

Bacillus thuringiensis subspecies *kurstaki* strain EG7841 Lepidopteran active toxin at 15 percent, an active ingredient not included in any previously registered product. Also, included in this notice was an application submitted by Mycogen Corporation, 5501 Oberlin Drive, San Diego, CA 92121, to register the pesticide product Thinx Blossom Thinner (53219-RR) containing the ingredients pelargonic acid and related fatty acids (C6-C12) at 57.0 and 3.0 percent respectively, which involves a change use pattern of the product.

The applications were approved on February 15, 1996, and February 7, 1996, respectively, as Crymax Bioinsecticide for the control of lepidopteran pests on terrestrial crops (EPA Reg. No. 55638-34) and Thinx Blossom Thinner to add to the presently registered use of pelargonic acid, a new use as a blossom thinning agent on apples, pears, ornamental trees, and shrubs (EPA Reg. No. 53219-11).

The Agency has considered all required data on risks associated with the proposed use of *Bacillus thuringiensis* subspecies *kurstaki* strain EG7841, pelargonic acid with related fatty acids (C6-C12), and information on social, economic, and environmental benefits to be derived from use. Specifically, the Agency has considered the nature of the chemical and its pattern of use, application methods and rates, and level and extent of potential exposure. For Crymax, although recombinant DNA technology was used to produce the strain of bacteria used, the properties of the resultant product appeared to be no different from the range of properties of *Bacillus thuringiensis* strains found in the environment. Based on these reviews, the Agency was able to make basic health safety determinations which show that use of *Bacillus thuringiensis* subspecies *kurstaki* strain EG7841 and pelargonic acid with related fatty acids (C6-C12) when used in accordance with widespread and commonly recognized practice, will not generally cause unreasonable adverse effects to the environment.

More detailed information on these registrations is contained in an EPA Pesticide Fact Sheet on *Bacillus thuringiensis* subspecies *kurstaki* strain EG7841 and pelargonic acid.

A copy of these fact sheets, which provide a summary description of the pesticides, use patterns and formulations, science findings, and the Agency's regulatory position and rationale, may be obtained from the National Technical Information Service

(NTIS), 5285 Port Royal Road, Springfield, VA 22161.

In accordance with section 3(c)(2) of FIFRA, a copy of the approved labels and the list of data references used to support the registrations are available for public inspection in the office of the Regulatory Action Leader. The data and other scientific information used to support registration, except for material specifically protected by section 10 of FIFRA, are available for public inspection in the Public Response and Program Resources Branch, Field Operations Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, Rm. 1132, CM #2, Arlington, VA 22202 (703-305-5805). Requests for data must be made in accordance with the provisions of the Freedom of Information Act and must be addressed to the Freedom of Information Office (A-101), 401 M St., SW., Washington, D.C. 20460. Such requests should: (1) Identify the product name and registration number and (2) specify the data or information desired.

Authority: 7 U.S.C. 136.

List of Subjects

Environmental protection, Pesticides and pests, Product registration.

Dated: July 23, 1996.

Flora Chow,

Acting Director, Biopesticides and Pollution Prevention Division, Office of Pesticide Programs.

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[OPP-30370B/30397A; FRL-5366-9]

Certain Companies; Approval of Pesticide Product Registrations

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces Agency approval of applications to register the pesticide products Detur and Flowtron Octenol, containing active ingredients not included in any previously registered products pursuant to the provisions of section 3(c)(5) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended.

FOR FURTHER INFORMATION CONTACT: By mail: Michael Mendelsohn, Biopesticides and Pollution Prevention Division (7501W), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: Rm. CS51B6, Westfield

Building North Tower, 2800 Crystal Drive, Arlington, VA 22202, (703) 308-8715; e-mail: mendelsohn.mike@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: EPA issued a notice, published in the Federal Register of August 24, 1994 (59 FR 43577), which announced that IJO Products, Inc., P.O. Box 778, El Centra, CA 92244, had submitted an application to register the product Detur (68186-R), containing the active ingredient jojoba oil at 97.5 percent. A notice also published in the Federal Register of October 25, 1995 (60 FR 54686), which announced that Armatron International, Inc., Melrose, MA 02176, had submitted an application to register the product Flowtron Octenol (34473-U), containing the ingredient 1-octen-3-OL at 73 percent, active ingredients not included in any previously registered products.

The applications were approved on January 17, 1996, as Detur for use on all raw agricultural commodities (EPA Reg. No. 68186-1) and Flowtron Octenol for use as a mosquito attractant to make insect killers more effective in luring and killing certain mosquitoes and biting flies (EPA Reg. No. 34473-4).

The Agency has considered all required data on risks associated with the proposed use of jojoba oil and 1-octen-3-OL, and information on social, economic, and environmental benefits to be derived from use. Specifically, the Agency has considered the nature of the chemical and its pattern of use, application methods and rates, and level and extent of potential exposure. Based on these reviews, the Agency was able to make basic health safety determinations which show that use of jojoba oil and 1-octen-3-OL when used in accordance with widespread and commonly recognized practice, will not generally cause unreasonable adverse effects to the environment.

More detailed information on these registrations is contained in an EPA Pesticide Fact Sheet on jojoba oil and 1-octen-3-OL.

A copy of this fact sheet, which provides a summary description of the chemical, use patterns and formulations, science findings, and the Agency's regulatory position and rationale, may be obtained from the National Technical Information Service (NTIS), 5285 Port Royal Road, Springfield, VA 22161.

In accordance with section 3(c)(2) of FIFRA, a copy of the approved label and the list of data references used to support registration are available for public inspection in the office of the Product Manager. The data and other scientific information used to support

registration, except for material specifically protected by section 10 of FIFRA, are available for public inspection in the Public Response and Program Resources Branch, Field Operations Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, Rm. 1132, CM #2, Arlington, VA 22202 (703-305-5805). Requests for data must be made in accordance with the provisions of the Freedom of Information Act and must be addressed to the Freedom of Information Office (A-101), 401 M St., SW., Washington, D.C. 20460. Such requests should: (1) Identify the product name and registration number and (2) specify the data or information desired.

Authority: 7 U.S.C. 136.

List of Subjects

Environmental protection, Pesticides and pests, Product registration.

Dated: July 17, 1996.

Janet L. Andersen,

Acting Director, Biopesticides and Pollution Prevention Division, Office of Pesticide Programs.

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[OPP-64030; FRL 5383-7]

Cancellation of Pesticides for Non-Payment of 1996 Registration Maintenance Fees

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: Since the amendments of October, 1988, the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) has required payment of an annual maintenance fee to keep pesticide registrations in effect. The fee due last January 15 has gone unpaid for about 1,126 registrations. Section 4(i)(5)(D) of FIFRA, provides that the Administrator may cancel these registrations by order and without a hearing; orders to cancel all but a few of them have been issued within the past few days. The Agency is deferring cancellation for certain of these registrations, however, to permit time for affected users to explore

alternatives to cancellation directly with the registrants.

DATES: Reports of agreements to support continued registration or transfer of the registrations for which cancellation is being deferred must be received by October 29, 1996.

FOR FURTHER INFORMATION CONTACT: To report agreements to support continued registration of any of the products for which cancellation has been deferred, for instructions on payment of delinquent maintenance fees for these products, or for further information on the maintenance fee program in general, contact by mail: John Jamula, Office of Pesticide Programs (7502C), Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: Room 226, Crystal Mall No. 2, 1921 Jefferson Davis Highway, Arlington, VA, (703) 305-6426; e-mail: jamula.john@epamail.epa.gov.

SUPPLEMENTARY INFORMATION:

I. Introduction

Section 4(i)(5) of FIFRA as amended in October, 1988, and again in December, 1991 requires that all pesticide registrants pay an annual registration maintenance fee, due by January 15 of each year, to keep their registrations in effect. This requirement applies to all registrations granted under section 3 as well as those granted under section 24(c) to meet special local needs. Registrations for which the fee is not paid are subject to cancellation by order and without a hearing.

The 1990 Farm Bill amended FIFRA to allow the Administrator to reduce or waive maintenance fees for minor agricultural use pesticides when she determines that the fee would be likely to cause significant impact on the availability of the pesticide for the use. The Agency has waived the fee for 63 minor agricultural use registrations at the request of the registrants.

In late November, 1995, all holders of either section 3 registrations or section 24(c) registrations were sent lists of their active registrations, along with forms and instructions for responding. They were asked to identify which of their registrations they wished to maintain in effect, and to calculate and remit the appropriate maintenance fees. Most

responses were received by the statutory deadline of January 15. A notice of intent to cancel was sent in mid-March to companies who did not respond and to companies who responded, but paid for less than all of their registrations. Late payments of the fees were accepted until May 15, when the actual process of cancellation was begun.

Since mailing the notices, EPA has maintained a toll-free inquiry number through which the questions of affected registrants have been answered. Maintenance fees have been paid for about 16,493 section 3 registrations, or about 94 percent of the registrations on file in November. Fees have been paid for about 2,466 section 24(c) registrations, or about 86 percent of the total on file in November. Cancellations for non-payment of the maintenance fee affect about 812 section 3 registrations and about 314 section 24(c) registrations.

II. Product Cancellations not Affecting Status of Active Ingredient

In all cases but five section 3 registrations discussed in Section III below, the active ingredients will remain available in other registered products. We anticipate two types of impact for the bulk of these cancellations. First, some of these disappearing registrations will be survived in the market by substantially identical registrations. These substantially identical products may not, however, be readily available wherever a disappearing product was sold, so there may be local or regional disruptions while distribution patterns are adjusted. We expect these disruptions to be minor and temporary.

The cancellation orders generally permit registrants to continue to sell and distribute existing stocks of the canceled products until the due date for the next annual registration maintenance fee, January 15, 1997. Existing stocks already in the hands of dealers or users, however, can generally be distributed, sold or used legally until they are exhausted. Existing stocks are defined 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 action.