

## TEXT OF FINAL REGULATIONS

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Current wording is indicated by regular type.

Deletions are indicated by ~~strikeout~~.

Additions are indicated by underline.

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### TITLE 3. CALIFORNIA CODE OF REGULATIONS DIVISION 6. PESTICIDES AND PEST CONTROL OPERATIONS CHAPTER 4. ENVIRONMENTAL PROTECTION SUBCHAPTER 6. POLLINATOR PROTECTION

Adopt Article 2 heading:

#### **ARTICLE 2. NEONICOTINOID PESTICIDE EXPOSURE PROTECTION**

Adopt section 6990 to read:

##### **Section 6990. Definitions and Scope.**

(a) For the purposes of this article, the following definitions apply:

(1) “Bloom” means the period from the onset of flowering until petal fall is complete. For citrus subject to section 6984, the bloom period is as defined in section 6984(b).

(2) “Crop group” means the groupings of agricultural commodities specified in title 40, Code of Federal Regulations, section 180.41(c) (July 1, 2020), 85 Fed. Reg. 70985 (Nov. 6, 2020), and 87 Fed. Reg. 57627 (Sept. 21, 2022).

(3) “Growing season” means the time period from planting until harvest is completed for a particular annual crop or biennial crop, and is not more than one year (365 days) for perennial crops.

(4) “Managed pollinators” means bees introduced in a field to provide pollination services to the crops in the field.

(5) “Neonicotinoid” means a pesticide containing any of the following active ingredients in the nitroguanidine insecticide class of neonicotinoids: clothianidin, dinotefuran, imidacloprid, and thiamethoxam.

(6) The term “lbs. ai/A/season” means the application rate in unit of pounds (lbs.) of active ingredient (ai) per acre (A) per growing season (season).

(b) The provisions of this article apply to foliar, soil, or both foliar and soil applications of products containing one or more neonicotinoid active ingredients when used for the production of the following agricultural commodities:

(1) Berries and small fruits (Crop Groups 13 and 13-07)

(2) Bulb vegetables (Crop Groups 3 and 3-7)

(3) Cereal grains (Crop Groups 15, 15-22, 16 and 16-22)

(4) Citrus fruit (Crop Groups 10 and 10-10)

(5) Cucurbit vegetables (Crop Group 9)

(6) Fruiting vegetables (Crop Groups 8 and 8-10)

- (7) Herbs and spices (Crop Groups 19, 25 and 26)
- (8) Leafy vegetables including brassica (cole) (Crop Groups 4, 4-16, 5, 5-16 and 22)
- (9) Legume vegetables (Crop Groups 6, 6-22, 7 and 7-22)
- (10) Oilseed (Crop Group 20)
- (11) Pome fruits (Crop Groups 11 and 11-10)
- (12) Root and tuber vegetables (Crop Groups 1 and 2)
- (13) Stone fruits (Crop Groups 12 and 12-12)
- (14) Tree nuts (Crop Groups 14 and 14-12)
- (15) Tropical and subtropical fruit, edible and inedible peel (Crop Groups 23 and 24)
- (16) Coffee, peanuts, globe artichoke, mint, hops (female plants only), and tobacco
- (c) The following applications are not subject to this article:
  - (1) An application made to an agricultural commodity grown inside an enclosed space, insect exclusionary structure, or insect exclusionary netting if both of the following conditions are met:
    - (A) The agricultural commodity is fully covered by the enclosed space, insect exclusionary structure, or insect exclusionary netting for the entire duration of the bloom period; and
    - (B) Managed pollinators are not introduced into the enclosed space, insect exclusionary structure, or insect exclusionary netting.
  - (2) An application made to address a local emergency pursuant to Government Code section 8630 or a local emergency declared by the U.S. Department of Agriculture or the California Department of Food and Agriculture. The operator of the property shall obtain the written recommendation from a licensed agricultural pest control adviser and retain the written recommendation for at least two years after the application occurs.
  - (3) An application to control a quarantine pest declared by the U.S. Department of Agriculture or the California Department of Food and Agriculture if the operator of the property obtains written recommendation from a licensed agricultural pest control adviser. The operator of the property shall retain the written recommendation for at least two years after the application occurs.
  - (4) An application allowed under an active "Section 18" Emergency Exemption issued pursuant to section 18 of the Federal Insecticide, Fungicide, and Rodenticide Act (title 7, United States Code, section 136p).
  - (5) An application authorized for research purposes to support a proposed amendment to these regulations. Before using a neonicotinoid in this manner, a written authorization for research must be obtained from the Director. The Director may specify the conditions in the authorization for research under which the research must be conducted. The Director may terminate, amend, or refuse to issue an authorization for research if the Director determines any of the following:
    - (A) The research may involve a hazard to human health or the environment.
    - (B) The research may be used for purposes unrelated to pesticide data development.
    - (C) A violation of the authorization for research, prior authorization for research, or Divisions 6 or 7 of the Food and Agricultural Code, or a regulation adopted pursuant to them, has occurred in connection with the research.

(d) For purposes of this article, if at any point during the growing season the operator of the property uses managed pollinators at the application site, then the operator of the property is presumed to have intended to use managed pollinators at the time of application.

NOTE: Authority cited: Sections 11456 and 12976, Food and Agricultural Code. Reference: Sections 12824 and 12838, Food and Agricultural Code.

Adopt section 6990.1 to read:

**Section 6990.1. Neonicotinoid Use on Berries and Small Fruits (Crop Groups 13 and 13-07).**

The provisions of this section apply to any neonicotinoid application made to a crop in the berries and small fruits crop groups, with the exception of mulberries. Application of a neonicotinoid to mulberries is not subject to the provisions of this article.

(a) Application of a neonicotinoid is prohibited during bloom.

(b) If both soil and foliar application methods are used on the same crop, or if multiple neonicotinoid active ingredients are applied to the same crop, a total maximum combined application rate of 0.3 lbs. ai/A/season may be applied, provided that:

(1) Soil application rate must not exceed 0.2 lbs. ai/A/season; and

(2) Foliar application rate must not exceed 0.1 lbs. ai/A/season.

(c) Except as specified in subsection (d), if managed pollinators will be used during the growing season, application of a neonicotinoid is prohibited.

(d) Grapes. If managed pollinators will be used to pollinate grapes during the growing season, an application of a neonicotinoid to grapes may be made under the application rate and timing restrictions listed in the following table. These restrictions apply in addition to the limitations in subsections (a) and (b):

<u>Application Rate and Timing Restrictions for Grapes</u>				
<u>Active Ingredient</u>	<u>Soil Application</u>		<u>Foliar Application</u>	
	<u>Maximum Application Rate</u>	<u>Required Timing</u>	<u>Maximum Application Rate</u>	<u>Required Timing</u>
<u>Clothianidin, Dinotefuran, Imidacloprid, or Thiamethoxam</u>	<u>0.2 lbs. ai/A/season</u>	<u>Apply only up until bud break</u>	<u>0.1 lbs. ai/A/season</u>	<u>Apply only between post-bloom (all flower hoods fallen) and harvest</u>

NOTE: Authority cited: Sections 11456 and 12976, Food and Agricultural Code. Reference: Sections 12824 and 12838, Food and Agricultural Code.

Adopt section 6990.2 to read:

**Section 6990.2. Neonicotinoid Use on Bulb Vegetables (Crop Groups 3 and 3-07).**

When crops in the bulb vegetables crop groups are harvested before bloom, an application of a neonicotinoid to these crops is not subject to the provisions of this article. Otherwise, an application of a neonicotinoid to these crops is prohibited.

NOTE: Authority cited: Sections 11456 and 12976, Food and Agricultural Code. Reference: Sections 12824 and 12838, Food and Agricultural Code.

Adopt section 6990.3 to read:

**Section 6990.3. Neonicotinoid Use on Cereal Grains (Crop Groups 15, 15-22, 16 and 16-22).**

The provisions of this section apply to any neonicotinoid application made to a crop in the cereal grains crop groups. An application of a neonicotinoid to barley, oats, rice (*Oryza sativa*), rye, triticale, or wheat is not subject to the provisions of this article.

(a) Application of a neonicotinoid is prohibited from heading (inflorescence or tassel emergence) to harvest.

(b) If both soil and foliar application methods are used on the same crop, or if multiple neonicotinoid active ingredients are applied to the same crop, a total maximum combined application rate of 0.326 lbs. ai/A/season may be applied, provided that:

- (1) Soil application rate must not exceed 0.2 lbs. ai/A/season; and
- (2) Foliar application rate must not exceed 0.126 lbs. ai/A/season.

(c) If managed pollinators will be used during the growing season, the application rate and timing restrictions listed in the following table apply in addition to the limitations in subsections (a) and (b):

<u>Application Rate and Timing Restrictions for Crops in the Cereal Grains Crop Groups</u>				
<u>Active Ingredient</u>	<u>Soil Application</u>		<u>Foliar Application</u>	
	<u>Maximum Application Rate</u>	<u>Required Timing</u>	<u>Maximum Application Rate</u>	<u>Required Timing</u>
<u>Clothianidin, Dinotefuran, Imidacloprid, or Thiamethoxam</u>	<u>0.2 lbs. ai/A/season</u>	<u>Apply only at pre-planting or planting</u>	<u>0.126 lbs. ai/A/season</u>	<u>Apply only between pre-planting until heading (inflorescence or tassel emergence)</u>

NOTE: Authority cited: Sections 11456 and 12976, Food and Agricultural Code. Reference: Sections 12824 and 12838, Food and Agricultural Code.

Adopt section 6990.4 to read:

**Section 6990.4. Neonicotinoid Use on Citrus Fruit (Crop Groups 10 and 10-10).**

The provisions of this section apply to any neonicotinoid application made to a crop in the citrus fruit crop groups.

(a) Application of a neonicotinoid is prohibited during bloom.

(b) If both soil and foliar application methods are used on the same crop, or if multiple neonicotinoid active ingredients are applied to the same crop, a total maximum combined application rate of 0.422 lbs. ai/A/season may be applied, provided that:

(1) Soil application rate must not exceed 0.25 lbs. ai/A/season; and

(2) Foliar application rate must not exceed 0.172 lbs. ai/A/season.

(c) The application rate and timing restrictions listed in the following table apply in addition to the limitations in subsections (a) and (b):

<u>Application Rate and Timing Restrictions for Crops in the Citrus Fruit Crop Groups</u>				
<u>Active Ingredient</u>	<u>Soil Application</u>		<u>Foliar Application</u>	
	<u>Maximum Application Rate</u>	<u>Required Timing</u>	<u>Maximum Application Rate</u>	<u>Required Timing</u>
<u>Clothianidin</u>	<u>0.2 lbs. ai/A/season</u>	<u>Apply only between petal fall and September 17</u>	<u>0.172 lbs. ai/A/season</u>	<u>Apply only between petal fall and November 20</u>
<u>Dinotefuran</u>	<u>0.172 lbs. ai/A/season</u>	<u>Apply only between petal fall and February 10</u>	<u>0.172 lbs. ai/A/season</u>	<u>Apply only between petal fall and November 20</u>
<u>Imidacloprid</u>	<u>0.25 lbs. ai/A/season</u>	<u>Apply only between petal fall and December 6</u>	<u>0.172 lbs. ai/A/season</u>	<u>Apply only between petal fall and November 20</u>
<u>Thiamethoxam</u>	<u>0.172 lbs. ai/A/season</u>	<u>Apply only between petal fall and February 10</u>	<u>0.172 lbs. ai/A/season</u>	<u>Apply only between petal fall and November 20</u>

NOTE: Authority cited: Sections 11456 and 12976, Food and Agricultural Code. Reference: Sections 12824 and 12838, Food and Agricultural Code.

Adopt section 6990.5 to read:

**Section 6990.5. Neonicotinoid Use on Cucurbit Vegetables (Crop Group 9).**

The provisions of this section apply to any neonicotinoid application made to a crop in the cucurbit vegetables crop group.

(a) Application of a neonicotinoid is prohibited during bloom, with the exception of soil applications of dinotefuran. Soil applications of dinotefuran may be applied during bloom.

(b) If both soil and foliar application methods are used on the same crop, or if multiple neonicotinoid active ingredients are applied to the same crop, a total maximum combined application rate of 0.736 lbs. ai/A/season may be applied, provided that:

(1) Soil application rate must not exceed 0.536 lbs. ai/A/season; and

(2) Foliar application rate must not exceed 0.2 lbs. ai/A/season.

(c) Except as provided in subsection (d), if managed pollinators will be used within the growing season, the application rate and timing restrictions listed in the following table apply in addition to the limitations in subsections (a) and (b):

<u>Application Rate and Timing Restrictions for Crops in the Cucurbit Vegetables Crop Group</u>				
<u>Active Ingredient</u>	<u>Soil Application</u>		<u>Foliar Application</u>	
	<u>Maximum Application Rate</u>	<u>Required Timing</u>	<u>Maximum Application Rate</u>	<u>Required Timing</u>
<u>Clothianidin</u>	<u>0.2 lbs. ai/A/season</u>	<u>Apply only from pre-planting until primary side shoot formation</u>	<u>0.2 lbs. ai/A/season</u>	<u>Apply only from pre-planting until bloom</u>
<u>Dinotefuran</u>	<u>0.536 lbs. ai/A/season</u>	<u>None</u>	<u>0.172 lbs. ai/A/season</u>	<u>Apply only from pre-planting until bloom</u>
<u>Imidacloprid</u>	<u>0.172 lbs. ai/A/season</u>	<u>Apply only from pre-planting until fifth true leaf on main stem unfolded</u>	<u>0.172 lbs. ai/A/season</u>	<u>Apply only from pre-planting until bloom</u>
<u>Thiamethoxam</u>	<u>0.172 lbs. ai/A/season</u>	<u>Apply only from pre-planting until fifth true leaf on main stem unfolded</u>	<u>0.172 lbs. ai/A/season</u>	<u>Apply only from pre-planting until bloom</u>

(d) Exceptions:

(1) Cucumbers. If managed pollinators will be used for cucumbers during the growing season, then foliar applications of dinotefuran, imidacloprid, or thiamethoxam are prohibited. For foliar applications of clothianidin and soil applications of all neonicotinoids, the rates and timing restrictions listed in subsection (c) apply.

(2) Melons. If managed pollinators will be used for melons during the growing season, then soil applications of clothianidin are prohibited. For soil applications of dinotefuran, imidacloprid, or thiamethoxam and foliar applications of all neonicotinoids, the rates and timing restrictions listed in subsection (c) apply.

NOTE: Authority cited: Sections 11456 and 12976, Food and Agricultural Code. Reference: Sections 12824 and 12838, Food and Agricultural Code.

Adopt section 6990.6 to read:

**Section 6990.6. Neonicotinoid Use on Fruiting Vegetables (Crop Groups 8 and 8-10).**

The provisions of this section apply to any neonicotinoid application made to a crop in the fruiting vegetables crop groups.

(a) Application of a neonicotinoid is prohibited during bloom.

(b) If both soil and foliar application methods are used on the same crop, or if multiple neonicotinoid active ingredients are applied to the same crop, a total maximum combined application rate must not exceed 0.172 lbs. ai/A/season.

(c) Except as provided in subsection (d), if managed pollinators will be used to pollinate crops in the fruiting vegetables crop groups during the growing season, the application rate and timing restrictions listed in the following table apply in addition to the limitations in subsections (a) and (b):

<u>Application Rate and Timing Restrictions for Crops in the Fruiting Vegetables Crop Groups</u>				
<u>Active Ingredient</u>	<u>Soil Application</u>		<u>Foliar Application</u>	
	<u>Maximum Application Rate</u>	<u>Required Timing</u>	<u>Maximum Application Rate</u>	<u>Required Timing</u>
<u>Clothianidin, Dinotefuran, Imidacloprid, or Thiamethoxam</u>	<u>0.172 lbs. ai/A/season</u>	<u>Apply only from pre-planting until third leaf on main shoot unfolded</u>	<u>Prohibited</u>	

(d) Exceptions: If managed pollinators will be used for peppers, goji berries, ground cherries, martynia, okra, roselle, or tomatillos during the growing season, then application of a neonicotinoid is prohibited.

NOTE: Authority cited: Sections 11456 and 12976, Food and Agricultural Code. Reference: Sections 12824 and 12838, Food and Agricultural Code.

Adopt section 6990.7 to read:

**Section 6990.7. Neonicotinoid Use on Herbs and Spices (Crop Groups 19, 25 and 26).**

When crops in the herbs and spices crop group are harvested before bloom, an application of a neonicotinoid to these crops is not subject to the provisions of this article. Otherwise, an application of a neonicotinoid to these crops is prohibited.

NOTE: Authority cited: Sections 11456 and 12976, Food and Agricultural Code. Reference: Sections 12824 and 12838, Food and Agricultural Code.

Adopt section 6990.8 to read:

**Section 6990.8. Neonicotinoid Use on Leafy Vegetables Including Brassica (Cole) (Crop Groups 4, 4-16, 5, 5-16 and 22).**

When crops in the leafy vegetables, brassica (cole), stalk, and stem crop groups are harvested before bloom, an application of a neonicotinoid to these crops is not subject to the provisions of this article. Otherwise, an application of a neonicotinoid to these crops is prohibited.

NOTE: Authority cited: Sections 11456 and 12976, Food and Agricultural Code. Reference: Sections 12824 and 12838, Food and Agricultural Code.

Adopt section 6990.9 to read:

**Section 6990.9. Neonicotinoid Use on Legume Vegetables (Crop Groups 6, 6-22, 7 and 7-22).**

The provisions of this section apply to any neonicotinoid application made to a crop in the legume vegetables crop groups.

(a) Application of a neonicotinoid is prohibited during bloom.

(b) If both soil and foliar application methods are used on the same crop, or if multiple neonicotinoid active ingredients are applied to the same crop, a total maximum combined application rate must not exceed 0.126 lbs. ai/A/season.

(c) If managed pollinators will be used during the growing season, the application rate and timing restrictions listed in the following table apply in addition to the limitations in subsections (a) and (b):

<u>Application Rate and Timing Restrictions for Crops in the Legume Vegetables Crop Groups</u>				
<u>Active Ingredient</u>	<u>Soil Application</u>		<u>Foliar Application</u>	
	<u>Maximum Application Rate</u>	<u>Required Timing</u>	<u>Maximum Application Rate</u>	<u>Required Timing</u>
<u>Clothianidin</u>	<u>Prohibited</u>		<u>Prohibited</u>	
<u>Dinotefuran</u>	<u>Prohibited</u>		<u>0.126 lbs. ai/A/season</u>	<u>Apply only from pre-planting until bloom</u>
<u>Imidacloprid</u>	<u>Prohibited</u>		<u>Prohibited</u>	
<u>Thiamethoxam</u>	<u>Prohibited</u>		<u>0.126 lbs. ai/A/season</u>	<u>Apply only from pre-planting until bloom</u>

NOTE: Authority cited: Sections 11456 and 12976, Food and Agricultural Code. Reference: Sections 12824 and 12838, Food and Agricultural Code.

Adopt section 6990.10 to read:

**Section 6990.10. Neonicotinoid Use on Oilseed (Crop Group 20).**

The provisions of this section apply to any neonicotinoid application made to a crop in the oilseed crop group.

(a) Application of a neonicotinoid is prohibited during bloom.

(b) If both soil and foliar application methods are used on the same crop, or if multiple neonicotinoid active ingredients are applied to the same crop, a total maximum combined application rate must not exceed 0.3 lbs. ai/A/season.

(c) If managed pollinators will be used during the growing season, the application rate and timing restrictions listed in the following table apply in addition to the limitations in subsections (a) and (b):

<u>Application Rate and Timing Restrictions for Crops in the Oilseed Crop Group</u>				
<u>Active Ingredient</u>	<u>Soil Application</u>		<u>Foliar Application</u>	
	<u>Maximum Application Rate</u>	<u>Required Timing</u>	<u>Maximum Application Rate</u>	<u>Required Timing</u>
<u>Clothianidin</u>	<u>Prohibited</u>		<u>Prohibited</u>	
<u>Dinotefuran</u>	<u>Prohibited</u>		<u>Prohibited</u>	
<u>Imidacloprid</u>	<u>Prohibited</u>		<u>0.3 lbs. ai/A/season</u>	<u>Apply only from pre-planting until bloom</u>
<u>Thiamethoxam</u>	<u>Prohibited</u>		<u>Prohibited</u>	

NOTE: Authority cited: Sections 11456 and 12976, Food and Agricultural Code. Reference: Sections 12824 and 12838, Food and Agricultural Code.

Adopt section 6990.11 to read:

**Section 6990.11. Neonicotinoid Use on Pome Fruits (Crop Groups 11 and 11-10).**

The provisions of this section apply to any neonicotinoid application made to a crop in the pome fruits crop groups.

(a) Application of a neonicotinoid is prohibited during bloom.

(b) If both soil and foliar application methods are used on the same crop, or if multiple neonicotinoid active ingredients are applied to the same crop, a total maximum combined application rate of 0.567 lbs. ai/A/season may be applied provided that:

(1) Soil application rate must not exceed 0.38 lbs. ai/A/season; and

(2) Foliar application rate must not exceed 0.187 lbs. ai/A/season.

(c) The application rate and timing restrictions listed in the following table apply in addition to the limitations in subsections (a) and (b):

<u>Application Rate and Timing Restrictions for Crops in the Pome Fruit Crop Groups</u>				
<u>Active Ingredient</u>	<u>Soil Application</u>		<u>Foliar Application</u>	
	<u>Maximum Application Rate</u>	<u>Required Timing</u>	<u>Maximum Application Rate</u>	<u>Required Timing</u>
<u>Clothianidin, Dinotefuran, Imidacloprid, or Thiamethoxam</u>	<u>0.38 lbs. ai/A/season</u>	<u>Apply only between post-bloom and harvest</u>	<u>0.187 lbs. ai/A/season</u>	<u>Apply only between post-bloom and harvest</u>

NOTE: Authority cited: Sections 11456 and 12976, Food and Agricultural Code. Reference: Sections 12824 and 12838, Food and Agricultural Code.

Adopt section 6990.12 to read:

**Section 6990.12. Neonicotinoid Use on Root and Tuber Vegetables (Crop Groups 1 and 2).**

The provisions of this section apply to any neonicotinoid application made to a crop in the root and tuber vegetables crop groups, except for cassava. Application of a neonicotinoid to sweet or bitter cassava is not subject to the provisions of this article.

(a) If any of the following crops will be harvested before bloom, then the provisions of this article do not apply: arracacha, artichokes (Chinese and Jerusalem), carrots, chicory roots, garden beets, sugar beets, turnips, turnip-rooted chervil, turnip-rooted parsley, parsnips, radishes, oriental radishes, rutabagas, and skirret. Otherwise, if these crops are harvested after bloom or are grown for seed, this section applies.

(b) Application of a neonicotinoid is prohibited during bloom.

(c) If both soil and foliar application methods are used on the same crop, or if multiple neonicotinoid active ingredients are applied to the same crop, a total maximum combined application rate of 0.388 lbs. ai/A/season may be applied, provided that:

(1) Soil application rate must not exceed 0.338 lbs. ai/A/season; and

(2) Foliar application rate must not exceed 0.05 lbs. ai/A/season.

(d) If managed pollinators will be used during the growing season, the application rate and timing restrictions listed in the following table apply in addition to the limitations in subsections (b) and (c):

<u>Application Rate and Timing Restrictions for Crops in the Root and Tuber Vegetables Crop Groups</u>				
<u>Active Ingredient</u>	<u>Soil Application</u>		<u>Foliar Application</u>	
	<u>Maximum Application Rate</u>	<u>Required Timing</u>	<u>Maximum Application Rate</u>	<u>Required Timing</u>
<u>Clothianidin</u>	<u>0.2 lbs. ai/A/season</u>	<u>Apply only at pre-planting or planting</u>	<u>0.05 lbs. ai/A/season</u>	<u>Apply only from pre-planting until bloom</u>
<u>Dinotefuran</u>	<u>0.338 lbs. ai/A/season</u>	<u>Apply only from pre-planting until the beginning of main stem elongation or crop cover</u>	<u>0.05 lbs. ai/A/season</u>	<u>Apply only from pre-planting until bloom</u>
<u>Imidacloprid</u>	<u>0.2 lbs. ai/A/season</u>	<u>Apply only at pre-planting or planting</u>	<u>0.05 lbs. ai/A/season</u>	<u>Apply only from pre-planting until bloom</u>
<u>Thiamethoxam</u>	<u>0.2 lbs. ai/A/season</u>	<u>Apply only at pre-planting or planting</u>	<u>0.05 lbs. ai/A/season</u>	<u>Apply only from pre-planting until bloom</u>

NOTE: Authority cited: Sections 11456 and 12976, Food and Agricultural Code. Reference: Sections 12824 and 12838, Food and Agricultural Code.

Adopt section 6990.13 to read:

**Section 6990.13. Neonicotinoid Use on Stone Fruits (Crop Groups 12 and 12-12).**

The provisions of this section apply to any neonicotinoid application made to a crop in the stone fruits crop groups.

(a) Application of a neonicotinoid is prohibited during bloom.

(b) If both soil and foliar application methods are used on the same crop, or if multiple neonicotinoid active ingredients are applied to the same crop, a total maximum combined application rate of 0.92 lbs. ai/A/season may be applied, provided that:

(1) Soil application rate must not exceed 0.38 lbs. ai/A/season; and

(2) Foliar application rate must not exceed 0.54 lbs. ai/A/season.

(c) The application rate and timing restrictions listed in the following table apply in addition to the limitations in subsections (a) and (b):

<u>Application Rate and Timing Restrictions for Crops in the Stone Fruits Crop Groups</u>				
<u>Active Ingredient</u>	<u>Soil Application</u>		<u>Foliar Application</u>	
	<u>Maximum Application Rate</u>	<u>Required Timing</u>	<u>Maximum Application Rate</u>	<u>Required Timing</u>
<u>Clothianidin</u>	<u>0.38 lbs. ai/A/season</u>	<u>Apply only between post-bloom and harvest</u>	<u>0.2 lbs. ai/A/season</u>	<u>Apply only between post-bloom and harvest</u>
<u>Dinotefuran</u>	<u>0.38 lbs. ai/A/season</u>	<u>Apply only between post-bloom and harvest</u>	<u>0.54 lbs. ai/A/season</u>	<u>Apply only between post-bloom and harvest</u>
<u>Imidacloprid</u>	<u>0.38 lbs. ai/A/season</u>	<u>Apply only between post-bloom and harvest</u>	<u>0.5 lbs. ai/A/season</u>	<u>Apply only between post-bloom and harvest</u>
<u>Thiamethoxam</u>	<u>0.38 lbs. ai/A/season</u>	<u>Apply only between post-bloom and harvest</u>	<u>0.172 lbs. ai/A/season</u>	<u>Apply only between post-bloom and harvest</u>

NOTE: Authority cited: Sections 11456 and 12976, Food and Agricultural Code. Reference: Sections 12824 and 12838, Food and Agricultural Code.

Adopt section 6690.14 to read:

**Section 6990.14. Neonicotinoid Use on Tree Nuts (Crop Groups 14 and 14-12).**

The provisions of this section apply to any neonicotinoid application made to a crop in the tree nuts crop groups. Application of a neonicotinoid to pistachios, beechnuts, ginkgo, or pecans is not subject to the provisions of this article.

(a) Application of a neonicotinoid is prohibited during bloom.

(b) Except for almonds as provided in subsection (d), if both soil and foliar application methods are used on the same crop, or if multiple neonicotinoid active ingredients are applied to the same crop, a total maximum combined application rate must not exceed 0.2 lbs. ai/A/season.

(c) Except for almonds as provided in subsection (d), if managed pollinators will be used during the growing season, the application rate and timing restrictions listed in the following table apply in addition to the limitations in subsections (a) and (b):

<u>Application Rate and Timing Restrictions for Crops in the Tree Nuts Crop Groups</u>				
<u>Active Ingredient</u>	<u>Soil Application</u>		<u>Foliar Application</u>	
	<u>Maximum Application Rate</u>	<u>Required Timing</u>	<u>Maximum Application Rate</u>	<u>Required Timing</u>
<u>Clothianidin, Dinotefuran, Imidacloprid, or Thiamethoxam</u>	<u>Prohibited</u>		<u>0.2 lbs. ai/A/season</u>	<u>Apply only between post-bloom and harvest</u>

(d) Almonds. The rates and timing restrictions listed in subsection (c) are required for any application of a neonicotinoid made to almonds, regardless of whether managed pollinators are used.

NOTE: Authority cited: Sections 11456 and 12976, Food and Agricultural Code. Reference: Sections 12824 and 12838, Food and Agricultural Code.

Adopt section 6990.15 to read:

**Section 6990.15. Neonicotinoid Use on Tropical and Subtropical Fruit, Edible and Inedible Peel (Crop Groups 23 and 24).**

The provisions of this section apply to any neonicotinoid application made to a crop in the tropical and subtropical fruit, edible and inedible peel crop groups.

(a) Application of a neonicotinoid is prohibited during bloom.

(b) Application of more than one neonicotinoid active ingredient during the growing season is prohibited.

(c) Use of more than one application method, soil or foliar, during the growing season is prohibited.

(d) If managed pollinators will be used during the growing season, then application of a neonicotinoid is prohibited.

NOTE: Authority cited: Sections 11456 and 12976, Food and Agricultural Code. Reference: Sections 12824 and 12838, Food and Agricultural Code.

Adopt section 6990.16 to read:

**Section 6990.16. Neonicotinoid Use on Miscellaneous Crops.**

The provisions of this section apply to any neonicotinoid application made to a miscellaneous crop: coffee, peanuts, globe artichokes, hops, mint, and tobacco.

(a) *Coffee and peanuts.*

(1) Application of a neonicotinoid is prohibited during bloom.

(2) Application of more than one neonicotinoid active ingredient during the growing season is prohibited.

(3) Use of more than one application method, soil or foliar, during the growing season is prohibited.

(4) If managed pollinators will be used during the growing season, then application of a neonicotinoid is prohibited.

(b) *Globe artichokes, hops, mint, and tobacco.* When globe artichokes, hops, mint, and tobacco crops are harvested before bloom, an application of a neonicotinoid to these crops is not subject to the provisions of this article. Otherwise, an application of a neonicotinoid to these crops is prohibited.

NOTE: Authority cited: Sections 11456 and 12976, Food and Agricultural Code. Reference: Sections 12824 and 12838, Food and Agricultural Code.