



California Notice 2024-18

TO: Pesticide Registrants and Other Stakeholders

SUBJECT: NOTICE OF NEW LAW REGARDING NEONICOTINOID PESTICIDES FOR NON-AGRICULTURAL OUTDOOR USE

This notice announces a revision to Food and Agricultural Code (FAC) section 12838 by Assembly Bill (AB) 363 (Chapter 836, Statutes of 2023). Effective January 1, 2025, **neonicotinoid pesticide products used for non-agricultural uses on outdoor trees, turf, or ornamental plants can only be sold by licensed dealers and possessed or used by California certified commercial applicators.** The law defines the term “neonicotinoid pesticide” as a pesticide containing any of the following five active ingredients: acetamiprid, clothianidin, dinotefuran, imidacloprid, and thiamethoxam.

DPR’s interpretation and guidance on these new restrictions can be found in the recent letter to California Agricultural Commissioners (CAC) found here: [CAC letter](https://cdpr.ca.gov/docs/county/cacltrs/penfltrs/penf2024/202412.htm) <cdpr.ca.gov/docs/county/cacltrs/penfltrs/penf2024/202412.htm>. For example, “Ornamental *plants*” in FAC section 12838(c)(2) includes nursery stock of non-food landscape or ornamental plants at retail nurseries. FAC section 12838(c)(2) **does not** apply to use of a neonicotinoid product on backyard fruit and vegetable gardens (e.g., berries, grapes, melons, tomatoes), but it **does apply** to use on backyard fruit and nut trees (including but not limited to apple, cherry, lemon, olive, orange, peach, pear, pecan, plum, or walnut trees).

A non-certified householder can apply a neonicotinoid for “home use” in their backyard fruit and vegetable garden. However, for a householder to legally use a neonicotinoid on any tree on their property, including non-production fruit or nut trees, they would need to possess a Qualified Application Certificate or License or use the services of a DPR-licensed Pest Control Business.

Product List

For a list of neonicotinoid pesticide products registered for use on non-agricultural outdoor trees, turf, or ornamental plants which are subject to DPR’s reevaluation under FAC section 12838, see [DPR’s Non-Agricultural, Outdoor, Neonicotinoid Reevaluation website](https://cdpr.ca.gov/docs/registration/reevaluation/chemicals/nonagneonic.htm) <cdpr.ca.gov/docs/registration/reevaluation/chemicals/nonagneonic.htm>. Note that due to the unique wording of FAC section 12838(c)(2) and the limitations of DPR’s Product/Label Database there may be additional products which are not on this list which are subject to the law.

If you have questions regarding the neonicotinoid restrictions, please contact ENF.HQ@cdpr.ca.gov. If you have questions regarding the neonicotinoid reevaluation, please contact Mr. Taylor Whitehill at Taylor.Whitehill@cdpr.ca.gov or 916-445-2885.

Original signed by

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

09/30/2024

Date

cc: Mr. Taylor Whitehill, DPR, Environmental Scientist
Mr. Nathan Dejarlais, DPR, Senior Environmental Scientist (Specialist)