

Pursuant to section 6(f)(1)(A) of FIFRA, Agrilience, LLC; Dow AgroSciences, LLC; and RiceCo, LLC submitted requests to amend a number of their propanil end-use and technical product registrations to terminate the

small grains (spring (hard red) wheat, oats, spring barley, and durum wheat) use. In the **Federal Register** of June 27, 2003 (FRL-7310-6), EPA published a notice of receipt of written requests by the registrants to voluntarily amend

their product registrations to terminate the use of propanil on small grains as summarized in Table 2 below. EPA did not receive any comments on the notice.

TABLE 2.—END-USE AND TECHNICAL PRODUCT REGISTRATION AMENDMENTS FOR PROPANIL

Company Name and Address	EPA Registration Number	Product Name Use Deletions	Use Deletions
Agrilience, LLC 5600 Cenex Drive Inver Grove Heights, MN 55077-1723	9779-338	PROPANIL 80 EDF	Amend label to delete use on spring (hard red) wheat, spring barley, and durum wheat
Dow AgroSciences, LLC 9330 Zionsville Road Indianapolis, IN 46268-1054	62719-386	STAM F-34	Amend label to delete use on spring (hard red) wheat, oats, spring barley, and durum wheat
	62719-403	STAM TECHNICAL 98% DCA	Amend label to delete use on spring (hard red) wheat, oats, spring barley, and durum wheat
	62719-413	STAM 80 EDF	Amend label to delete use on spring (hard red) wheat, oats, spring barley, and durum wheat
RiceCo, LLC 5100 Poplar Avenue, Suite 2428 Memphis, TN 38137-2428	71085-1	RICECO PROPANIL TECHNICAL	Amend label to delete use on spring (hard red) wheat, spring barley, and durum wheat
	71085-21	RICECO PROPANIL TECHNICAL	Amend label to delete use on spring (hard red) wheat, spring barley and durum wheat
	71085-22	PROPANIL 60 DF	Amend label to delete use on spring (hard red) wheat, spring barley, and durum wheat

Any distribution, sale or use of existing stocks of the products identified in Tables 1 and 2 in a manner inconsistent with the terms of this Cancellation Order or the Existing Stock Provisions in Unit IV. of this notice will be considered a violation of section 12(a)(2)(K) of FIFRA and/or section 12(a)(1)(A) of FIFRA.

#### *B. Amendments to Existing Fenamiphos Product Registrations*

In addition to the request to cancel all of their fenamiphos product registrations, Bayer CropScience has also agreed to amend their existing fenamiphos product registrations to:

1. Prohibit all use and formulation for use on extremely vulnerable soils after May 31, 2005.
2. Cap production at 500,000 pounds of fenamiphos manufacturing-use products used in the U.S. for the year ending May 31, 2003.
3. Reduce production by 20% of the previous year's production for each subsequent year during the 5-year phase-out period.

Finally, the Agency approved revised labels submitted by Bayer CropScience

implementing risk mitigation measures identified in the Fenamiphos Interim Reregistration Eligibility Decision (IRED) document, which was approved on March 31, 2002.

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

Pursuant to section 6(f) of FIFRA, EPA hereby approves the requested cancellations or amendments of the propanil and fenamiphos product and use registrations identified in Tables 1 and 2 of this Cancellation Order. Accordingly, the Agency orders that the propanil and fenamiphos end-use and technical product registrations identified in Table 1 are hereby canceled in accordance with the time frames stipulated in Unit II.A. The Agency also orders that all of the uses identified for deletion in Table 2 are hereby canceled from the end-use and technical product registrations identified in Table 2.

#### **III. Import Tolerances for Fenamiphos**

Bayer CropScience anticipates that commodities treated with fenamiphos may continue to be imported into the

U.S. after the final effective date of cancellation and after existing stocks in the U.S. are exhausted. As such, Bayer CropScience intends to support import tolerances for banana, citrus, garlic, grape, and pineapple.

#### **IV. Existing Stocks Provisions**

For purposes of this 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 a registered pesticide product which are currently in the U.S. and which have been packaged, labeled and released for shipment prior to the effective date of the amendment or cancellation. The existing stocks provisions of this Cancellation Order are as follows.

##### *A. Distribution or Sale of Products Bearing Instructions for Use on Agricultural Crops*

The distribution and sale of existing stocks by Agrilience, LLC; Dow AgroSciences, LLC; and RiceCo, LLC of any propanil product listed in Table 1 or 2 that bears instructions for use on small grains will not be lawful under