

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

In re FIFRA Section 3(c)(2)(B) Notice of Intent )  
to Suspend Dimethyl Tetrachloroterephthalate )  
(DCPA) Technical Registration )  
)  
AMVAC Chemical Corporation; )  
Grower-Shipper Association of Central )  
California; Sunheaven Farms, LLC; J&D )  
Produce; Ratto Bros., Inc.; and Huntington )  
Farms, )  
                                Petitioners. )

Docket No. FIFRA-HQ-2022-0002

**RESPONDENT’S STATUS REPORT**

Pursuant to the Presiding Officer’s October 3, 2022 Hearing and Scheduling Order  
Following Remand (“Order”), Respondent, the United States Environmental Protection Agency,  
Office of Chemical Safety and Pollution Prevention, Office of Pesticide Programs (“OPP”),  
hereby provides the following status report.

**Settlement Conference**

On October 3, 2022, counsel for Respondent and Petitioner AMVAC Chemical  
Corporation (“AMVAC”) re-initiated settlement discussions. On October 14, 2022, OPP and  
AMVAC participated in a settlement conference to discuss proposals. As of this status report,  
settlement discussions remain ongoing.

## **Status of Outstanding Data Requirements**

Since OPP's April 28, 2022 issuance of the Notice of Intent to Suspend ("NOITS") that initiated this matter, the parties have submitted various documents, including AMVAC's submission of studies and other information pursuant to the January 31, 2013 Generic Data Call-In Notice ("DCI") (GDCI-078701-1140).

Accordingly, OPP considers the following DCI data requirement to be satisfied:

- **Special study, DCPA Comparative Thyroid Assay.**

Additionally, while OPP does not consider the following DCI data requirements to be satisfied, Respondent is choosing to no longer pursue suspension at this time based on:

- **OCSPP Guideline 850.2100, DCPA Acute Avian (passerine);**
- **OCSPP Guideline 850.4100, DCPA Seedling Emergence (lettuce).**

Accordingly, these DCI data requirements are no longer ripe for consideration during the hearing scheduled to begin January 23, 2022. However, Respondent is not waiving its ability to seek suspension under FIFRA Section 3(c)(2)(B)(iv) at a later time, based on further review by OPP.

For the remaining 17 DCI data requirements listed in the NOITS, OPP is continuing to evaluate other data submitted by AMVAC and will provide further updates to the Presiding Officer if it determines that other DCI data requirements have been satisfied or if it chooses to no longer pursue suspension based on certain requirements.

Respectfully submitted,

Dated: October 21, 2022

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***In re FIFRA Section 3(c)(2)(B) Notice of Intent to Suspend Dimethyl  
Tetrachloroterephthalate (DCPA) Technical Registration***

AMVAC Chemical Corporation; Grower-Shipper Association of Central California; Sunheaven Farms, LLC; J&D Produce; Ratto Bros., Inc.; and Huntington Farms, Petitioners.  
Docket No. FIFRA-HQ-2022-0002

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing **Respondent's Status Report**, dated October 21, 2022,  
was sent this day to the following parties in the manner indicated below.

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Forrest Pittman  
Attorney Advisor

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Dated October 21, 2022