



California Notice 2012-14

POST UNTIL: December 10, 2012

NOTICE OF PROPOSED DECISION TO RENEW PESTICIDE PRODUCT REGISTRATIONS FOR 2013, DIRECTOR'S FINDING AND PUBLIC REPORT

In accordance with Title 3, California Code of Regulations, section 6253, the Director of the Department of Pesticide Regulation (DPR) issues this notice and public report of his proposed decision to renew, for calendar year 2013, certificates of registration of those pesticide products registered with DPR on December 31, 2012.

Comments concerning this proposed decision must be submitted no later than December 10, 2012 and be directed to the Pesticide Registration Branch, Department of Pesticide Regulation, P.O. Box 4015, Sacramento, California 95812-4015, until the above date. Contacts regarding this notice should be made to the Pesticide Registration Branch at 916-445-4400.

Description of the Action

This is a proposed decision to renew certificates of registration of pesticide products registered with DPR on December 31, 2012. The pesticide products proposed for renewal are currently registered in California. The registrants of these products are required to renew their certificates of registration for their respective products in California for the year 2013.

This proposed action, the annual renewal of certificates of registration, is a non-discretionary duty that must be taken if certain requirements, as described in the regulatory framework below, are satisfied by the registrant. Pesticides proposed for registration renewal under this notice can be found in a DPR database on the Internet at <http://www.cdpr.ca.gov/docs/label/labelque.htm>. There are approximately 13,315 registered pesticide products in this database.

Regulatory Framework

DPR endeavors to eliminate from use any pesticide product that endangers the environment or is not beneficial for the purpose for which it was sold, or is misrepresented. Before a substance is initially registered as a pesticide, DPR conducts a thorough and timely evaluation. (Food & Agr. Code § 12824.) Once a pesticide is registered, it is subject to an orderly program of continuous reevaluation as set forth in regulation. (Food & Agr. Code § 12824; Cal. Code of Regs., tit. 3, §§ 6220-6226.)



Pesticide registrations expire on December 31 of the year in which they are issued, and a registrant must submit a renewal application and fee within one month of the December 31 expiration date. (Food & Agr. Code § 12817.) A completed renewal application includes a certification by the registrant that any factual or scientific evidence of an adverse effect or risk of the pesticide to human health or the environment has been submitted to DPR. (Cal. Code of Regs., tit. 3, § 6210.) Therefore, upon the receipt of a complete and timely application, DPR is required to renew each pesticide registration within 60 days, except when the Director, after hearing, has cancelled the registration of, or denied the application to register the pesticide product. (Food & Agr. Code §§ 12816, 12825, 12827; Cal. Code of Regs., tit. 3, § 6215, subd., (b).)

At any time, DPR may conduct a reevaluation of a registered pesticide based on information derived from various sources, including public and private research studies; consultation with the Pesticide Registration and Evaluation Committee and U.S. EPA; adverse effects disclosures; and public comments. DPR must investigate reports and information received that indicate a pesticide may have caused, or is likely to cause, a significant adverse impact, or that indicate that there is an alternative to the product that may significantly reduce an adverse environmental impact. (Cal. Code of Regs., tit. 3, § 6220.) If the Director finds from the investigation that a significant adverse impact has occurred or is likely to occur or that such an alternative is available, the pesticide involved must be reevaluated. (Cal. Code of Regs., tit. 3, § 6220.) Information regarding ongoing reevaluations can be found on DPR's Web site located at <<http://cdpr.ca.gov/docs/registration/reevaluation/reevals.htm>>. DPR may also initiate the cancellation process if it determines, among other things, that significant adverse effects cannot be mitigated. DPR may suspend registration pending a cancellation hearing if it determines that continued use of the product constitutes an immediate and substantial danger to persons or the environment. (Food & Agr. Code §§12825, 12826.)

Director's Findings

At this point in time, the Director finds that for all pesticide products proposed for renewal that are not currently under reevaluation and are not under consideration for reevaluation, sufficient information has not been received necessitating their reevaluation or the initiation of the cancellation process. This proposed action to renew certificates of registration of pesticide products currently registered in California maintains the status quo and will not cause either a direct or reasonably foreseeable indirect physical change in the environment, and as a result, no alternatives or mitigation measures are proposed.

If DPR receives or has received information that indicates a pesticide may have caused, or is likely to cause, a significant adverse impact, DPR proceeds with renewal and either places the product into reevaluation or continues an existing reevaluation. The reevaluation process has separate notice requirements and may conclude in a determination of one of the following: no significant adverse impact found and continued registration; additional regulation required; or

cancellation. DPR posts notices of proposed and final reevaluation decisions and copies of semiannual reports on pesticide products reevaluated, under reevaluation, or for which factual information has been received to consider reevaluation, which can found on the Internet at <<http://www.cdpr.ca.gov/docs/registration/canot/camenu.htm>>. If DPR determines that continued use of the product has a significant adverse effect that cannot be mitigated, DPR will renew, but may suspend the registration pending the initiation and completion of the cancellation process.

Based on the findings made above, the Director determines that the renewal of pesticide product registrations for the calendar year 2013, should proceed in accordance with the applicable laws and regulations and that no additional products need to be placed into reevaluation or the cancellation process initiated.

Continuous Evaluation

All products proposed for registration renewal are subject a continuous evaluation under Food and Agricultural Code section 12824 to identify and evaluate any potential significant adverse environmental impact that may be indicated after the initial registration or renewal. Following the process outlined in Title 3, California Code of Regulations sections 6220 through 6224, or at any time a significant adverse effect is identified that cannot be mitigated, action may be taken to cancel the registration under Food and Agricultural Code section 12825.

Original signed by

November 5, 2012

Ann M. Prichard, Chief
Pesticide Registration Branch
916-324-3931

Date