

**Notice of Proposed and Final Decisions  
and Public Reports**

**Volume 2013-42  
October 18, 2013**

**Department of Pesticide Regulation  
Pesticide Registration Branch**

POST THROUGH NOVEMBER 16, 2013

## **NOTICE OF PROPOSED DECISIONS TO REGISTER PESTICIDE PRODUCTS AND PUBLIC REPORTS**

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The Director of the Department of Pesticide Regulation (DPR) proposes to register the products listed below under Chapter 2 of Division 7 (beginning with Section 12751 of the Food and Agriculture Code) after **November 16, 2013** and issues this notice and these public reports in accordance with Title 3, California Code of Regulations sections 6253 and 6254. Comments concerning these proposed decisions may be directed to the Pesticide Registration Branch, Department of Pesticide Regulation, P.O. Box 4015, Sacramento, California 95812-4015 until the above date. Contacts regarding this notice should be made to the Pesticide Registration Branch at (916) 445-4400.

### *Description of the Action – Label Amendments*

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*Tracking Number – (EPA Registration Number)*

*Applicant / Brand Name*

259847 - (12455 - 138 - 3240)

BELL LABORATORIES, INC. D/B/A MOTOMCO

TOMCAT MOUSE KILLER X

USE: VERTEBRATE CONTROL - FOR THE CONTROL OF HOUSE MICE IN INDOOR AREAS SUCH AS ATTICS, GARAGES, AND BASEMENTS

TYPE: SECTION 3 LABEL AMENDMENT - TO ADD THE CLAIM KILLS UP TO 6 MICE

ACTIVE INGREDIENT(S):

BROMETHALIN

CAS NUMBER(S): 63333-35-7

259846 - (12455 - 122 - 3240)

BELL LABORATORIES, INC. D/B/A MOTOMCO

TOMCAT RAT KILLER

USE: VERTEBRATE CONTROL - FOR THE CONTROL OF RATS AND HOUSE MICE IN INDOOR AND OUTDOOR AREAS SUCH AS GARAGES, BASEMENTS, AND HOME EXTERIORS

TYPE: SECTION 3 LABEL AMENDMENT - TO ADD THE CLAIM KILLS UP TO 12 RATS

ACTIVE INGREDIENT(S):

BROMETHALIN

CAS NUMBER(S): 63333-35-7

## Notice of Proposed Decisions to Register (Continued)

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259227 - (7001 - 7774)

J.R. SIMPLOT COMPANY

PHT KZ 20/20

USE: BACTERICIDE, FUNGICIDE - FOR THE CONTROL OF VARIOUS DISEASES SUCH AS BROWN ROT, FIRE BLIGHT, AND LEAF CURL IN CROPS SUCH AS ALMONDS, PEACHES, AND PEARS

TYPE: SECTION 3 LABEL AMENDMENT - TO ADD NEW CROPS AND USE RATES

ACTIVE INGREDIENT(S):

COPPER HYDROXIDE

CAS NUMBER(S): 20427-59-2

259800 - (100 - 963)

SYNGENTA CROP PROTECTION, LLC

THIABENDAZOLE TECHNICAL MF

USE: FUNGICIDE - FOR USE IN THE MANUFACTURING OF FUNGICIDES

TYPE: SECTION 3 LABEL AMENDMENT - TO REVISE THE FIRST AID,

PRECAUTIONARY, AND STORAGE AND DISPOSAL STATEMENTS

ACTIVE INGREDIENT(S):

THIABENDAZOLE

CAS NUMBER(S): 148-79-8

This is a proposed decision to approve amended labels for certain pesticide products already registered for use in California (project). The amended labels submitted to replace the labels for currently registered products have already been reviewed and accepted by the United States Environmental Protection Agency (U.S. EPA). By law, before these labels can be approved for placement on currently registered products in California to control use, the labels must first be reviewed and accepted by U.S. EPA. The label under which a product is registered in California is controlled by, and must be essentially the same as, the label approved by U.S. EPA. DPR cannot give its final approval for the amended labels until such labels are officially accepted by U.S. EPA.

The products listed and described above are the subject of this registration action and are currently registered in California under labels that allow each product's use only for specific pests and/or at particular types of sites, and only in the manner consistent with the label requirements and instructions. The registrants of these products have now applied to amend the labels for their respective products in California by adding additional uses or types of sites, and/or setting forth additional or different conditions or instructions for use.

### Mitigation and Alternatives

DPR evaluated the new labels for their potential to create adverse environmental effects to human health, water, air, and non-target species (checklist). After review of the new labels for the above-identified registered products, DPR has determined that use of each product in a manner consistent with its new label will have no direct or indirect significant adverse

## Notice of Proposed Decisions to Register (Continued)

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environmental impact, and therefore no alternatives or mitigation measures are proposed to avoid or reduce any significant effects on the environment. Cal. Code of Regs., tit. 14, § 15252(a)(2)(B).

If DPR determines that the use of any of the registered products in a manner consistent with the amended label submitted for approval is anticipated to have a significant adverse environmental impact, the only alternative or mitigation to the project of accepting the amended label is to deny approval and maintain the registration of the product under the existing label. However, even if an adverse impact is identified, the registration project can be approved if the Director makes a written determination that the benefit of accepting the amended label in providing an additional pest control option outweighs the risk of a significant adverse environmental impact from allowing use of the product consistent with its requirements (overriding considerations determination). Cal. Code of Regs., tit. 3, § 6158.

In an overriding considerations determination, a discussion of the lack of feasible pest control options, including product alternatives, for one or more of the pest problems for which the product can be used under the amended label may be appropriate to support approval. However, that determination is not being made here as no significant adverse environmental impacts have been identified. Outside an overriding consideration determination, a discussion of product alternatives is irrelevant to a registration project.

If the proposed registration of these products under amended labels is denied (no project alternative), there will be no significant adverse environmental impact anticipated from the lack of additional pest control options. The benefit of accepting amended labels for these currently registered products is that such action may provide additional pest control options for specific pests or use sites allowing the selection of the optimal pest tool for each unique situation; or such action may result in new control measures or requirements on use that decrease the risk of adverse impact on human health and the environment.

†† This product is designated as a California restricted material based upon the increased hazard the active ingredient may pose to human health or the environment. Although the labels submitted for registration include mitigation measures and restrictions that significantly reduce the potential for a significant adverse environmental impact, restricted material products also require a permit to be issued by the local county agricultural commissioner before they can be applied. The local county agricultural commissioner is required to conduct an evaluation before issuing a permit for the use of restricted material products to determine if the specific use at a specific time and location will result in a significant adverse environmental impact. If the evaluation finds that there is a likelihood of a substantial adverse environmental impact, and there is a mitigation measure which will significantly reduce that impact, the permit shall be conditioned on the use of that measure. If, however, no mitigation is possible and there is a feasible alternative that will substantially reduce the environmental impact while still achieving the intended pest management purpose, the permit will be denied.

**Notice of Proposed Decisions to Register (Continued)**

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*Description of the Action – New Pesticide Products*

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*Tracking Number – (EPA Registration Number)*

*Applicant / Brand Name*

254983 - (432 - 1522)

BAYER ENVIRONMENTAL SCIENCE

FIATA

USE: FUNGICIDE - FOR THE CONTROL OF PYTHIUM ON TURF GRASSES

TYPE: SECTION 3 REGISTRATION -

ACTIVE INGREDIENT(S):

POTASSIUM PHOSPHITE

CAS NUMBER(S): 13492-26-7

259448 - (35935 - 3)

NUFARM LIMITED

CUPROXAT FLOWABLE COPPER FUNGICIDE

USE: FUNGICIDE - FOR THE CONTROL OF VARIOUS DISEASES SUCH AS LEAF

SPOT, FRUIT ROT, AND YELLOW RUST ON VARIOUS CROPS SUCH AS GRAPE,

ALFALFA, AND POTATO

TYPE: SECTION 3 REGISTRATION -

ACTIVE INGREDIENT(S):

COPPER SULFATE (BASIC)

CAS NUMBER(S): 1344-73-6

257603 - (NO NUMBER ASSIGNED)

ROTAM NORTH AMERICA, INC.

ABACUS LOV

USE: INSECTICIDE, MITICIDE - FOR THE CONTROL OF VARIOUS INSECTS SUCH AS

EUROPEAN RED MITES, TENTIFORM LEAFMINERS, AND WHITE APPLE

LEAFHOPPERS ON VARIOUS CROPS SUCH AS APPLES, AVOCADOS, AND LIMES

TYPE: SECTION 3 SUBREGISTRATION -

ACTIVE INGREDIENT(S):

ABAMECTIN

CAS NUMBER(S): 71751-41-2

259103 - (83100 - 31 - 83979)

ROTAM NORTH AMERICA, INC.

CLEAT 75 WG HERBICIDE

USE: HERBICIDE - FOR THE CONTROL OF VARIOUS WEEDS SUCH AS COMMON

CHICKWEED, WILD MUSTARD, AND SHEPHERDSPURSE IN SU TOLERANT CANOLA

TYPE: SECTION 3 SUBREGISTRATION -

ACTIVE INGREDIENT(S):

TRIBENURON-METHYL

CAS NUMBER(S): 101200-48-0

## Notice of Proposed Decisions to Register (Continued)

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This is a proposed decision to register certain pesticide products that already have been registered by U.S. EPA or for which federal registration is pending, under the specific labels that are now submitted for registration in California (project). The products listed and described above are the subject of this registration action and contain active ingredients already found in currently registered products, but may have different combinations and/or percentages of total ingredients, and/or be for different pests and/or types of sites. By law, all of these products must first be registered under a label approved by U.S. EPA before they can be registered for use in California. The label under which the product is registered in California is controlled by, and must be essentially the same as, the label approved by U.S. EPA. DPR cannot give its final approval for registration in California until the products are officially registered by U.S. EPA.

### Mitigation and Alternatives

DPR evaluated these proposed products for their potential to create adverse environmental effects to human health, water, air, and non-target species (checklist). DPR's review of this project, the registration of the above-identified products, has determined that use of each of these products in a manner consistent with its U. S. EPA-approved labeling will have no direct or indirect significant adverse environmental impact, and therefore no alternatives or mitigation measures are proposed to avoid or reduce any significant effects on the environment. Cal. Code of Regs., tit. 14, § 15252(a)(2)(B).

If DPR determines that the use of any product proposed for registration in a manner consistent with its U.S. EPA-approved label is anticipated to have a significant adverse environmental impact, the only alternative or mitigation to the project of registering the product under the label presented is to deny registration. However, even if an adverse impact is identified, the registration project can be approved if the Director makes a written determination that the benefit of registering the product in providing an additional pest control option outweighs the risk of a significant adverse environmental impact from its use (overriding considerations determination). Cal. Code of Regs., tit. 3, §6158.

In an overriding considerations determination, a discussion of the lack of feasible pest control options, including product alternatives, for one or more of the pest problems targeted by a particular product, may be appropriate to support registration. However, that determination is not being made here as no significant adverse environmental impacts have been identified. Outside an overriding consideration determination, a discussion of product alternatives is irrelevant to a registration project.

If the proposed registration of any of these products is denied (no project alternative), there will be no significant adverse environmental impact anticipated from the lack of additional pest control options. The benefit of registering these products is that they provide additional pest control options for each specific proposed use, allowing the selection of the optimal pest tool for each unique situation.

†† This product is designated as a California restricted material based upon the increased hazard the active ingredient may pose to human health or the environment. Although the labels submitted for registration include mitigation measures and restrictions that significantly reduce

**Notice of Proposed Decisions to Register (Continued)**

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the potential for a significant adverse environmental impact, restricted material products also require a permit to be issued by the local county agricultural commissioner before they can be applied. The local county agricultural commissioner is required to conduct an evaluation before issuing a permit for the use of restricted material products to determine if the specific use at a specific time and location will result in a significant adverse environmental impact. If the evaluation finds that there is a likelihood of a substantial adverse environmental impact, and there is a mitigation measure which will significantly reduce that impact, the permit shall be conditioned on the use of that measure. If, however, no mitigation is possible and there is a feasible alternative that will substantially reduce the environmental impact while still achieving the intended pest management purpose, the permit will be denied.

*Description of the Action – New Pesticide Products Containing  
New Active Ingredients*

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*Tracking Number – (EPA Registration Number)  
Applicant / Brand Name*

**None to report this issue Volume 2013-42.**

*Description of the Action – California Only Products*

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*Tracking Number – (EPA Registration Number)  
Applicant / Brand Name*

**None to report this issue Volume 2013-42.**

*Continuous Evaluation*

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All products proposed for registration here are subject a continuous evaluation under Food and Agricultural Code section 12824 to identify and evaluate any potential significant adverse environmental impact that may be indicated after the initial registration. Following the process outlined in Title 3, California Code of Regulations sections 6220 through 6224, action may be taken to cancel the registration under Food and Agricultural Code section 12825.

*October 18, 2013*

*Original Signed by Ann Prichard*

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Dated

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Ann M. Prichard, Branch Chief  
Pesticide Registration Branch

POST THROUGH NOVEMBER 16, 2013

**NOTICE OF FINAL DECISIONS TO REGISTER PESTICIDE PRODUCTS  
AND WRITTEN EVALUATION**

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Pursuant to Title 3, California Code of Regulations section 6255, the Director of the Department of Pesticide Regulation (DPR), files this Notice of Final Decisions to Register Pesticide Products with the Secretary of the Resources Agency for posting. For products conditionally registered pending the submission of specific data, the Director found that the use of the products during the time period(s) while the data are being developed is not expected to cause any significant adverse effect on the environment; there is a clear need for the products in California while the data are being developed; and that the benefits of using the products outweigh risks to human health and the environment. Conditional registration cannot be granted unless all the data required by Title 3, California Code of Regulations section 6200 and the other requirements of that section are satisfied. This notice must remain posted for a period of 30 days for public inspection. Contacts regarding this notice should be made to the Department of Pesticide Regulation's Pesticide Registration Branch at (916) 445-4400.

*Tracking Number – (EPA Registration Number)*  
*Applicant / Brand Name*

256648 - (84542 - 7)

CUPRON INC.

ANTIMICROBIAL CUPRON ENHANCED EOS SURFACE

USE: ANTIMICROBIAL, DISINFECTANT - FOR THE CONTROL OF VARIOUS ORGANISMS SUCH AS STAPHYLOCOCCUS AUREUS, ESCHERICHIA COLI, AND PSEUDOMONAS AERUGINOSA ON CARTS, CEILING TILES, AND TOWEL BARS IN SITES SUCH AS HEALTHCARE FACILITIES, MASS TRANSIT FACILITIES, AND RESIDENTIAL BUILDINGS

TYPE: SECTION 3 REGISTRATION -

ACTIVE INGREDIENT(S):

COPPER OXIDE (OUS)

CAS NUMBER(S): 1317-39-1

**Notice of Final Decisions to Register (Continued)**

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258910 - (1677 - 237)

ECOLAB INC.

OXYCIDE DAILY DISINFECTANT CLEANER

USE: DISINFECTANT, VIRUCIDE - FOR THE CONTROL OF VARIOUS ORGANISMS SUCH AS STAPHYLOCOCCUS AUREUS, SALMONELLA ENTERICA, AND PSEUDOMONAS AERUGINOSA ON HARD, NONPOROUS SURFACES IN SITES SUCH AS HEALTHCARE FACILITIES, OFFICE BUILDINGS, AND RETAIL ESTABLISHMENTS

TYPE: SECTION 3 LABEL AMENDMENT - TO ADD A CLAIM AGAINST HUMAN CORONAVIRUS

ACTIVE INGREDIENT(S):

HYDROGEN PEROXIDE

PEROXYACETIC ACID

CAS NUMBER(S): 7722-84-1, 79-21-0

258788 - (71711 - 40)

NICHINO AMERICA, INC.

FUJIMITE XLO MITICIDE/INSECTICIDE

USE: INSECTICIDE, MITICIDE - FOR THE CONTROL OF VARIOUS INSECTS SUCH AS MITES, LEAFHOPPERS, AND MEALYBUGS ON CROPS SUCH AS CRANBERRIES, GRAPEFRUITS, AND KUMQUATS

TYPE: SECTION 3 REGISTRATION -

ACTIVE INGREDIENT(S):

FENPYROXIMATE

CAS NUMBER(S): 134098-61-6

256955 - (228 - 610)

NUFARM AMERICAS INC.

MASTER-LABEL IMI-LAMBDA GRANULAR T&O INSECTICIDE

USE: INSECTICIDE - FOR THE CONTROL OF VARIOUS INSECTS SUCH AS ANTS, MOLE CRICKETS, AND CHINCH BUGS AROUND BUILDINGS AND STRUCTURES AND IN AREAS SUCH AS LAWNS, PARKS, AND ATHLETIC FIELDS

TYPE: SECTION 3 REGISTRATION -

ACTIVE INGREDIENT(S):

IMIDACLOPRID

LAMBDA-CYHALOTHRIN

CAS NUMBER(S): 105827-78-9, 91465-08-6

**Notice of Final Decisions to Register (Continued)**

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254468 - (86868 - 2)

OMEX AGRIFLUIDS, INC.

SULFOMEX FUNGICIDE

USE: FUNGICIDE - FOR THE CONTROL OF POWDERY MILDEW ON CROPS SUCH AS APPLES, TOMATOES, AND CARROTS

TYPE: SECTION 3 REGISTRATION -

ACTIVE INGREDIENT(S):

PHOSPHORIC ACID, MONOPOTASSIUM SALT

SULFUR

CAS NUMBER(S): 7778-77-0, 7704-34-9

*Written Evaluation*

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Pursuant to Title 3, California Code of Regulations section 6254, this notice includes a written evaluation of significant environmental points raised in comments submitted during the review and comment period required by Title 3, California Code of Regulations section 6253 for any of the products listed above.

**DPR received no comments on the above listed products.**

*October 18, 2013*

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Dated

*Original Signed by Ann Prichard*

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Ann Prichard, Branch Chief  
Pesticide Registration Branch

POST THROUGH NOVEMBER 16, 2013

**NOTICE OF PROPOSED DECISIONS TO DENY PESTICIDE PRODUCTS**

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Pursuant to Title 3, California Code of Regulations section 6253, the Director of the Department of Pesticide Regulation (DPR), notices the Department's proposed decisions to deny the registration of the following pesticide products. Unless specified, the reason for denial is that the required data was not submitted, was determined to be inadequate, or there was a likelihood of a significant adverse environmental effect anticipated from the use of these products in a manner consistent with its label. This action will not have a significant adverse impact on the environment. Interested persons may comment on these proposed decisions up to and including the date shown on the top line of this notice to the Pesticide Registration Branch, Department of Pesticide Regulation, P.O. Box 4015, Sacramento, California 95812-4015. Contacts regarding this notice should be made to the Pesticide Registration Branch at (916) 445-4400.

*Tracking Number – (EPA Registration Number)*  
*Applicant / Brand Name*

258303 - (NO NUMBER ASSIGNED)  
HELENA CHEMICAL COMPANY  
CONTINGENT  
USE: ADJUVANT - FOR USE AS AN ADJUVANT  
TYPE: CALIFORNIA ONLY REGISTRATION -

258635 - (74655 - 21)  
HERCULES INCORPORATED, A WHOLLY  
NUOSEPT 220  
USE: BACTERICIDE, DISINFECTANT, FUNGICIDE - FOR THE CONTROL OF ALGAE,  
BACTERIA, AND FUNGI IN SITES SUCH AS RECIRCULATING WATER COOLING  
TOWERS, BREWERY PASTEURIZER WATER, AND ADHESIVES  
TYPE: SECTION 3 REGISTRATION -  
ACTIVE INGREDIENT(S):  
2,2-DIBROMO-3-NITRILOPROPIONAMIDE  
CAS NUMBER(S): 10222-01-2

*October 18, 2013*

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Dated

*Original Signed by Ann Prichard*

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Ann Prichard, Branch Chief  
Pesticide Registration Branch

POST THROUGH NOVEMBER 16, 2013

## **NOTICE OF FINAL DECISIONS TO DENY PESTICIDE PRODUCTS**

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Pursuant to Title 3, California Code of Regulations section 6255, the Director of the Department of Pesticide Regulation (DPR) files this Notice of Final Decisions to Deny Pesticide Products with the Secretary of the Resources Agency for posting. Unless specified, the reason for denial is that the required data was not submitted, was determined to be inadequate, or there was a likelihood of a significant adverse environmental effect anticipated from the use of these products in a manner consistent with its label. This action will not have a significant adverse impact on the environment. This notice must remain posted for a period of 30 days for public inspection. Contacts regarding this notice should be made to the Department of Pesticide Regulation's Pesticide Registration Branch at (916) 445-4400.

*Tracking Number – (EPA Registration Number)*  
*Applicant / Brand Name*

257265 - (67690 - 30)

SEPRO CORPORATION

AVAST!SC

USE: HERBICIDE - FOR THE CONTROL OF VARIOUS AQUATIC WEEDS SUCH AS DUCKWEED, HYDRILLA, AND BLADDERWORT IN PONDS, RESERVOIRS, AND IRRIGATION CANALS

TYPE: SECTION 3 LABEL AMENDMENT - TO ADD CONTROL OF WIDGEON GRASS

ACTIVE INGREDIENT(S):

FLURIDONE

CAS NUMBER(S): 59756-60-4

258108 - (67690 - 3)

SEPRO CORPORATION

SONAR SRP AQUATIC HERBICIDE

USE: HERBICIDE - FOR THE CONTROL OF VARIOUS WEEDS SUCH AS BLADDERWORT, FANWORT, AND PONDWEED IN SITES SUCH AS LAKES, RESERVOIRS, AND POTABLE WATER SOURCES

TYPE: SECTION 3 LABEL AMENDMENT - TO ADD CONTROL OF WIDGEON GRASS

ACTIVE INGREDIENT(S):

FLURIDONE

CAS NUMBER(S): 59756-60-4

*October 18, 2013*

*Original Signed by Ann Prichard*

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Dated

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Ann Prichard, Branch Chief  
Pesticide Registration Branch