



California Notice 2022-18

To: Pesticide Registrants and Other Stakeholders

Subject: NOTICE OF PROPOSED DECISION TO RENEW PESTICIDE PRODUCT REGISTRATIONS FOR 2023, DIRECTOR'S FINDING AND PUBLIC REPORT

In accordance with Title 3 of the California Code of Regulations (3 CCR) section 6253, the Director of the Department of Pesticide Regulation (DPR) issues this Notice of Proposed Decision and Public Report to renew Certificates of Registration for pesticide products registered with DPR on December 31, 2022.

Public comments must be submitted no later than **November 4, 2022**, and should be directed to the following address:

Pesticide Registration Branch
Department of Pesticide Regulation
P. O. Box 4015
Sacramento, California 95812-4015

-OR-

<Registration.Comments@cdpr.ca.gov>

Contact regarding this notice can 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 for the year 2023 for pesticide products currently registered in California. Pesticide product registrations for the year 2022 will expire on December 31, 2022. If these Certificates of Registration are renewed, they will expire on December 31, 2023, unless DPR takes a separate action to cancel their registration under Food and Agricultural Code (FAC) section 12825.

The annual renewal of Certificates of Registration is a non-discretionary action that must be taken if certain requirements, as described in the regulatory framework below, are satisfied by the registrant. Pesticide products proposed for renewal under this notice can be found in a DPR database at <<http://www.cdpr.ca.gov/docs/label/labelque.htm>>. There are approximately 13,443 registered pesticides in this database.

This proposed decision solicits comments and consultation as part of DPR's continuous evaluation under FAC section 12824 to identify and evaluate any potential significant adverse environmental impact stemming from use of a registered pesticide. Information received may lead to a separate, subsequent decision to place the pesticide into reevaluation or, if a significant adverse effect is identified that cannot be mitigated, to cancel the registration (3 CCR section 6215). DPR has no authority or ability to address such information through mitigation or other project changes to its renewal decision. Instead, as described below, DPR is required to renew a pesticide registration upon receipt of a complete and timely renewal application except when the Director, after hearing, has taken a separate action to cancel the registration [FAC sections 12816, 12825, and 12827 and 3 CCR section 6215(b)]. DPR must do so regardless of reevaluation status or outcome.

REGULATORY FRAMEWORK FOR RENEWAL

Certificates of Registration 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 (FAC section 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 (3 CCR section 6210). Upon receipt of a complete and timely application, DPR is required to renew each pesticide registration within sixty days, except when the Director, after hearing, has taken a separate action to cancel the registration [FAC sections 12816, 12825, and 12827 and 3 CCR section 6215(b)].

CONTINUOUS EVALUATION

Before a substance is initially registered as a pesticide, DPR conducts a thorough evaluation (FAC section 12824). Once a product is registered, it is subject to continuous evaluation (FAC section 12824 and 3 CCR sections 6220-6226). At any time, DPR may evaluate a registered pesticide. DPR must investigate all reported episodes and information received that indicate a pesticide may have caused, or is likely to cause, a significant adverse impact, or that indicate there is an alternative to the product that may significantly reduce an adverse environmental impact (3 CCR section 6220). If the Director finds from the investigation that a significant adverse impact has occurred, is likely to occur, or such an alternative is available, the pesticide involved must be reevaluated (3 CCR section 6220). Information regarding active reevaluations can be found on DPR's Web site at cdpr.ca.gov/docs/registration/reevaluation/reevals.htm.

The initiation of a reevaluation is subject to a separate public notice, public comment period, and a public semi-annual report requirement. During the reevaluation, DPR must determine if the pesticide should be classified as a restricted material under FAC section 14004.5; and if additional restrictions on use are necessary; or if action should be taken to cancel or suspend the pesticide. DPR posts proposed and final reevaluation decisions and semi-annual reports at cdpr.ca.gov/docs/registration/reevaluation/reevals.htm. However, regardless of reevaluation status or outcome, DPR must renew a product unless the Director, after hearing, has cancelled the pesticide product registration. If DPR determines continued use of a product has a significant

adverse effect that cannot be mitigated, DPR must still renew the product, but may initiate the cancellation process with the option to suspend the registration pending cancellation (FAC sections 12825 and 12826).

DIRECTOR'S FINDINGS

At this point in time, the Director finds, for all products proposed for renewal that are not currently under reevaluation, sufficient information has not been received necessitating the initiation of a separate reevaluation or cancellation process. This proposed action to renew Certificates of Registration of pesticide products currently registered in California maintains the status quo and, therefore, will not cause either a direct or a reasonably foreseeable indirect physical change in the environment that constitutes a significant adverse environmental effect. As a result, and due to the ministerial nature of this project, DPR did not consider alternatives or mitigation measures.

Original Signed by Tulio Macedo

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

October 3, 2022

Date

cc: Ms. Alexis Leyva, Staff Services Manager I, DPR