



Department of Pesticide Regulation

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Governor

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California Notice 2021-06

TO: Pesticide Registrants and Other Stakeholders

SUBJECT: REGISTRATION FEE INCREASE

The Department of Pesticide Regulation (DPR) held a Registration Fee Webinar on Wednesday, March 17, 2021, to share information, answer questions, and receive feedback from registrants and other stakeholders on a proposal to increase registration fees to a level that supports the current and future business functions of the pesticide registration program. Details on the proposal were included in [California Notice 2021-03](#), and a video of the webinar is available on DPR's YouTube Channel at <https://www.youtube.com/watch?v=AqY96j7NZ0M>. DPR further announced that written comments would be accepted until Monday, April 19, 2021.

DPR thanks its stakeholders for submitting comments on the proposal to increase fees for the pesticide registration program. DPR's response to comments received during the public comment period is enclosed with this notice. After careful evaluation of all comments received, DPR plans to move forward with the regulation changes necessary for the registration fees to cover the cost of the entire registration program. The fee for each application to register a new pesticide product or amend a registered pesticide product will remain the same at \$1,150 and \$25, respectively. The fee for each pesticide products annual renewal will increase to \$1,525. As required by statute, DPR will file these regulation changes as an emergency regulation. The documents associated with the emergency regulation are available on DPR's Web site at <http://www.cdpr.ca.gov/docs/legbills/emergregs.htm>.

DPR intends to file the emergency regulation with the Office of Administrative Law on August 10, 2021, at which time a five-day public comment period will begin that ends on August 15, 2021. Thereafter, DPR will respond to public comments received. The emergency regulations are proposed to become effective September 1, 2021.

If you have questions regarding the emergency regulation, please send an email to dpr2101e@cdpr.ca.gov. If you have other questions regarding the information in this notice, please send an email to Regfees@cdpr.ca.gov.

Original signed by Tulio Macedo

Tulio Macedo, Chief
Pesticide Registration Branch
916-324-3527

July 29, 2021

Date

Enclosure

Registration Program Fee Increase

Response to Comments

DPR received 17 comments in response to its proposal to increase the registration fees. The comments related to topics such as preferences for the fee structure; timeframe predictability; accountability and transparency related to program metrics, timeframes, and registration processes; using California Pesticide Electronic Submission Tracking (CalPEST) to improve accountability and transparency; and postponing the fee increase.

DPR identified four alternative fee structures that were discussed at the March workshop. Commenters identified their preference for either having the registration and renewal fees equal the same amount (\$1,500 each) or maintaining the current application fee (\$1,150) and raising the renewal fee (\$1,525). DPR will be proposing the latter option in its upcoming rulemaking as the two different fees facilitate tracking different registration actions throughout the year.

DPR is aware of the concern regarding the predictability of timeframes. It is important to recognize that review timeframes can vary depending on the type of submission and are influenced by a number of factors, such as labeling issues, data deficiencies, missing or incomplete required documents, and the complexity of the submission.

In an effort to increase predictability in timeframes, DPR is working on improving efficiencies and consistencies in our policies and procedures and streamlining our paper-based processes. This includes updating the procedural desk manual to reflect streamlined policies and procedures such as our updated routing criteria, which helps prevent unnecessary formal routing to scientific evaluation stations. Additionally, to help minimize inconsistencies, various job aides for staff and supervisors have been created. In order to streamline our paper-based processes, staff's accessibility to hard paper documents has been increased by scanning and placing into shared electronic folders various documents.

Some commenters expressed support for CalPEST. DPR appreciates the support and believes, as planned, it will make significant strides in transparency and accountability of the registration process. DPR recognizes the need to modernize our system to allow for electronic submission and processing of registration documentation, as well as electronic payment of registration submissions, amendments, and renewals—activities supported by CalPEST once fully implemented. Additionally, CalPEST will include real time validation to catch missing information immediately rather than possibly weeks or months later as with the current physical submission process. CalPEST will also allow users to log into the system and immediate access the status of a pending submission. This will provide much more visibility into the status of a submission than provided by DPR's current automatic e-mail system. CalPEST's robust tracking capabilities will be able to readily provide much more information about the registration process than what is currently available.

Many of the features of CalPEST will improve processing times. For example, since submissions we receive will be more complete, it will reduce the workload associated with processing incomplete submissions. Additionally, DPR intends for CalPEST to clarify processing times by identifying the number of business days DPR has worked on a submission versus waiting for an applicant response. In addition, since the formal scientific evaluation of submissions will take place concurrently rather than sequentially, where possible, it can significantly reduce the overall duration of processing times.

DPR initiated the procurement process for CalPEST on July 22, 2021. Upon release of the procurement, additional vendors that provide similar services in other states were also notified by email so they would be aware of the bid opportunity. While CalPEST is being developed, DPR is making efforts to mitigate concerns related to accountability and transparency in our program metrics, processes, and timeframes in the short-term by reassessing and revising our current processes as explained above. DPR is in discussion with registrants and executive staff to continue the efforts to be more accountable and transparent in our registration processes.

DPR understands budgeting concerns raised by registrants, but is not able to postpone the implementation of the fee increase. Currently, registration fees are not adequate to support the review of pesticides and protecting human health and the environment in accordance with DPR's mission. The registration program must be self-supporting as required by California Food and Agricultural Code section 12812(c). Consequently, DPR is raising fees to support the program and the increases are based on current and historical registration submissions and renewals. Fees will be reevaluated once CalPEST is fully implemented.