

Fact Sheet: Final Cancellation Order Issued for Spirotetramat

For Release: April 7, 2010

On April 5th, EPA issued a final cancellation order for all previously registered spirotetramat products. This cancellation order is in response to the December 23, 2009, order of the U.S. District Court for the Southern District of New York vacating the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) registrations (technical and all end-use) of the pesticide spirotetramat due to lack of publication of a notice of receipt of the registration applications in the Federal Register. Pursuant to EPA's final cancellation order, persons other than the registrant can sell and use existing stocks of the spirotetramat products as long as the use is consistent in all respects with the previously approved labeling.

The Federal Food, Drug, and Cosmetic Act tolerances, also known as maximum pesticide residue levels, for spirotetramat are not affected by either the court's vacatur or EPA's cancellation order, so crops that have been treated with spirotetramat or that may be treated with existing stocks as described in the final cancellation order can still be sold legally.

EPA is proceeding to review the application for registration for spirotetramat. EPA will consider the comments filed during the February 26 – March 29, 2010, comment period, as well as comments submitted in response to an earlier comment period, and will then determine whether the spirotetramat applications for registration should be granted and, if so, what license conditions and label language would be appropriate under FIFRA.

[View a copy of the cancellation order.](#)