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California Notice 2021-08

NOTICE OF IMIDACLOPRID RESIDUE DETECTIONS IN CALIFORNIA GROUNDWATER AND THE PESTICIDE CONTAMINATION PREVENTION ACT (PCPA) REVIEW PROCESS

BACKGROUND

The 1985 Pesticide Contamination Prevention Act (PCPA) (Assembly Bill 2021, Food and Agricultural Code [FAC] sections 13141 through 13152) requires the Department of Pesticide Regulation (DPR) to monitor and review the use of pesticides designated as having the potential to contaminate groundwater. If DPR detects a pesticide or its degradation product in groundwater, the PCPA requires DPR to determine if the detection(s) were the result of legal agricultural use. Once this determination is made, DPR notifies registrants of the detections and provides them with an opportunity to request a hearing. The purpose of the hearing is to review evidence to determine if continued use of the affected agricultural use pesticide products should be allowed. If DPR does not receive a hearing request from a registrant, DPR's Director will cancel the registrant's agricultural use product registration(s) containing imidacloprid.

IMIDACLOPRID RESIDUE DETECTIONS IN GROUNDWATER AND AFFECTED PRODUCTS

DPR detected residues of imidacloprid in 15 groundwater wells at concentrations that exceeded the reporting limit of 0.05 parts per billion (ppb). Detected concentrations ranged from 0.051 to 5.97 ppb. Wells with detections above the reporting limit are located in Fresno, Santa Barbara, and Tulare counties. Based on its investigation, DPR determined the imidacloprid residues detected in groundwater were the result of legal agricultural use of a pesticide product or pesticide products containing imidacloprid. As such, DPR is initiating the PCPA review process for imidacloprid.

As of September 10, 2021, 253 pesticide products containing the active ingredient imidacloprid were registered for sale and use in California. DPR has determined 125 of these 253 total products are subject to the PCPA process based on their potential for agricultural use. A list of these 125 products is included on page 4 through page 10 of this notice.

PESTICIDE CONTAMINATION PREVENTION ACT REVIEW PROCESS

When a pesticide or degradation product of a pesticide is first detected and confirmed in groundwater, and DPR determines the detections resulted from legal agricultural use, the provisions of the PCPA require DPR to conduct a formal review to determine if use of the pesticide can continue and, if so, under what conditions. This review process begins when DPR notifies all affected registrants with registered products that contain the detected pesticide active

ingredient or degradate, and provides registrants of affected agricultural use products with an opportunity to request a hearing in response to the notification. On September 23, 2021, DPR will notify all imidacloprid registrants of DPR's groundwater detections and legal agricultural use determination, and will provide registrants of agricultural use products with an opportunity to request a public hearing by October 25, 2021.

Under the PCPA, if the registrant of the affected agricultural use pesticide product(s) requests a hearing within 30 days of the date it was notified of DPR's determination, a three-member subcommittee of the Pesticide Registration and Evaluation Committee (PREC) will conduct a hearing within 180 days of the initial request. The PREC Subcommittee consists of one member each from DPR, the Office of Environmental Health Hazard Assessment (OEHHA), and the State Water Resources Control Board (SWRCB). If, however, a registrant does not request a hearing date within 30 days from the notification date, DPR's Director will cancel the registrant's agricultural use product registration(s) containing imidacloprid. (FAC sections 13149 through 13150.)

If a hearing is requested, DPR will issue a separate notice specifying the date, time, and location of the public hearing. The purpose of the hearing is to gather evidence regarding the continued agricultural use of imidacloprid products. Pursuant to FAC section 13150, if the registrant requests a hearing, the registrant is required to submit a report and documented evidence to support the continued registration, sale, and use of its pesticide product(s) containing imidacloprid. Each registrant is responsible for submitting its own report and documented evidence as required by FAC section 13150, or alternatively, coordinating with other registrants on the submission of such report and evidence on their behalf. DPR requests registrants submit the report and documented evidence at least 30 days before the scheduled hearing date.

At the hearing, the registrants, or their designated agents, will be given an opportunity to provide written and oral testimony for the PREC Subcommittee's consideration and answer questions from the Subcommittee about the registrants' reports and any other materials the registrants submit to DPR. The public will also be given an opportunity to provide written and oral testimony to the PREC Subcommittee for its consideration. Testimony may be limited to ensure that every commenter has an equal opportunity to speak. Staff from OEHHA, SWRCB, and DPR may also provide information for the Subcommittee's consideration.

The PREC Subcommittee will review the documented evidence presented and submitted by the registrants and others, and will make one of the following findings and recommendations:

1. That the ingredient found in the soil or groundwater has not polluted, and does not threaten to pollute, the groundwater of the state,
2. That the agricultural use of the pesticide can be modified so that there is a high probability that the pesticide would not pollute the groundwater of the state, or

3. That modification of the agricultural use of the pesticide or cancellation of the pesticide will cause severe economic hardship on the state's agricultural industry, and that no alternative products or practices can be effectively used so that there is a high probability that pollution of the groundwater of the state will not occur. The Subcommittee will recommend a level of the pesticide that does not significantly diminish the margin of safety recognized by the Subcommittee to not cause adverse health effects.

The Director will issue a decision regarding the continued agricultural use of the pesticide within 30 days of the submission of the Subcommittee's reported findings. If none of the above findings are made, the affected pesticide product registrations will be canceled.

More information regarding PCPA overall, and on DPR's specific action for imidacloprid, can be found at <<https://www.cdpr.ca.gov/docs/emon/grndwtr/imidacloprid.htm>>. This includes a copy of the legal agricultural use determination, study reports, and drinking water assessment. Requests for additional information or questions should be directed to Ms. Kara James, Pesticide Registration Branch, at 916-324-3523 or by e-mail at <Kara.James@cdpr.ca.gov>.

*Original signed by Ann Hanger for Tulio
Macedo*

Tulio Macedo, Chief
Pesticide Registration Branch
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September 21, 2021

Date

IMIDACLOPRID PRODUCTS SUBJECT TO THE PCPA REVIEW PROCESS

As of September 10, 2021, 253 pesticide products containing the active ingredient imidacloprid were registered for sale and use in California. DPR has determined the 125 products listed in Table 1 are subject to the PCPA process based on their potential for agricultural use.

Table 1. Imidacloprid Products Subject to the PCPA Process

Registrant	EPA Registration Number	Product Name
ALBAUGH, LLC	42750-153-ZA	IMIDACLOPRID 60WP GH
ALBAUGH, LLC	42750-115-ZA	IMIDASTAR 2L T&O
ALBAUGH, LLC	42750-110-AA	MACHO 2.0 FL
ALBAUGH, LLC	42750-140-ZA	MACHO 4.0
ARBORJET, INC.	74578-1-AA	IMA-JET
ARBORJET, INC.	74578-6-AA	IMA-JET 10
ARBORSYSTEMS, INC. D/B/A ARBORSYSTEMS	69117-8-AA	DIY TREE CARE PRODUCTS MULTI-INSECT KILLER
ARBORSYSTEMS, INC. D/B/A ARBORSYSTEMS	69117-1-AA	POINTER INSECTICIDE
ASPEN VETERINARY RESOURCES, LTD.	53883-225-AA-40940	EXILE DB
BAYER CROPSCIENCE LP	264-827-ZA	ADMIRE PRO SYSTEMIC PROTECTANT
BAYER CROPSCIENCE LP	264-957-AA	GAUCHO 480 FLOWABLE
BAYER CROPSCIENCE LP	264-968-ZA	GAUCHO 600 FLOWABLE
BAYER CROPSCIENCE LP	264-968-AA	GAUCHO GRANDE SEED APPLIED INSECTICIDE
BAYER CROPSCIENCE LP	264-1104-AA	LEVERAGE 360 INSECTICIDE
BAYER CROPSCIENCE LP	264-1081-AA	SEPRESTO 75 WS
BAYER ENVIRONMENTAL SCIENCE	432-1419-AA	ALLECTUS 0.15 G PLUS TURF FERTILIZER INSECTICIDE
BAYER ENVIRONMENTAL SCIENCE	432-1428-AA	ALLECTUS 0.15 GC PLUS TURF FERTILIZER INSECTICIDE
BAYER ENVIRONMENTAL SCIENCE	432-1418-AA	ALLECTUS 0.18 G PLUS TURF FERTILIZER INSECTICIDE
BAYER ENVIRONMENTAL SCIENCE	432-1426-AA	ALLECTUS 0.18 GC PLUS TURF FERTILIZER INSECTICIDE
BAYER ENVIRONMENTAL SCIENCE	432-1417-AA	ALLECTUS 0.225 G PLUS TURF FERTILIZER INSECTICIDE

Registrant	EPA Registration Number	Product Name
BAYER ENVIRONMENTAL SCIENCE	432-1427-AA	ALLECTUS 0.225 GC PLUS TURF FERTILIZER INSECTICIDE
BAYER ENVIRONMENTAL SCIENCE	432-1455-AA	MAXFORCE FLY SPOT BAIT
BAYER ENVIRONMENTAL SCIENCE	432-1375-ZA	MAXFORCE GRANULAR FLY BAIT
BAYER ENVIRONMENTAL SCIENCE	432-1314-AA	MERIT 75 WP INSECTICIDE
BAYER ENVIRONMENTAL SCIENCE	432-1483-AA	TEMPRID SC INSECTICIDE
BAYER ENVIRONMENTAL SCIENCE A DIVISION OF BAYER CROPSCIENCE LP	432-1457-ZB	CORETECT
BAYER ENVIRONMENTAL SCIENCE A DIVISION OF BAYER CROPSCIENCE LP	432-1328-ZD	CRITERION 0.5 G INSECTICIDE
BAYER ENVIRONMENTAL SCIENCE A DIVISION OF BAYER CROPSCIENCE LP	432-1312-ZA	CRITERION 2F INSECTICIDE
BAYER ENVIRONMENTAL SCIENCE A DIVISION OF BAYER CROPSCIENCE LP	432-1318-ZF	CRITERION 75 WSP INSECTICIDE
BAYER ENVIRONMENTAL SCIENCE A DIVISION OF BAYER CROPSCIENCE LP	432-1328-ZF	LESCO BANDIT 0.5 G INSECTICIDE
BAYER ENVIRONMENTAL SCIENCE A DIVISION OF BAYER CROPSCIENCE LP	432-1312-ZB	LESCO BANDIT 2F INSECTICIDE
BAYER ENVIRONMENTAL SCIENCE A DIVISION OF BAYER CROPSCIENCE LP	432-1318-ZA	LESCO BANDIT 75 WSP INSECTICIDE

Registrant	EPA Registration Number	Product Name
BAYER ENVIRONMENTAL SCIENCE A DIVISION OF BAYER CROPSCIENCE LP	432-1506-AA	MAXFORCE QUANTUM ANT BAIT
BAYER ENVIRONMENTAL SCIENCE A DIVISION OF BAYER CROPSCIENCE LP	432-1328-AA	MERIT 0.5 G INSECTICIDE
BAYER ENVIRONMENTAL SCIENCE A DIVISION OF BAYER CROPSCIENCE LP	432-1312-AA	MERIT 2F INSECTICIDE
BAYER ENVIRONMENTAL SCIENCE A DIVISION OF BAYER CROPSCIENCE LP	432-1318-AA	MERIT 75 WSP INSECTICIDE
BAYER ENVIRONMENTAL SCIENCE A DIVISION OF BAYER CROPSCIENCE LP	432-1328-ZA	PROKOZ ZENITH 0.5 G INSECTICIDE
BAYER ENVIRONMENTAL SCIENCE A DIVISION OF BAYER CROPSCIENCE LP	432-1312-ZF	PROKOZ ZENITH 2F INSECTICIDE
BAYER ENVIRONMENTAL SCIENCE A DIVISION OF BAYER CROPSCIENCE LP	432-1318-ZC	PROKOZ ZENITH 75 WSP INSECTICIDE
BAYER ENVIRONMENTAL SCIENCE A DIVISION OF BAYER CROPSCIENCE LP	432-1544-AA	TEMPRID FX INSECTICIDE
BAYER ENVIRONMENTAL SCIENCE A DIVISION OF BAYER CROPSCIENCE LP	432-1527-ZA	TEMPRID READY-TO-SPRAY
BAYER HEALTHCARE LLC, ANIMAL HEALTH DIVISION	11556-146-AA	CREDO SC INSECTICIDE

Registrant	EPA Registration Number	Product Name
BAYER HEALTHCARE LLC, ANIMAL HEALTH DIVISION	11556-147-AA	QUICKBAYT
BAYER HEALTHCARE LLC, ANIMAL HEALTH DIVISION	11556-137-ZA	QUICKBAYT FLY BAIT
BONIDE PRODUCTS, INC.	228-501-AA-4	ANNUAL INSECT CONTROL WITH SYSTEMAXX GRUB BEATER "IT'S THAT SIMPLE"
CENTRAL GARDEN & PET COMPANY	89459-52-AA	ADONIS 75 TERMITE/INSECT WSP CONCENTRATE
CENTRAL GARDEN & PET COMPANY	89459-53-AA	STARBAR ADONIS 4F INSECTICIDAL SPRAY
CONTROL SOLUTIONS, INC.	53883-229-AA	DOMINION 2L TERMITICIDE/INSECTICIDE
CONTROL SOLUTIONS, INC.	53883-225-AA	DOMINION 4L
CONTROL SOLUTIONS, INC.	53883-367-AA	QUALI-PRO IMIDACLOPRID 0.5G INSECTICIDE
ENSYSTEX IV, INC.	83923-2-AA	BITHOR SC
ENSYSTEX IV, INC.	83923-4-AA	PROTHOR SC 2
EVERISS NA, INC.	42750-153-ZA- 58185	BENEFIT 60 WP
FMC CORPORATION	279-3332-AA	BRIGADIER INSECTICIDE
HELENA CHEMICAL COMPANY	279-3459-AA-5905	TEMPEST DUAL-ACTION INSECTICIDE
INNVICTIS CROP CARE, LLC	89168-21-AA- 89391	AVENGER S3
INNVICTIS CROP CARE, LLC	89168-23-AA- 89391	PROVOKE
J.J. MAUGET CO.	7946-16-AA	IMICIDE
J.J. MAUGET CO.	7946-25-AA	IMICIDE HP
KOP-COAT PROTECTION PRODUCTS	39967-15-AA- 92617	TIMBERTREAT N-98 PRESERVATIVE INSECTICIDE
KOPPERS PERFORMANCE CHEMICALS, INC.	3008-111-ZA	CB-300
KOPPERS PERFORMANCE CHEMICALS, INC.	3008-120-AA	ORD-1302
LANXESS CORPORATION	39967-17-AA	PREVENTOL TM INSECTICIDE
LANXESS CORPORATION	39967-15-AA	PREVENTOL TM PRESERVATIVE INSECTICIDE

Registrant	EPA Registration Number	Product Name
LESCO, INC.	432-1349-ZA-10404	LESCO MERIT 0.2 PLUS TURF FERTILIZER
LOVELAND PRODUCTS, INC.	34704-940-AA	DYNA-SHIELD IMIDACLOPRID 5
LOVELAND PRODUCTS, INC.	34704-960-AA	MALICE 0.5G
LOVELAND PRODUCTS, INC.	34704-893-ZA	MALICE 2F INSECTICIDE
LOVELAND PRODUCTS, INC.	34704-1009-AA	MALICE 75 WSP
LOVELAND PRODUCTS, INC.	34704-894-AA	PREY 1.6 INSECTICIDE
LOVELAND PRODUCTS, INC.	34704-983-AA	SHERPA INSECTICIDE
LOVELAND PRODUCTS, INC.	432-1349-AA-34704	SIGNATURE BRAND FERTILIZER WITH 0.2% MERIT
LOVELAND PRODUCTS, INC.	34704-1045-AA	SWAGGER
LOVELAND PRODUCTS, INC.	34704-893-AA	WIDOW INSECTICIDE
LOVELAND PRODUCTS, INC.	34704-931-AA	WRANGLER INSECTICIDE
MAKHTESHIM AGAN OF NORTH AMERICA, INC.	66222-203-ZB	ALIAS 2F FLOWABLE INSECTICIDE
MAKHTESHIM AGAN OF NORTH AMERICA, INC.	66222-203-AA	QUALI-PRO IMIDACLOPRID 2F TURF & ORNAMENTAL INSECTICIDE
MAKHTESHIM AGAN OF NORTH AMERICA, INC.	66222-199-AA	QUALI-PRO IMIDACLOPRID 75 WSB
MAKHTESHIM AGAN OF NORTH AMERICA, INC., D/B/A ADAMA	66222-156-ZA	ALIAS 4F
NUFARM AMERICAS INC. AGT DIVISION	55146-113-AA	SATIVA IM MAX
NUFARM AMERICAS INC. AGT DIVISION	55146-111-AA	SATIVA IM RTU
NUFARM AMERICAS, INC.	228-485-ZA	GRUBEX PRO
NUFARM AMERICAS, INC.	228-501-AA	MALLET 0.5G INSECTICIDE
NUFARM AMERICAS, INC.	228-695-AA	MALLET 2 F T&O INSECTICIDE
NUFARM AMERICAS, INC.	228-588-AA	MALLET 75 WSP INSECTICIDE
NUFARM AMERICAS, INC.	228-523-AA	MANTRA 1 G GREENHOUSE AND NURSERY INSECTICIDE
NUFARM AMERICAS, INC.	228-681-AA	MANTRA 60 WSP
NUFARM AMERICAS, INC.	228-572-AA	NUPRID 2SC SOIL/FOLIAR INSECTICIDE
NUFARM AMERICAS, INC.	228-527-AA	NUPRID 4.6F PRO INSECTICIDE
NUFARM AMERICAS, INC.	228-528-AA	NUPRID 4F MAX INSECTICIDE

Registrant	EPA Registration Number	Product Name
NUFARM AMERICAS, INC.	228-522-AA	SENATOR 600 FS
OHP, INC.	59807-18-AA	DISCUS L
OHP, INC.	59807-15-AA	MARATHON 1% GRANULAR
PRIME SOURCE, LLC	89442-19-AA	IMIDACLOPRID 2F SELECT T/I
PRIME SOURCE, LLC	89442-11-AA	IMIDACLOPRID 75WSP SELECT
PRIMERA TURF, INC.	83100-6-AA-88975	PRIMERAONE IMIDACLOPRID 2F INSECTICIDE
RAINBOW TREECARE SCIENTIFIC ADVANCEMENTS	74779-11-AA	XYTECT 10% INFUSIBLE INSECTICIDE
RAINBOW TREECARE SCIENTIFIC ADVANCEMENTS	42750-115-AA- 74779	XYTECT 2F INSECTICIDE
RAINBOW TREECARE SCIENTIFIC ADVANCEMENTS	42750-117-AA- 74779	XYTECT 75WSP INSECTICIDE
ROCKWELL LABS LTD D/B/A MAGGIE'S FARM LTD	73079-10-AA	INVICT GOLD COCKROACH GEL
ROCKWELL LABS LTD D/B/A MAGGIE'S FARM LTD	73079-14-AA	INVICT XPRESS GRANULAR BAIT
ROTAM NORTH AMERICA, INC.	83100-6-AA-83979	LADA 2F INSECTICIDE
ROTAM NORTH AMERICA, INC.	83100-26-AA- 83979	LADA 75WSP INSECTICIDE
ROTAM NORTH AMERICA, INC.	83100-7-AA-83979	MONTANA 2F INSECTICIDE
ROTAM NORTH AMERICA, INC.	83100-21-AA- 83979	MONTANA 4F INSECTICIDE
ROTAM NORTH AMERICA, INC.	83100-33-AA- 83979	OBELISK
SCIMETRICS LTD. CORPORATION	72500-18-AA	ADIOS COMBO BAIT CUBES
SCIMETRICS LTD. CORPORATION	72500-14-AA	KAPUT COMBO BAIT MINI BLOCKS FOR RODENTS AND FLEAS
SCIMETRICS LTD. CORPORATION	72500-13-ZA	KAPUT COMBO BAIT PELLETS

Registrant	EPA Registration Number	Product Name
SCIMETRICS LTD. CORPORATION	72500-24-AA	KAPUT GROUND SQUIRREL BAIT
SCIMETRICS LTD. CORPORATION	72500-11-ZA	KAPUT-D GROUND SQUIRREL BAIT
SHARDA USA LLC	83529-4-AA	MIDASH 2SC AG INSECTICIDE
SHARDA USA LLC	83529-3-AA	MIDASH 2SC T&O/PCO INSECTICIDE/TERMITICIDE
SHARDA USA LLC	83529-6-AA	MIDASH FORTE INSECTICIDE
SULPHUR MILLS LIMITED	70905-3-ZA	IMIDASHOT DF INSECTICIDE
TELEBRANDS CORP.	73079-10-AA- 93417	ROACH DOCTOR (TM) COCKROACH GEL
UNITED PHOSPHORUS, INC.	70506-142-AA	IMIGOLD 0.5 G TURF & ORNAMENTAL INSECTICIDE
UNITED PHOSPHORUS, INC.	70506-150-AA	IMIGOLD 2 F TURF & ORNAMENTAL INSECTICIDE
UNITED PHOSPHORUS, INC.	70506-157-ZA	IMIGOLD 70DF TURF, ORNAMENTAL AND GREENHOUSE INSECTICIDE
VOLUNTARY PURCHASING GROUPS, INC.	228-587-ZA-7401	FERTI-LOME AZALEA/EVERGREEN FOOD PLUS WITH SYSTEMIC
VOLUNTARY PURCHASING GROUPS, INC.	228-587-ZB-7401	FERTI-LOME PALM TREE FOOD WITH SYSTEMIC
VOLUNTARY PURCHASING GROUPS, INC.	228-587-AA-7401	FERTI-LOME ROSE & FLOWER FOOD WITH SYSTEMIC INSECTICIDE
WILLOWOOD, LLC	87290-26-AA	WILLOWOOD IMIDACLOPRID 4SC
WINFIELD SOLUTIONS, LLC	1381-219-ZA	ADVISE FOUR
WINFIELD SOLUTIONS, LLC	83222-32-ZA	S-CLOPRID 4 AG