



California Notice 2024-04
(Update to California Notice 2009-02)

NOTICE OF CLOSURE OF REEVALUATION OF CHEMICALS IN THE NITROGUANIDINE INSECTICIDE CLASS OF NEONICOTINOID PESTICIDES

In February 2009, pursuant to Title 3 of the California Code of Regulations (3 CCR) section 6220, the Department of Pesticide Regulation (DPR) placed certain pesticide products containing the nitroguanidine-substituted neonicotinoid active ingredients imidacloprid, clothianidin, dinotefuran, and thiamethoxam into reevaluation (*See [California Notice 2009-02](#)*) <cdpr.ca.gov/docs/registration/canot/2009/ca2009-02.pdf>. Pursuant to Food and Agricultural Code (FAC) section 12838(a), DPR issued the “[California Neonicotinoid Risk Determination](#)” <cdpr.ca.gov/docs/registration/reevaluation/chemicals/neonicotinoid_risk_determination.pdf> (Risk Determination) and “[Addendum to the July 2018 California Neonicotinoid Risk Determination](#)” <cdpr.ca.gov/docs/registration/reevaluation/chemicals/addendum_neonicotinoid_risk_determination.pdf> (Addendum) identifying risks. In accordance with 3 CCR section 6224, DPR determined that additional restrictions on use were necessary to address those identified risks. As a result, DPR adopted 3 CCR sections 6990 through 6990.16 as control measures necessary to protect pollinator health (Neonicotinoid Pesticide Exposure Protection regulations) from food and feed use production agricultural applications of products containing the active ingredients clothianidin, dinotefuran, imidacloprid, and thiamethoxam, as identified in the Risk Determination and Addendum. On January 1, 2024, the Neonicotinoid Pesticide Exposure Protection regulations became effective. DPR accordingly notices this closure of the associated reevaluation.

Note that as required by FAC section 12838(c) (Assembly Bill 363, Chapter 520, Statutes of 2023), DPR has been directed to initiate a separate reevaluation of certain neonicotinoid products intended for non-agricultural use on non-production, outdoor ornamental plants, trees, or turf. [See CA Notice 2024-05](#) <cdpr.ca.gov/docs/registration/canot/2024/ca2024-05.pdf>.

SUMMARY OF THE REEVALUATION

In 2008, DPR received an adverse effects disclosure pursuant to Federal Insecticide Fungicide and Rodenticide Act (FIFRA) section 6(a)(2) and FAC section 12825.5 regarding the active ingredient imidacloprid. DPR’s evaluation of the data noted two critical findings: (1) high levels of imidacloprid in leaves and blossoms of treated plants, and (2) increases in residue levels over time, presenting a potential threat to pollinator health.

Based on DPR’s evaluation of the adverse effects disclosure, in February 2009, DPR placed certain pesticide products containing imidacloprid and the related neonicotinoid active ingredients, thiamethoxam, clothianidin, and dinotefuran into reevaluation to assess the magnitude of their residues in the pollen and nectar of agricultural food and feed commodities and the corresponding levels of risk to honey bee colonies. Products containing clothianidin,

dinotefuran, and/or thiamethoxam were included in the reevaluation as they are in the same chemical family as imidacloprid, and have similar properties and characteristics (e.g., soil mobility, half-lives, and toxicity to honey bees). This group of active ingredients are known as the nitroguanidine-substituted neonicotinoids, colloquially called neonicotinoids.

DPR exempted the following formulation categories and product types from the reevaluation:

1. Formulated as a gel or impregnated in a strip;
2. Termiticide;
3. Flea control products combined with rodenticide;
4. Pet spot applications;
5. Ant and roach baits;
6. Premise application for control of nuisance pests; or,
7. Manufacturing use only products.

These types of products were exempted because the manner in which the products are formulated or applied made it unlikely that the neonicotinoid would move into plants that bloom or be a source of forage for honey bees and pollinators.

In 2014, the California Legislature adopted Assembly Bill (AB) 1789 (Chapter 578, Statutes of 2014) requiring DPR to issue a determination with respect to its reevaluation of neonicotinoids by July 2018, and adopt control measures necessary to protect pollinator health within two years after making the determination or submit a yearly report to the Legislature setting forth the reasons control measures have not yet been adopted (*See* FAC section 12838). Pursuant to FAC section 12838(b), in July 2018, DPR issued the Risk Determination, which assessed both soil and foliar applications of neonicotinoid pesticides made to agricultural food and feed commodities. Shortly after, DPR incorporated newly available information and issued the Addendum in January 2019. The Risk Determination and Addendum served as the foundation for identifying risks to pollinators and focused on potential effects of neonicotinoid exposure to honey bees (*Apis mellifera*) through feeding on nectar and pollen containing neonicotinoid residues. Exposure is affected by the amount of neonicotinoid that a honey bee may come in contact with or consume; which in turn is dependent on the physiology of the plant (how readily a neonicotinoid is expressed in pollen and nectar), the amount of neonicotinoid applied, and the attractiveness of the crop as a food source to honey bees.

In compliance with FAC section 12838 (a) and (b), DPR proposed regulations to protect pollinator health from food and feed use production agricultural applications of products containing the active ingredients clothianidin, dinotefuran, imidacloprid, and thiamethoxam, as identified in the Risk Determination and Addendum. DPR held a virtual public hearing and accepted and responded to public comments. In April 2023, DPR adopted 3 CCR sections 6990 through 6990.16. The regulations became effective on January 1, 2024.

CLOSURE OF THE REEVALUATION

On January 1, 2024, the Neonicotinoid Pesticide Exposure Protection regulations became effective (See DPR webpage titled [DPR 22-001 Neonicotinoid Pesticide Exposure Protection](https://cdpr.ca.gov/docs/legbills/rulepkgs/22-001/22-001.htm) <cdpr.ca.gov/docs/legbills/rulepkgs/22-001/22-001.htm>). Accordingly, DPR is closing this reevaluation. DPR is not requiring pesticide manufacturers/registrants to update neonicotinoid labels with California-specific use directions and application rates. Pesticide applicators and growers must comply with the regulations if applicable and more restrictive than the directions on the product label. DPR prepared materials to support implementation and outreach of the new regulations (See DPR's enforcement webpage titled [Neonicotinoid Regulations to Protect Pollinators](https://cdpr.ca.gov/docs/enforce/neonicotinoid/neonicotinoid_regulations.htm) <cdpr.ca.gov/docs/enforce/neonicotinoid/neonicotinoid_regulations.htm>). DPR will be initiating a separate reevaluation of certain neonicotinoid products intended for non-agricultural use on non-production, outdoor ornamental plants, trees, or turf, in accordance with FAC section 12838(c). See [CA Notice 2024-05](#) <cdpr.ca.gov/docs/registration/canot/2024/ca2024-05.pdf>

For information regarding the reevaluation process, please contact Ms. Brittanie Clendenin, at <Brittanie.Clendenin@cdpr.ca.gov> or Mr. Taylor Whitehill, at <Taylor.Whitehill@cdpr.ca.gov>.

Original signed by

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