

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

**Volume 2014-48
November 28, 2014**

**Department of Pesticide Regulation
Pesticide Registration Branch**

POST THROUGH DECEMBER 27, 2014

NOTICE OF PROPOSED DECISIONS TO REGISTER PESTICIDE PRODUCTS AND PUBLIC REPORTS

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 December 27, 2014 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

Tracking Number – (EPA Registration Number)

Applicant / Brand Name

266570 - (8959 - 32)

APPLIED BIOCHEMISTS

TRINE 09

USE: ANTIMICROBIAL, FUNGICIDE - FOR MANUFACTURING USE ONLY

TYPE: SECTION 3 LABEL AMENDMENT - TO CHANGE THE SIGNAL WORD FROM DANGER TO CAUTION, AND TO REVISE THE STORAGE AND DISPOSAL STATEMENT, PRECAUTIONARY STATEMENT, FIRST AID STATEMENT, AND THE INGREDIENT STATEMENT

ACTIVE INGREDIENT(S):

COPPER ETHANOLAMINE COMPLEXES, MIXED

CAS NUMBER(S): (NO CAS NUMBER)

*ID# 266570, previously posted in the proposed to register section of Volume 2014-47, is posting again this week with corrected active ingredient information.

266065 - (42519 - 22)

LUXEMBOURG-PAMOL, INC.

PROPHYT

USE: FUNGICIDE - FOR THE CONTROL OF VARIOUS DISEASES SUCH AS ROOT ROT, DOWNY MILDEW, AND COLLAR ROT ON VARIOUS CROPS SUCH AS ASPARAGUS, BRASSICA VEGETABLES, BULB VEGETABLES, AND GRAPES

TYPE: SECTION 3 LABEL AMENDMENT - TO ADD USE ON ALMONDS, CORN, PISTACHIOS, WALNUTS, AND WHEAT, INJECTION METHOD FOR AVOCADOS AND CITRUS, AND CONTROL OF ORANGE CANE BLOTCH, SCAB, AND STEM CANKER

ACTIVE INGREDIENT(S):

POTASSIUM PHOSPHITE

CAS NUMBER(S): 13492-26-7

Notice of Proposed Decisions to Register (Continued)

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266600 - (2517 - 141)

SERGEANT'S PET CARE PRODUCTS, INC.

SERGEANT'S FIPRONIL + NYLAR SQUEEZE-ON FOR DOGS

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

MOSQUITOES, FLEAS, AND TICKS ON DOGS AND PUPPIES 12 WEEKS AND OLDER

TYPE: SECTION 3 LABEL AMENDMENT - TO REVISE THE HAZARDS TO DOMESTIC ANIMALS SECTION, THE DIRECTION FOR USE SECTION AND THE CAT WARNING STATEMENT

ACTIVE INGREDIENT(S):

FIPRONIL

PYRIPROXYFEN

CAS NUMBER(S): 120068-37-3, 95737-68-1

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 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

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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.

Description of the Action – New Pesticide Products

Tracking Number – (EPA Registration Number)

Applicant / Brand Name

None to report this issue Volume 2014-48.

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

Tracking Number – (EPA Registration Number)

Applicant / Brand Name

None to report this issue Volume 2014-48.

Description of the Action – California Only Products

Tracking Number – (EPA Registration Number)

Applicant / Brand Name

None to report this issue Volume 2014-48.

Continuous Evaluation

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.

November 28, 2014

Dated

Original Signed by Ann Prichard

Ann M. Prichard, Branch Chief
Pesticide Registration Branch

POST THROUGH DECEMBER 27, 2014

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

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

262873 - (74578 - 7)

ARBORJET, INC.

ARBOR-OTC

USE: ANTIMICROBIAL, BACTERICIDE, DISINFECTANT - FOR USE AS A INJECTABLE ANTIBIOTIC TO CONTROL VARIOUS DISEASES SUCH AS BACTERIAL LEAF SCORCH, BLOSSOM BLAST, AND ASH YELLOWS IN TREES SUCH AS ELM, APPLE, AND PLUM

TYPE: SECTION 3 REGISTRATION - CONDITIONAL

ACTIVE INGREDIENT(S):

OXYTETRACYCLINE HYDROCHLORIDE

CAS NUMBER(S): 2058-46-0

261791 - (100 - 1367 - 4)

BONIDE PRODUCTS, INC.

ROSE SHIELD CONCENTRATE

USE: FUNGICIDE, INSECTICIDE - FOR THE CONTROL OF INSECTS SUCH AS APHIDS, CATEPILLARS, AND SPIDER MITES AND DISEASES SUCH AS BLACK SPOT, POWDERY MILDEW, AND RUST ON ROSES, FLOWERS, AND ORNAMENTALS

TYPE: SECTION 3 SUBREGISTRATION -

ACTIVE INGREDIENT(S):

DIFENOCONAZOLE

LAMBDA-CYHALOTHRIN

THIAMETHOXAM

CAS NUMBER(S): 119446-68-3, 91465-08-6, 153719-23-4

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261792 - (100 - 1366 - 4)

BONIDE PRODUCTS, INC.

ROSE SHIELD READY TO USE

USE: INSECTICIDE - FOR THE CONTROL OF INSECTS SUCH AS APHIDS, CATEPILLARS, AND SPIDER MITES AND DISEASES SUCH AS BLACK SPOT, POWDERY MILDEW, AND RUST ON ROSES, FLOWERS, AND ORNAMENTALS

TYPE: SECTION 3 SUBREGISTRATION -

ACTIVE INGREDIENT(S):

DIFENOCONAZOLE

LAMBDA-CYHALOTHRIN

THIAMETHOXAM

CAS NUMBER(S): 119446-68-3, 91465-08-6, 153719-23-4

264792 - (42519 - 35)

LUXEMBOURG-PAMOL, INC.

LBG-61

USE: FUNGICIDE - FOR THE CONTROL OF VARIOUS DISEASES SUCH AS BROWN ROT BLOSSOM, SCAB, AND POWDERY MILDEW IN VARIOUS CROPS SUCH AS ALMONDS, BARLEY, AND ONIONS

TYPE: SECTION 3 REGISTRATION -

ACTIVE INGREDIENT(S):

POTASSIUM PHOSPHITE

TEBUCONAZOLE

CAS NUMBER(S): 13492-26-7, 107534-96-3

264379 - (67702 - 39)

W. NEUDORFF GMBH KG

CUEVA 2.4 COPPER SOAP

USE: FUNGICIDE - FOR THE CONTROL OF VARIOUS DISEASES SUCH AS ALTERNARIA BLIGHT, DOWNY MILDEW, AND POWDERY MILDEW ON CROPS SUCH AS CARROTS, GRAPES, AND MINT

TYPE: SECTION 3 REGISTRATION -

ACTIVE INGREDIENT(S):

COPPER OCTANOATE

CAS NUMBER(S): 20543-04-8

264444 - (67702 - 38)

W. NEUDORFF GMBH KG

NEU1166M SLUG AND SNAIL BAIT

USE: MOLLUSCICIDE - FOR THE CONTROL OF SLUGS AND SNAILS IN HOME AND GARDEN SITES AND IN COMMERCIAL AGRICULTURE SITES

TYPE: SECTION 3 REGISTRATION -

ACTIVE INGREDIENT(S):

IRON PHOSPHATE

CAS NUMBER(S): 10045-86-0

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Written Evaluation

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 comments raising environmental points and other concerns from Mr. Eric Mussen, Ph.D., University of California Cooperative Extension in response to DPR's August 29, 2014, posting of a proposed decision to register two Bonide Products, Inc., products: Rose Shield Ready to Use, EPA Reg. No. 100-1366-4; and Rose Shield Concentrate, EPA Reg. No.100-1367-4. Both products contain the active ingredients difenoconazole, thiamethoxam, and lambda-cyhalothrin. DPR evaluated these comments and provided a comprehensive response. A summary of the points raised and DPR's response are provided below. A copy of DPR's full response to Dr. Mussen can be found at the bottom of this notice.

COMMENT: The commenter expressed concern that the combination of active ingredients could be harmful to honey bees. He requested that the two products include labeling stating that they are highly toxic to bees and that they should not be applied to blossoms when bees could be foraging.

RESPONSE: Both product labels include language indicating that they are highly toxic to bees and that the products cannot be applied when bees are foraging and cannot be applied to plants that are flowering. Based upon its evaluation of available data and the product labels, DPR determined that approval of Bonide, Inc.'s products will not have a significant adverse impact on bees. DPR is proceeding with the registration of Rose Shield Ready to Use, EPA Reg. No. 100-1366-4; and Rose Shield Concentrate, EPA Reg. No.100-1367-4.

November 28, 2014

Original Signed by Ann Prichard

Dated

Ann Prichard, Branch Chief
Pesticide Registration Branch

POST THROUGH DECEMBER 27, 2014

NOTICE OF PROPOSED DECISIONS TO DENY PESTICIDE PRODUCTS

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

None to report this issue Volume 2014-48.

November 28, 2014

Original Signed by Ann Prichard

Dated

Ann Prichard, Branch Chief
Pesticide Registration Branch

POST THROUGH DECEMBER 27, 2014

NOTICE OF FINAL DECISIONS TO DENY PESTICIDE PRODUCTS

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

None to report on this issue Volume 2014-48.

November 28, 2014

Original Signed by Ann Prichard

Dated

Ann Prichard, Branch Chief
Pesticide Registration Branch