

**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

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.

Status of Outstanding Data Requirements

Since OPP’s April 28, 2022 issuance of the Notice of Intent to Suspend (“NOITS”) that initiated this matter, AMVAC has submitted several studies and other information to OPP pursuant to the January 31, 2013 Generic Data Call-In Notice (“DCI”) (GDCI-078701-1140). On December 28, 2022, and January 9, 2023, AMVAC submitted proposed amended labels that addressed changes recommended by EPA in a December 9, 2022 memorandum. OPP has conducted a preliminary screening of the amended labels and is, accordingly, no longer alleging that AMVAC failed to take appropriate steps to secure the listed data requirements and hence will not pursue suspension under the April 28, 2022 NOITS based on:

- **Guideline 860.1300, Nature of the Residue: Poultry;**
- **Guideline 860.1340, Residue Analytical Method: Livestock Commodities;**
- **Guideline 860.1480, Milk/Meat/Poultry/Eggs;**
- **Guideline 860.1900, Field Accumulation in Rotational Crops.**

However, OPP emphasizes that this decision does not constitute an approval of AMVAC's proposed labels, and OPP will transmit to AMVAC in a separate communication a description of any outstanding issues—unrelated to the four DCPA DCI data requirements—that must be addressed before OPP can approve the label amendments. OPP reserves the right to assert that other label changes may be necessary in the future to address potential risks of concern which may be identified as part of the registration review process for DCPA. Thus, the Agency cannot approve the label amendments at this time, and will work with AMVAC to approve final labels at a later time.

This status report is in addition to Respondent's previous reports dated October 21, 2022, and December 23, 2022. For the remaining nine 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 DCPA DCI data requirements have been satisfied or if it chooses to no longer pursue suspension based on certain requirements.

Respectfully submitted,

Dated: January 18, 2023

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Docket No. FIFRA-HQ-2022-0002

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Respondent's Status Report**, dated January 18, 2023,
was sent this day to the following parties in the manner indicated below.

Forrest Pittman
Attorney Advisor

Copy by OALJ E-Filing System to:
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Dated January 18, 2023