

Through a Federal regulation promulgated in 1978, (43 FR 5782-5791, February 9, 1978) "dry baits, pellets and powder formulations" containing strychnine compounds are classified as restricted use pesticides if:

1. The concentration of active ingredient claimed on the label exceeds 0.5%

2. The label permits applications that are not "subsoil," and/or

3. The label includes "uses calling for burrow builders." The same rule allows strychnine end-use "dry baits, pellets and powder formulations" limited to "subsoil uses" not involving burrow-builder applications to remain unclassified. Such products may be purchased and used by persons who are neither certified applicators nor supervised by certified applicators.

In 1983, EPA completed a Special Review of above-ground uses of strychnine alkaloid and strychnine sulfate products. In 1988, a U.S. District Court in Minnesota issued an injunction prohibiting the registration of above-ground uses of strychnine products. In 1989, the 1988 decision was reversed in part on appeal but was upheld on matters related to the Endangered Species Act. The injunction against above-ground uses of pesticides containing strychnine compounds was sustained and remains in effect. Also in 1989, EPA and various concerned parties reached a settlement agreement pursuant to the Special Review for strychnine products.

By the early 1990's, the registrations of many strychnine alkaloid products and all strychnine sulfate products had been canceled. The strychnine alkaloid products that remained registered at that time primarily included:

1. Restricted use products labeled for below-ground applications to control pocket gophers, including applications using burrow builders;

2. Unclassified end-use products labeled for manual below-ground applications to control pocket gophers; and

3. Manufacturing-use products.

In 1996, EPA issued a Reregistration Eligibility Decision (RED) document pertaining to strychnine. Labels for all currently registered strychnine products bear risk mitigation text developed through the reregistration process. All but one of the remaining strychnine products subject to the RED have been reregistered. All nine of the remaining unclassified strychnine end-use products have been reregistered.

Through a petition, SFIREG seeks to have all strychnine products classified as restricted use pesticides. Due to the regulatory exemption afforded to

manufacturing use products, the SFIREG petition would directly affect only the currently unclassified products which are labeled for manual, below-ground applications to control various types of pocket gophers.

The petitioner reports that member States have noted incidents of misuse of strychnine products, including use to control "black-tailed prairie dogs and other pests not found on the product labeling." Petitioner states that uses against prairie dogs typically consist of "broadcast applications of bait products on the soil surface" and thereby increase the likelihood of primary and secondary exposures to non-target species. Petitioner expresses concern that sales of unclassified strychnine products, including "many products sold in small packages," make it difficult for State regulatory agencies to investigate misuse cases involving strychnine due to the lack of recordkeeping requirements for transactions involving unclassified products. Petitioner contends that classifying all strychnine products as restricted use pesticides would:

1. Provide tighter controls over the distribution, sale, and use of these products

2. Improve documentation of sales, facilitate investigations of misuse cases; and

3. Better mitigate risk to the environment.

For this Notice, EPA has posted petitioner's request in the public docket accompanying this topic at EPA-HQ-OPP-2009-0815. EPA is providing an opportunity for public comment and submission of additional information pertinent to this petition that commenters would like the Agency to consider as it develops a response to the petition. The Agency would find particularly useful information relating to misuse of strychnine products, including misuse by non-certified applicators and by, or under the direct supervision of, certified applicators. Commenters are asked to provide available information regarding the products involved, the incidence of misuse, and the environmental impacts that have or could reasonably have resulted from misuse.

#### List of Subjects

Environmental protection, pesticides, restricted use, rodenticides, strychnine.

Dated: December 10, 2009.

**G. Jeffrey Herndon,**

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

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## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2009-0744; FRL-8802-7]

### 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 registrants to voluntarily cancel certain pesticide registrations.

**DATES:** Unless a request is withdrawn by January 19, 2010 for these registration for which the registrants have requested a waiver of the 180-day comment period, orders will be issued canceling these registrations. The Agency will consider withdrawal requests postmarked no later than January 19, 2010. Comments must be received on or before January 19, 2010 for these registrations, where the 180-day comment period has been waived.

**ADDRESSES:** Submit your comments and your withdrawal request, identified by docket identification (ID) number EPA-HQ-OPP-2009-0744, 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: Written Withdrawal Request, Attention: Barbara Briscoe, Pesticide Re-evaluation Division (7508P).

• *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-2009-0744. 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 or e-mail. The 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, 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:** Barbara Briscoe, Pesticide Re-evaluation Division, Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 308-8177; e-mail address: [briscoe.barbara@epa.gov](mailto:briscoe.barbara@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 information in this notice, 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 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. What Action is the Agency Taking?**

This notice announces receipt by the Agency of applications from registrants to cancel 194 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 No.	Product Name	Chemical Name
000088-00024	Hyponex Bug Spray for House Plants	Piperonyl Butoxide
000192-00183	Ortho House Plant Insect Killer	Resmethrin
000228-00195	Riverdale DP-4 Amine	2,4-DP
000228-00243	Riverdale Cattle Spray	Piperonyl Butoxide
000228-00245	Riverdale Insect Killer	Piperonyl Butoxide
000228-00246	Riverdale Home and Garden Insect Spray	Piperonyl Butoxide
000228-00247	Riverdale Pyrethrin Concentrate	Piperonyl Butoxide
000228-00250	Riverdale Patio & Yard Outdoor Fogger	Piperonyl Butoxide
000239-02421	Ortho Outdoor Insect Fogger	Resmethrin

TABLE 1.—REGISTRATIONS WITH PENDING REQUESTS FOR CANCELLATION—Continued

Registration No.	Product Name	Chemical Name
000239-02429	Ortho Hi Power Indoor Insect Fogger	Piperonyl Butoxide
000239-02498	Ortho Rose & Flower Insect Killer	Piperonyl Butoxide
000239-02527	Ortho Pet Flea & Tick Spray	Piperonyl Butoxide
000239-02565	Ortho Pet Shampoo	Piperonyl Butoxide
000239-02566	Ortho Pet Flea & Tick Powder	Piperonyl Butoxide
000239-02567	Flea-B-Gon Carpet Dust	Piperonyl Butoxide
000239-02624	Hi Power Indoor Insect Fogger Formula V	Piperonyl Butoxide
000239-02676	Flea-B-Gon Total Fogger	Permethrin
000239-02678	Ortho Ant Killer Spray	Permethrin
000478-00126	Real Kill Automatic Indoor Fogger II	Permethrin
000499-00339	Whitmire Wasp and Hornet Spray	Resmethrin
000499-00352	Wasp & Hornet Spray #3	Resmethrin
000499-00455	ULD BP-3000-R Resmethrin Concentrate	Resmethrin
000538-00177	Scotts Houseplant Insecticide	Pyrethrins
000538-00243	Yard & Garden Insect Control	Piperonyl Butoxide
000538-00244	Next Generation Crawling Insect Control	Piperonyl Butoxide
000538-00245	Next Generation Yard & Garden Concentrate Insect Control	Piperonyl Butoxide
000572-00316	Rockland Mill-Mist "S"	Resmethrin
000769-00317	Superior Oil 70	Aliphatic Solvents
000769-00682	SMCP SBP- 1382 Insecticide Spray 0.10%	Resmethrin
000769-00683	SMCP SBP-1382 ® Insecticide Spray 0.05	Resmethrin
000769-00684	SMCP SBP-1382 ® Insecticide Spray 0.25	Resmethrin
000769-00701	SMCP SBP-1382 Liquid Spray 0.25%	Resmethrin
000769-00702	24.3% SBP-1382-2 E.C.	Resmethrin
000769-00703	40% SBP-1382 Mosquito Adulticide ULV Oil Base Concentrate	Resmethrin
000769-00704	SMCP SBP-1382 ULV Insecticide	Resmethrin
000769-00710	SMCP Household Insect Spray	Resmethrin
000769-00805	Superior Point Two Fly Spray	Resmethrin
000769-00870	Greenhouse & Plantscape EC2 Resmethrin Insect Spray	Resmethrin
000769-00877	Platt Whitefly Spray for Indoor Plants and Outdoor Ornamentals	Resmethrin
000769-00882	Resmethrin Mosquito Concentrate 40	Resmethrin
000769-00884	Pratt Resmethrin 3 Insect Spray	Resmethrin
000769-00885	Pratt Wasp & Yellow Jacket Spray	Resmethrin
000769-00893	Pratt Plant Spray	Resmethrin
000769-00900	House & Yard Insect Spray	Resmethrin
000769-00938	Warner Enterprises Wasp & Hornet III	Resmethrin

TABLE 1.—REGISTRATIONS WITH PENDING REQUESTS FOR CANCELLATION—Continued

Registration No.	Product Name	Chemical Name
000769-00939	Warner Enterprises Ornamental Insecticide Concentrate I	Resmethrin
000829-00075	SA 50 25% Malathion Wettable Spray Concentrate	Malathion
001021-00056	Pyrocid Intermediate 54	Piperonyl Butoxide
001021-00230	Pyrocid Intermediate 57	Piperonyl Butoxide
001021-00838	Clearmol Concentrate 6643	Piperonyl Butoxide
001021-00988	Pyrocid Intermediate 6878	Piperonyl Butoxide
001021-01091	Evergreen Emulsifiable 60-6	Piperonyl Butoxide
001021-01095	Pyrocid Intermediate 6982	Piperonyl Butoxide
001021-01126	D-Trans Intermediate 1860	Piperonyl Butoxide
001021-01517	Pyrocid Concentrate 7352	Piperonyl Butoxide
001021-01627	Evercid Intermediate 2531	MGK-264
001021-01646	Piperonyl Butoxide OS	Piperonyl Butoxide
001021-01654	ETOC Concentrate 2634	Piperonyl Butoxide
001021-01679	Multicide Pressurized Roach Spray 27341	MGK-264
001021-01681	Multicide Total Release Aerosol 2782	MGK-264
001021-01685	Multicide Total Release Aerosol 27372	MGK-264
001021-01695	Evercid Concentrate 2654	MGK-264
001021-01696	Evercid Carpet and Surface Spray 2655	MGK-264
001021-01697	Evercid Roach and Ant Spray 2622	MGK-264
001021-01705	Pyrocid Home & Garden Spray	Piperonyl Butoxide
001021-01786	Pyrocid Indoor/Outdoor Insect Killer 73525	Piperonyl Butoxide
001021-01792	Evercid Carpet and Surface Spray 28011	MGK-264
001021-01822	Turbocid Pest Control System with PYROCIDE 1-5	Piperonyl Butoxide
002217-00068	Pyrenone Multi-Purpose Knockout Spray	Piperonyl Butoxide
002217-00246	Pyrenone Dairy Cattle and Stock Spray	Piperonyl Butoxide
002217-00476	Horse Spray Ready to Use	Piperonyl Butoxide
002217-00497	Gordon's Institutional Mist Spray	Piperonyl Butoxide
002217-00520	Gordon's Malathion Contains 5 LBS Malathion Per Gallon	Malathion
002217-00523	Gordon's Institutional Area Spray	Piperonyl Butoxide
002217-00578	Pyrenone Multi-Purpose Knockout Spray	Piperonyl Butoxide
002217-00582	Gordon's Industrial Emulsifiable Concentrate Stable (1)	Piperonyl Butoxide
002217-00583	Gordon's Industrial Emulsifiable Concentrate Stable(2)	Piperonyl Butoxide
002217-00584	Gordon's Industrial Spray	Piperonyl Butoxide
002596-00137	Hartz One Spot Repellant for Dogs and Puppies	Permethrin
002596-00146	Hartz REF. 101	Permethrin
002724-00507	Speer Home & Garden Insect Spray with 25% SPB-1382	Resmethrin
002724-00509	Speer Insect Killer With .25% SBP-1382	Resmethrin

TABLE 1.—REGISTRATIONS WITH PENDING REQUESTS FOR CANCELLATION—Continued

Registration No.	Product Name	Chemical Name
002724-00510	Speer Indoor-Outdoor Insect Spray with 35& SBP-1382	Resmethrin
002724-00515	Speer Yard & Patio Fogger	Resmethrin
002724-00516	Speer Flea Spray for Dogs & Cats	Resmethrin
002724-00520	Speer Food Plant Pressurized Insect Spray	Resmethrin
002724-00524	Speer Cedar Scented Moth Proofer	Resmethrin
002724-00525	Speer Aqueous Pressurized Spray Professional Strength	Resmethrin
002724-00526	Speer House & Garden Insect Spray	Resmethrin
002724-00528	Speer Aqueous Pressurized Spray	Resmethrin
002724-00534	Speer 2% Transparent Emulsion Concentrate	Resmethrin
002724-00535	Speer 0.35% Transparent Emulsion Spray	Resmethrin
002724-00546	Speer Wasp & Hornet Killer	Resmethrin
002724-00695	SBP/PY/PB Water-based Ready-to-use Liquid Spray	Resmethrin
002935-00418	Metaldehyde 4 Bait	Metaldehyde
003468-00009	Supreme Oil Insecticide	Aliphatic Solvents
004822-00122	Johnson Yardmaster Foam Insect Killer	Resmethrin
004822-00136	Raid Formula II Insect Killer	Resmethrin
004822-00139	Raid Household Flying Insect Killer I	Resmethrin
004822-00140	Raid Formula IV Flying Insect Killer	Resmethrin
004822-00141	Raid Flying Insect Killer Formula III	Resmethrin
004822-00162	Raid Household Flying Insect Killer Formula 2	Resmethrin
004822-00163	Raid House and Garden Bug Killer all Seasons Formula	Resmethrin
004822-00165	Raid House and Garden Bug Killer V	Resmethrin
004822-00181	Raid House and Garden Bug Killer Formula 8	Resmethrin
004822-00183	Raid Formula 5249 Multi-Purpose Bug Killer	Resmethrin
004822-00186	Raid Formula D39 Multi-Purpose Bug Killer	Resmethrin
004822-00187	Johnson Wax Raid Liquid Flying Insect Killer	Resmethrin
004822-00188	Raid Liquid Flying Insect Killer I	Resmethrin
004822-00214	Raid Gypsy Moth and Japanese Beetle Killer	Resmethrin
004822-00286	Raid Formula 6 Flying Insect Killer	Resmethrin
004822-00287	Raid Flying Insect Killer Formula 8	Resmethrin
004822-00288	Raid Flying Insect Killer Formula 7	Resmethrin
004822-00304	Raid Flying Insect Killer Formula 10	Resmethrin
004822-00363	Piperonyl Butoxide Technical for Manufacturing Purposes Only	Piperonyl Butoxide
005178-00009	Fish Mosquito Coils	Pyrethrins
005481-00035	Pyrenone Fly Spray	Pyrethrins
005481-00041	DDVP 1 Spray Insecticide Concentrate	Dichlorvos (DDVP)

TABLE 1.—REGISTRATIONS WITH PENDING REQUESTS FOR CANCELLATION—Continued

Registration No.	Product Name	Chemical Name
005481-00064	Pyrethrin 101 Concentrate	Pyrethrins
005481-00201	DDVP 80% Fogging Concentrate	Dichlorvos (DDVP)
005481-00202	DDVP 50% Fogging Concentrate	Dichlorvos (DDVP)
005481-00203	DDVP 5 TM Fogging Concentrate	Dichlorvos (DDVP)
005481-00207	DDVP 15 Fogging Insect Control	Dichlorvos (DDVP)
005481-00208	DDVP 15% Spray Concentrate	Dichlorvos (DDVP)
005481-00340	Alco Bug Spray Pressurized	Pyrethrins
005887-00037	Black Leaf Dormant Spray	Aliphatic Solvents
005887-00101	Black Leaf Yard & Patio Fogger	Resmethrin
005887-00113	Roach & Ant Pressurized Spray	Resmethrin
005887-00114	Black Leaf House & Garden Pressurized Spray	Resmethrin
005887-00115	Black Leaf Fly & Mosquito Pressurized Spray	Resmethrin
005887-00117	Black Leaf Cockroach & Ant Killer	Resmethrin
005887-00119	Black Leaf Wasp & Hornet Pressurized Spray	Resmethrin
005887-00122	Black Leaf White Fly Pressurized Spray	Resmethrin
005887-00130	Black Leaf Cockroach & Ant Killer	Resmethrin
006218-00021	Summit Mushroom House Fogging Insecticide	Dichlorvos (DDVP)
006218-00057	Summit 5% DDVP	Dichlorvos (DDVP)
008329-00011	Malathion E-5	Malathion
008329-00014	Clarke ULV Mosquitocide 731	Resmethrin
008329-00028	Pyrethrins 3610-MO	Pyrethrins
008329-00029	ULV Mosquitocide 731 Plus	Resmethrin
008329-00038	Biomist 4 + 20 Spray	Piperonyl Butoxide
008329-00041	Biomist 12 + 60 ULV	Piperonyl Butoxide
008329-00052	Flak 10-10	Piperonyl Butoxide
008329-00053	Flak 50-50	Piperonyl Butoxide
008329-00054	Oblique	Resmethrin
008329-00055	Oblique III	Resmethrin
008329-00063	Biomist 2 + 2 ULV	Piperonyl Butoxide
008378-00059	Shaw's Permethrin 50 Lawn Insect Granules	Permethrin
008660-00054	Fogging Concentrate Pyrenone-Type	Piperonyl Butoxide
008660-00058	Pyrenone 20 New	Piperonyl Butoxide
008660-00077	Patterson's Greenup Organic Bug Dust	Piperonyl Butoxide
008660-00084	Vertagreen Indoor Plant Spray	Piperonyl Butoxide
008660-00119	Vertagreen Rose & Flower Insect Killer	Piperonyl Butoxide
008845-00057	Hot Shot Improved Fly and Mosquito Insect-Killer Formula II 5	MGK-264

TABLE 1.—REGISTRATIONS WITH PENDING REQUESTS FOR CANCELLATION—Continued

Registration No.	Product Name	Chemical Name
008845-00103	Rid-A-Flea Shampoo	MGK-264
008845-00122	Hot Shot Roach and Ant Killer-Formula PRWB-1	Pyrethrins
008845-00123	Hot Shot Fogger V	Pyrethrins
009086-00008	Revenge Farm and Home Fly Bomb Insect Fogger	Pyrethrins
010900-00063	876 Institutional Insecticide	Resmethrin
019713-00302	Green Devil Wettable Powder	Malathion
019713-00359	Best 4 Servis Brand 25% Malathion Wettable Powder	Malathion
032970-00006	Pactor-Fume Up and Atem Water Based Insecticide	MGK-264
034704-00859	Takedown 50 WP Cotton Defoliant	Thidiazuron
039609-00001	Schultz House Plants & Gardens Insect Spray	Piperonyl Butoxide
042697-00033	Safer Soap and Pyrethrum Ready-To-Use	Pyrethrins
046515-00008	Super K-Gro Tomato & Vegetable insect Spray	Pyrethrins
046515-00009	Super K-Gro Rose & Floral Insect Killer	Piperonyl Butoxide
046515-00020	Super K-Gro Pet, Flea and Tick Spray	Piperonyl Butoxide
046515-00023	Super K-Gro Whitefly and Mealybug Insect Killer	Piperonyl Butoxide
046515-00027	Super K-Gro House Plant Insect Killer	Piperonyl Butoxide
046515-00029	Super K-Gro Whitefly & Mealybug Killer Spray	Piperonyl Butoxide
046515-00038	K-Rid Roach and Flea Fogger	MGK-264
046515-00039	K-Ant and Roach Killer	MGK-264
046515-00047	Flying Insect Killer 3	Piperonyl Butoxide
046515-00049	House & Garden Bug Killer	Piperonyl Butoxide
046515-00052	Roach & Flea Fogger	Piperonyl Butoxide
047000-00137	Selco Vapona Insecticide Fogging Solution	Dichlorvos (DDVP)
049585-00011	Super K-Gro Pyrenone Garden Dust	Piperonyl Butoxide
050932-00005	Concern Multi-Purpose Insect Killer Ready to Use	Pyrethrins
059144-00001	Malathion 50% Insect Spray	Malathion
070506-00197	Cuprofix MZ Disperss	Copper Sulfate
070627-00042	Johnson Wax Professional Total Release Fogger	Pyrethrins
070627-00043	Flea Killer IGR and Adulticide	Pyrethrins
070627-00052	Raid Commercial Insect Killer	Pyrethrins
072155-00064	Tetraperm (0.15-0.15-0.75) Yard and Patio Fogger	Piperonyl Butoxide
075395-00001	SK-Enspray 99	Aliphatic Solvents
075395-00002	SK-Enspray N	Aliphatic Solvents
075402-00002	Hilo Premises Spray	Pyrethrins
075402-00003	Aloe Care Flea & Tick Shampoo	Pyrethrins
083399-00005	SVP1	Permethrin
CA 990026	Temik Brand 15G Aldicarb Pesticide	Aldicarb

TABLE 1.—REGISTRATIONS WITH PENDING REQUESTS FOR CANCELLATION—Continued

Registration No.	Product Name	Chemical Name
CO-990012	Banvel Herbicide-for Weed Control in Millet	Dicamba
CO-990013	Banvel Herbicide Aerial Applications	Dicamba
CO-990014	Banvel Herbicide, preharvest applications in wheat	Dicamba

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 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 REQUESTING VOLUNTARY CANCELLATION

EPA Company No.	Company Name and Address
000088	Hyponex Corp. 14111 Scotts Lawn Road Marysville, OH 43041
000192	Value Garden Supply 9100 W. Bloomington Freeway, Suite 113 Bloomington, MN 55431
000228	Nufarm Americas, Inc. 150 Harvester Dr. Suite 200 Burr Ridge, IL 60527
000239	The Scotts Group D/B/A/ The Ortho Group P.O. BOX 190 Marysville, OH 43040
000478	Realex P.O.BOX 142642 St. Louis, MO 63114
000499	BASF Corporation 3568 Tree Ct Industrial Blvd St. Louis, MO 63114
000538	The Scotts Company 14111 Scotts Lawn Road Marysville, OH 43041
000572	Value Garden Supply 9100 W. Bloomington Freeway Suite 113 Bloomington, MN 55431
000769	Value Garden Supply 9100 W. Bloomington Freeway Suite 113 Bloomington, MN 55431
000829	Southern Agricultural Insecticides, Inc. P.O. Box 218 Palmetto, FL 34220
001021	MCLaughlin Gormley King Company 8810 Tenth Avenue North Minneapolis, MN 55427
002217	PBI/Gordon Corporation 1217 West 12TH Street P.O. BOX 14090 Kansas City, MO 64101
002596	Hartz Mountain Corporation 400 Plaza Drive Secaucus, NJ 07094



TABLE 2.—REGISTRANTS REQUESTING VOLUNTARY CANCELLATION—Continued

EPA Company No.	Company Name and Address
002724	Wellmark Mountain Corporation 1501 E. Woodfield Road, Suite 200 West Schaumburg, IL 60173
002935	Wilbur Ellis Company P.O BOX 1286 Fresno, CA 93715
003468	Schall Chemical Supply, LLC 120 N. Broadway Monte Vista, CO 81144
004822	S.C. Johnson & Son, Inc. 1525 Howe Street Racine, WI 53403
005178	Blood Protection Company, LTD Paul A. Keane & Associates P.O. Box 65436 Tucson, AZ 85728
005481	AMVAC Chemical Corporation 4695 MacArthur Court Suite 1250 Newport Beach, CA 92660
005887	Value Garden Supply 9100 W. Bloomington Freeway, Suite 113 Bloomington, MN 55431
006218	Summit Chemical Company Summit Responsible Solutions 235 South Kresson Street Baltimore, MD 21224
008329	Clark Mosquito Control Products, Inc. P.O. BOX 72197 Roselle, IL 60172
008378	Knox Fertilizer Company P.O. BOX 248 Knox, IN 46534
008660	United Industries, Corporation D/B/A Sylorr Plant Corporation. P.O. BOX 142642 ST LOUIS, MO 31140
008845	Spectrum Group Division of United Industries Corporation P.O. BOX 142642 St. Louis, MO 31140
009086	Roxide International, Inc. 5927 Paint Bank Road New Castle, VA 24127
010900	Sherman Williams 101 Prospect Avenue Cleveland, OH 44115
019713	Drexel Chemical Company 1700 Channel Avenue P.O. BOX 13327 Memphis, TN 38113
032970	American Cleaning Company 39-30 Review Avenue.. Long Island City, NY 11101

TABLE 2.—REGISTRANTS REQUESTING VOLUNTARY CANCELLATION—Continued

EPA Company No.	Company Name and Address
039609	Schultz Company 13260 Corporation Exchange Drive P.O. BOX 4406 Bridgeton, MO 63044
042697	Safer, Inc. 69 North Locust Street P.O. BOX 327 Lititz, PA 17543
046515	Celex Division of United Industries, Corporation P.O. BOX 14642 St. Louis, MO 63114
047000	Chem-Tech, Ltd 4515 Fleur Dr. #303 Des Moines, IA 50321
049585	Alljack, Division of United Industries, Corporation P.O. BOX 14642 St. Louis, MO 63114
050932	Woodstream Corporation 69 North Locust St. P.O. BOX 327 Lititz, PA 17543
070506	United Phosphorus 630 Freedom Business Center, Suite 402 King of Prussia, PA 19402
070627	Johnson Diversey, Inc. 8310 16TH ST. P.O. BOX 902 Sturtevant, WI 53177
072155	Bayer Advanced A Business Unit of Bayer Cropscience, LP 2 T.W. Alexander Dr., P.O. BOX 12014 Research Triangle Park, NC 27709
075395	SK E&P Company 1300 Post Oak Blvd, Suite 450 Houston, TX 77056
075402	Boss Pet Products, Inc. 1645 Rockside Road, Suite 200 Maple Heights, OH 44147
083399	Summit Vetpharm, LLC. 301 Route 17 North Rutherford, NJ 07070
CA 990026	California Pecan Growers Association P.O. Box 1142 Visalia, CA 93279
CO 990012	State of Colorado 700 Kipling Street, Suite 4000 Lakewood, CO 80215
CO 990013	State of Colorado 700 Kipling Street, Suite 4000 Lakewood, CO 80215
CO 990014	State of Colorado 700 Kipling Street, Suite 4000 Lakewood, CO 80215

### 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 on or before January 19, 2010. 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 products 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

Existing stocks are those stocks of registered pesticide products which are currently in the United States and which were packaged, labeled, and released for shipment prior to the effective date of the cancellation action. EPA's existing stocks policy (56 FR 29362) provides that: "If a registrant requests to voluntarily cancel a registration where the Agency has identified no particular risk concerns, the registrant has complied with all applicable conditions of reregistration, conditional registration, and data call ins, and the registration is not subject to a Registration Standard, Label Improvement Program, or reregistration decision, the Agency will generally permit a registrant to sell or distribute existing stocks for 1 year after the cancellation request was received. Persons other than registrants will generally be allowed to sell, distribute, or use existing stocks until such stocks are exhausted."

Upon cancellation of the pesticides identified in Table 1, EPA anticipates allowing sale, distribution and use as described above. Exception to this general policy will be made in specific cases when more stringent restrictions on sale, distribution, or use of the

products or their ingredients have already been imposed, as in a special review action, or where the Agency has identified significant potential risk concerns associated with a particular chemical.

### List of Subjects

Environmental protection, Pesticides and pests.

Dated: December 10, 2009.

**Richard P. Keigwin, Jr.,**

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

[FR Doc. E9-30038 Filed 12-17-09; 8:45 am]

**BILLING CODE 6560-50-S**

### FEDERAL COMMUNICATIONS COMMISSION

[AU Docket No. 09-205; DA 09-2416]

#### Auction of Lower and Upper Paging Bands Licenses Scheduled for May 25, 2010; Comment Sought on Competitive Bidding Procedures for Auction 87

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice.

**SUMMARY:** This document announces the auction of lower and upper paging bands licenses scheduled to commence on May 25, 2010 (Auction 87). This document also seeks comments on competitive bidding procedures for Auction 87.

**DATES:** Comments are due on or before December 21, 2009, and reply comments are due on or before January 7, 2010.

**ADDRESSES:** You may submit comments, identified by AU Docket No. 09-205, by any of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

- *Federal Communications Commission's Web Site:* <http://fjallfoss.fcc.gov/ecfs2/>. Follow the instructions for submitting comments.

- *Paper Filers:* Parties who choose to file by paper must file an original and four copies of each filing. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Attn: WTB/ASAD, Office of the Secretary, Federal Communications Commission.

- Through December 24, 2009, the Commission's contractor will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue,

NE., Suite 110, Washington, DC 20002. The filing hours at this location are 8 a.m. to 7 p.m. Eastern Time (ET). All hand deliveries must be held together with rubber bands or fasteners.

Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.

- For filings on or after December 28, 2009, all hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th St., SW., Room TW-A325, Washington, DC 20554. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of *before* entering the building.

- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.

- *People with Disabilities:* Contact the FCC to request reasonable accommodations (accessible format documents, sign language interpreters, CART, etc.) by e-mail: [FCC504@fcc.gov](mailto:FCC504@fcc.gov) or telephone: 202-418-0530 or TTY: 202-418-0432.

- The Wireless Telecommunications Bureau requests that a copy of all comments and reply comments be submitted electronically to the following address: [auction87@fcc.gov](mailto:auction87@fcc.gov).

- *People with Disabilities:* Contact the FCC to request reasonable accommodations (accessible format documents, sign language interpreters, CART, etc.) by e-mail: [FCC504@fcc.gov](mailto:FCC504@fcc.gov) or phone: 202-418-0530 or TTY: 202-418-0432.

**FOR FURTHER INFORMATION CONTACT:** *Wireless Telecommunications Bureau, Auctions and Spectrum Access Division:* For auction legal questions: Scott Mackoul at (202) 418-0660. For general auction questions: Roy Knowles or Barbara Sibert at (717) 338-2868; *Mobility Division:* For paging service rule questions: Michael Connelly (legal) or Melvin Spann (technical) at (202) 418-0620.

**SUPPLEMENTARY INFORMATION:** This is a summary of the *Auction 87 Comment Public Notice* released on November 30, 2009. The complete text of the *Auction 87 Comment Public Notice*, including Attachments A and B, and related Commission documents, are available for public inspection and copying from 8 a.m. to 4:30 p.m. ET Monday through Thursday or from 8 a.m. to 11:30 a.m. ET on Fridays in the FCC Reference Information Center, 445 12th Street,