket Number:* EPA-HQ-OOP-2010-0425. *Applicant:* Bayer CropScience LP2, T.W. Alexander Dr., Research Triangle Park, NC 27709. *Product name:* PENPRO 118FS. *Active ingredient:* Fungicide with Penflufen at 9.35% and Prothioconazole at 1.68%. *Proposed classification/Use:* Seed piece application on potato and seed treatment on wheat. *Contact:* Marianne Lewis, (703) 308-8043, [lewis.marianne@epa.gov](mailto:lewis.marianne@epa.gov).

### List of Subjects

Environmental protection, Pesticides and pest.

Dated: June 7, 2010.

**Lois Rossi,**

*Director, Registration Division, Office of Pesticide Programs.*

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## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2010-0030; FRL-8809-5]

### Pesticides; Availability of Updated Schedule for Registration Review

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

**ACTION:** Notice.