



# Department of Pesticide Regulation



Mary-Ann Warmerdam  
Director

Arnold Schwarzenegger  
Governor

*California Notice 2006-08  
(OAL File No. Z-05-0606-01)*

TO: INTERESTED STAKEHOLDERS

SUBJECT: DECISION NOT TO PROCEED WITH PROPOSED EFFICACY  
REGULATIONS

The Department of Pesticide Regulation (DPR) has decided not to proceed with its rulemaking action described in the Notice published in the California Regulatory Notice Register on June 17, 2005, Office of Administrative Law (OAL) File No. Z-05-0606-01 concerning sections 6186, 6200, and 6222 of Title 3, California Code of Regulations. The proposed regulatory action pertained to efficacy data requirements for pesticide products (DPR Regulation Notice 05-002).

On June 17, 2005, DPR proposed changes to its efficacy data requirements in response to external proposals and DPR's 2004 Pesticide Product Registration Reform Initiative. However, since that time, significant statutory and policy changes have occurred and DPR is in the process of exploring further policy changes. DPR expects the changes to significantly reduce situations where an applicant has to unnecessarily conduct and submit efficacy data. DPR plans to evaluate the impact of these changes before proposing further alterations to DPR's efficacy requirements. The changes in statute and policy preserve the requirement that products registered in California must be deemed efficacious for their intended use.

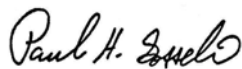
The most significant change to the efficacy rules came from a newly enacted statute. Effective January 1, 2006, Assembly Bill 1011 (Chapter 612, Statutes of 2005) changed state law regarding data submitted to support pesticide product registration. Food and Agricultural Code (FAC) section 12811.5 allows DPR to rely upon any evaluations of previously submitted data, including efficacy data, to support an application for registration of a new product or amendment of a currently registered product, regardless of data ownership. If DPR previously approved one or more pesticide products containing the same active ingredient and the same or similar label claims as a product proposed for registration, no further efficacy data are needed to support the registration of the new product.



In addition to the statutory change, on February 7, 2006, DPR announced its decision to no longer require the submission of confirmatory efficacy data for antimicrobial pesticides. In the past, DPR required confirmatory efficacy data for many disinfectant and sanitizer products to demonstrate the applicant's ability to produce an effective product. See California Notice 2006-02 for further information <<http://www.cdpr.ca.gov/docs/canot/camenu.htm>>.

DPR is also exploring opportunities to use our statutory authority to allow the use of agricultural pesticide products based on market needs, without a traditional set of efficacy data. In addition, DPR is looking at policy changes that would allow the submission of other types of information/data (non-Federal Insecticide, Fungicide, and Insecticide guideline studies) to support the registration of pesticide products. DPR also plans to evaluate its current efficacy data requirements and standards for microbial and biochemical pesticide products to see if DPR's standards are appropriate for these and other non-traditional type reduced risk products.

If you have any questions, please contact Ms. Ann Prichard, Program Supervisor IV, Pesticide Registration Branch, at (916) 324-3931 or <[aprichard@cdpr.ca.gov](mailto:aprichard@cdpr.ca.gov)>.



June 19, 2006

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(916) 445-4000

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Date

cc: Ms. Ann Prichard

Interested Stakeholders  
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