



**UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR**

In the Matter of:)	
)	
Bayer CropScience LP and Nichino America, Inc.)	Docket No. FIFRA-HQ-2016-0001
)	
Petitioners.)	

AMENDED ORDER OF DESIGNATION¹

Chief Administrative Law Judge Susan L. Biro, U.S. Environmental Protection Agency, Washington, D.C., is hereby designated as the Administrative Law Judge to preside in this proceeding under the authority of Section 6 of the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. § 136d. This proceeding is governed by the Rules of Practice

Governing Hearings, under the Federal Insecticide, Fungicide, and Rodenticide Act, Arising from Refusals to Register, Cancellations of Registrations, Changes of Classifications, Suspensions of Registrations and Other Hearings Called Pursuant to Section 6 of the Act, 40 C.F.R. Part 164 (“Rules of Practice”), to the extent applicable. The parties are advised to familiarize themselves with the applicable statute(s) and the Rules of Practice.

All documents and correspondence filed in this matter shall be filed with the Headquarters Hearing Clerk at the following address: Sybil Anderson, Headquarters Hearing Clerk, Office of Administrative Law Judges, 1200 Pennsylvania Avenue, N.W., Mail Code 1900R, Washington, D.C. 20460. If filings are sent by commercial carriers, such as UPS and Fedex, or hand-delivered, the following physical address should be used: Ronald Reagan Building, Rm. M1200, 1300 Pennsylvania Avenue, N.W., Washington, D.C. 20004. Documents filed electronically should be submitted online using the OALJ E-Filing System.²

Privacy Act Statement; Notice of Disclosure of Confidential and Personal Information; Waiver of Confidentiality and Consent to Public Disclosure: The parties are cautioned that, unless redacted, all information filed with the court will be made publicly available. Thus, the parties are hereby advised not to file, or to redact (i.e., remove or obscure) where filing is necessary, any Confidential Business Information (CBI) or Personally Identifiable Information

¹ The Order of Designation issued on March 31, 2016, incorrectly identified the applicable section of the Act and the governing procedural regulations. Accordingly, this Amended Order of Designation supersedes the March 31, 2016 Order of Designation.

² Electronic filing is strongly encouraged. More information about electronic filing may be found in the Standing Order Authorizing Electronic Filing in Proceedings Before the Office of Administrative Law Judges, available on the Office of Administrative Law Judges’ website at www.epa.gov/oalj.

(PII) pertaining to any person. This may include information that, if disclosed to the public, would constitute an unwarranted invasion of personal privacy, such as Social Security numbers, medical records and personal financial information.

To the extent that any person files or submits any un-redacted Confidential Business Information (CBI) or Personally Identifiable Information (PII) pertaining to themselves or their client, that person thereby waives any claims to confidentiality and thereby consents to public disclosure by EPA, including posting on the Internet, of all such information they submit. To protect such information against public disclosure, parties must follow the procedures specified on OALJ's website at www.epa.gov/oalj.

Susan L. Biro
Chief Administrative Law Judge

Dated: April 4, 2016
Washington, D.C.

In the Matter of Bayer Crop Science and Nichino America, Inc., Petitioners.
Docket No. FIFRA-HQ-2016-0001

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Corrected Order Of Designation**, was issued by Chief Administrative Law Judge Susan L. Biro dated April 4, 2016, was served this day in the following manner to the addressees listed below:

for Danielle Pope
Chronnia L. Warren
Paralegal Specialist

Original and One Copy to:
Sybil Anderson
Headquarters Hearing Clerk
U.S. EPA
Mail Code 1900R
1200 Pennsylvania Avenue, NW
Washington, DC 20460-2001

Copy by E-Mail and by Regular Mail to:

Kathryn E. Szmuszkovicz
David A. Barker
Daniel A. Eisenberg
BEVERIDGE & DIAMOND, P.C.
1350 I Street, N.W. Suite 700
Washington, D.C. 20005
Email: kes@bdlaw.com
dab@bdlaw.com
dae@bdlaw.com

Kenneth D. Morris, Esquire L.L.C.
Law Offices
1320 Vale Dr.
West Chester, PA 19382
Email: kdm@kenmorrislaw.com

Ariadne Goerke
Pesticides and Toxic Substances Law Office
Office of General Counsel (Mail Code 2333A)
U.S. Environmental Protection Agency
WJC North 7318B
1200 Pennsylvania, Avenue, N.W.
Washington, DC 20460
Email: goerke.ariadne@epa.gov

Robert G. Perlis
Office of General Counsel (Mail Code 2333A)
U.S. Environmental Protection Agency
1200 Pennsylvania, Avenue, N.W.
Washington, DC 20460
Email: Perlis.Robert@epa.gov

In the Matter of Bayer Crop Science and Nichino America, Inc., Petitioners.
Docket No. FIFRA-HQ-2016-0001

Scott Garrison
Pesticides and Toxic Substances Law Office
Office of General Counsel (Mail Code 2333A)
U.S. Environmental Protection Agency
1200 Pennsylvania, Avenue, N.W.
Washington, DC 20460
Email: garrison.scott@epa.gov

Dated: April 4, 2016
Washington, DC