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Enforcement  
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Standards  
Compendium**

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Code of  
Regulations**

**Title 3. Food and Agriculture**

**Division 6.  
Pesticides  
and  
Pest Control Operations**



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## CALIFORNIA CODE OF REGULATIONS

Title 3. Food and Agriculture  
Division 6. Pesticides and Pest Control Operations

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6168. Fee for a Certificate of Interim Registration.

In addition to the application fee required pursuant to Section 6148, each application for a certificate of interim registration shall be accompanied by a fee of \$5,000 (five thousand dollars) to cover the Department's costs of reviewing and processing the application. The \$5,000 fee also applies to applications:

- (a) For interim registration of an amendment to the labeling of a currently registered product; and
- (b) To amend the labeling and certificate of registration of a product that already has been issued a certificate of interim registration when the amendment will allow additional uses of that product under conditions of interim registration.

NOTE: Authority cited: Sections 12781, 12812 and 13168, Food and Agricultural Code.  
Reference: Section 13170, Food and Agricultural Code.

HISTORY:

1. New section filed 1-26-94 as an emergency; operative 1-26-94 (Register 94, No. 4). A Certificate of Compliance must be transmitted to OAL 5-26-94 or emergency language will be repealed by operation of law on the following day.
2. Repealed by operation of Government Code Section 11346.1(g) (Register 94, No. 34).
3. New section refiled 8-24-94; operative 9-23-94 (Register 94, No. 34).
4. Amendment of section and NOTE filed 11-3-2003 as an emergency; operative 1-1-2004 (Register 2003, No. 45). This action is a permanent emergency change for which no Certificate Compliance is needed pursuant to Food and Agricultural Code Section 12812.
5. Editorial correction of HISTORY 4 (Register 2004, No. 37).

Article 2. Registration Requirements  
Sections 6170-6172

6170. Application.

(a) Each application for registration of a pesticide product shall be made on the Application for Pesticide Registration DPR-REG-030 (Rev. 10/21) form, hereby incorporated by reference, and described in Section 6170.5. The application is incomplete and may be returned by the Director if the application is not accompanied by the fee required by Section 6148, six copies of the product labeling, and the data required to be submitted by Sections 6159, 6170, 6172, 6176-6179, 6180(a), 6181-6192, and 6200 when applicable to support registration of the product. All data submitted by the applicant to the U.S. EPA in support of federal registration of the product shall be submitted and all studies shall be submitted in full. The product labeling should be printer's proof, final labels, or legible photocopies thereof. If typescript labels are submitted with the application, printer's proof, final labels, or legible photocopies thereof, must be submitted before a Certificate of Registration (License) for the product will be issued. If the label has been approved by a federal agency, proof of such approval shall be submitted with the application.

(b) An application to amend the labeling (including a special local needs labeling) of a pesticide product is incomplete and may be returned by the Director if the application is not accompanied by the fee required by Section 6148.5, six copies of the labeling and the data required to be submitted by Sections 6159, 6170, 6172, 6176-6179, 6180(a), 6181-6192, and 6200 when applicable to the amendment. The application to amend the labeling shall be accompanied by all data submitted by the applicant to the U.S. EPA in support of the federal amended labeling of the product and all studies shall be submitted in full. The product labeling should be printer's proof, final labels or legible photocopies thereof. If typescript labels are submitted, printer's proof, final labels or legible photocopies thereof, must be submitted before the amended label will be accepted for use. If the amended labeling has been approved by a federal agency, proof of such approval shall be submitted with the amendment application.

(c) In lieu of submitting data pursuant to subsections (a) and (b) of this section, an applicant for registration or amendment may reference appropriate data previously submitted to the Director or a pesticide product(s) previously approved by the Director that would be subject to some or all of the same data requirements as applicable to the applicant's product.

(d) If an applicant does not submit or reference its own data to support its application for registration or amendment, it is subject to the requirements imposed under Food and Agricultural Code Section 12811.5.

NOTE: Authority cited: Section 12781, Food and Agricultural Code.

Reference: Sections 12811, 12812, 12815 and 12816, Food and Agricultural Code.

6170. continued

**HISTORY:**

1. Amendment filed 7-23-90; operative 8-22-90 (Register 90, No. 38).
2. Change without regulatory effect amending subsections (a) and (b) and NOTE filed 3-27-97 pursuant to Section 100, Title 1, California Code of Regulations (Register 97, No. 13).
3. Change without regulatory effect amending subsections (a) and (b) filed 6-5-2002 pursuant to Section 100, Title 1, California Code of Regulations (Register 2002, No. 23).
4. Amendment of subsections (a)-(b) filed 11-3-2003 as an emergency; operative 1-1-2004 (Register 2003, No. 45). This action is a permanent emergency change for which no Certificate of Compliance is needed pursuant to Food and Agricultural Code Section 12812.
5. Editorial correction of HISTORY 4 (Register 2004, No. 37).
6. Amendment of subsection (c) and new subsection (d) filed 3-23-2006 as an emergency; operative 3-23-2006 (Register 2006, No. 12). A Certificate of Compliance must be transmitted to OAL by 7-21-2006 or emergency language will be repealed by operation of law on the following day.
7. Amendment of subsection (c) and new subsection (d) refiled 7-19-2006 as an emergency; operative 7-19-2006 (Register 2006, No. 29). A Certificate of Compliance must be transmitted to OAL by 11-16-2006 or emergency language will be repealed by operation of law on the following day.
8. Certificate of Compliance as to 7-19-2006 order transmitted to OAL 11-9-2006 and filed 12-19-2006 (Register 2006, No. 51).
9. Change without regulatory effect amending section filed 2-7-2007 pursuant to Section 100, Title 1, California Code of Regulations (Register 2007, No. 7).
10. Amendment filed 2-8-2007; operative 3-10-2007 (Register 2007, No. 7).
11. Amendment of subsection (a) filed 8-10-2015 as an emergency; operative 10-1-2015 (Register 2015, No. 33). This action is a permanent emergency for which no Certificate of Compliance is needed pursuant to Food and Agricultural Code Section 12812.
12. Amendment of subsection (a) filed 9-27-2021 as an emergency; operative 10-1-2021 pursuant to Government Code Section 11346.1(d) (Register 2021, No. 40). This action is a permanent emergency for which no Certificate of Compliance is needed pursuant to Food and Agricultural Code Section 12812(e).

6170.1. Application for Registration of Economic Poison (Pesticide) Form. [Repealed]

**HISTORY:**

1. Sample forms printed as an addendum to Section 6170 (Register 87, No. 31).
2. Change without regulatory effect repealing forms 39-032 (Rev. 11-85) and 39-027 (Rev. 11-85) pursuant to Section 100, Title 1, California Code of Regulations filed 5-23-90 (Register 90, No. 27).
3. Repealer filed on 7-23-90; operative 8-22-90 (Register 90, No. 38).

6170.5. Application Form.

The form referred to in Section 6170(a) shall require registrants to provide the following information when applicable.

- (a) Firm name, (same as on file with the U. S. Environmental Protection Agency (U.S. EPA);
- (b) Firm mailing address and street address, if different from mailing address;
- (c) Name and telephone number of official authorized to answer questions concerning the application;
- (d) Brand name of pesticide product (exactly as shown on label);
- (e) U.S. EPA or CA registration number of pesticide product;
- (f) Type of U.S. EPA registration obtained;
- (g) Type of California registration action being requested;
- (h) Whether pesticide product contains biochemicals and/or microbials;
- (i) Type(s) and size(s) pesticide product is to be sold in;
- (j) Whether pesticide product requires child-resistant packaging;
- (k) Signal word on label;
- (l) Specific gravity and pounds/gallon of liquid formulations;
- (m) Bulk density of solid formulations;
- (n) pH of water soluble formulations;
- (o) Flash point/flame extension of products containing more than 70% petroleum distillates;
- (p) Whether product is intended for commercial agricultural use and/or by householders;
- (q) Type of pesticide product;
- (r) Method(s) of application;
- (s) Type of formulation;
- (t) Common chemical name, trade name and CAS number or ATCC number for each active ingredient in the formulation;
- (u) Product name(s) and U.S. EPA or CA registration number(s) of the source product(s) of each active ingredient in the formulation;
- (v) Percent by weight of source product(s) and of active ingredient(s) in formulated product;
- (w) Common chemical name, trade name and the CAS number or ATCC number of each inert ingredient in the formulation (if reporting by trade name only, include Safety Data Sheet);
- (x) Product name(s) of the source product(s) of each inert ingredient in the formulation;
- (y) Purpose of each inert ingredient in formulated product;
- (z) Percent by weight of source product(s) and of the inert ingredient(s) in the formulated product.

NOTE: Authority cited: Sections 12781 and 12845, Food and Agricultural Code.

Reference: Sections 12811, 12815 and 12821, Food and Agricultural Code.

6170.5 continued

**HISTORY:**

1. New section filed 7-23-90; operative 8-22-90 (Register 90, No. 38).
2. Change without regulatory effect amending subsections (d), (e), (h)-(j) and (q) and NOTE filed 3-27-97 pursuant to Section 100, Title 1, California Code of Regulations (Register 97, No. 13).
3. Change without regulatory effect amending section filed 6-5-2002 filed pursuant to Section 100, Title 1, California Code of Regulations (Register 2002, No. 23).
4. Change without regulatory effect amending subsection (w) filed 12-2-2015 pursuant to Section 100, Title 1, California Code of Regulations (Register 2015, No. 49).
5. Amendment of subsections (e), (t), (u) and (w) filed 9-27-2021 as an emergency; operative 10-1-2021 pursuant to Government Code Section 11346.1(d) (Register 2021, No. 40). This action is a permanent emergency for which no Certificate of Compliance is needed pursuant to Food and Agricultural Code Section 12812(e).

**6171. Document Requests.**

Each applicant shall, upon request of the director, submit to the director a copy of any part or all documents the applicant submitted to the U.S. EPA in support of the U.S. EPA action concerning the pesticide product. Each document request pursuant to this section shall include the director's reason for the request.

**NOTE:** Authority cited: Sections 11456, 11502, 12005, 12111, 12531, 12561, 12781, 12824, 12976, 12981, 14005 and 14006.7, Food and Agricultural Code.

Reference: Sections 11401-12121, 12501-12671, 12751-13102 and 14001-14104, Food and Agricultural Code.

**HISTORY:**

1. Editorial renumbering of former Section 2360(b) to Section 6171 filed 7-19-85 (Register 85, No. 29).
2. Change without regulatory effect amending NOTE filed 6-20-2001 pursuant to Section 100, Title 1, California Code of Regulations (Register 2001, No. 25).
3. Change without regulatory effect amending section 6-5-2002 filed pursuant to Section 100, Title 1, California Code of Regulations (Register 2002, No. 23).

6172. General Toxicity Data.

(a) The following data shall be submitted with every application for registration.

- (1) Acute oral and dermal LD50 data on the product.
- (2) Acute LC50 data on products which produce a respirable aerosol or gas.
- (3) Primary eye and skin irritation data on the product.

(b) The following data in addition to the data required by (a), (1)-(3) shall be submitted with each application to register a product containing an active ingredient not previously registered when required by the U.S. EPA to support the full unconditional registration pursuant to Section 3 of the Federal Insecticide, Fungicide and Rodenticide Act. Pesticides which are determined to be biorational pesticides as determined by the director, may be exempted from the chronic toxicity data requirements.

(1) Results of a two-year feeding study for oncogenicity on active ingredients in two animal species.

(2) Results of a teratogenicity study and a two-generation combined male-female reproductive study on active ingredients.

(3) Results of three mutagenicity studies on active ingredients that detect gene mutations, chromosomal aberrations, and DNA damage/repair.

NOTE: Authority cited: Sections 12781 and 12824, Food and Agricultural Code.

Reference: Sections 11501 and 12824-12825, Food and Agricultural Code.

HISTORY:

1. Editorial renumbering of former Section 2379.5 to Section 6172 filed 7-19-85 (Register 85, No. 29).6
2. Amendment filed 6-29-87; operative 7-29-87 (Register 87, No. 31).
3. Change without regulatory effect amending subsection (b) and NOTE filed 3-27-97 pursuant to Section 100, Title 1, California Code of Regulations (Register 97, No. 13).
4. Change without regulatory effect amending subsections (a)(1), (a)(3) and (b) filed 8-14-2002 pursuant to Section 100, Title 1, California Code of Regulations (Register 2002, No. 33).
5. Change without regulatory effect amending subsections (a)(1) and (a)(3) filed 2-7-2007 pursuant to Section 100, Title 1, California Code of Regulations (Register 2007, No. 7).
6. Amendment of subsections (a)(1) and (a)(3) filed 2-8-2007; operative 3-10-2007 (Register 2007, No. 7).

Article 7. Renewals  
Sections 6215-6217

6215. Renewal.

(a) Each registrant shall submit with each renewal application a statement, signed by an authorized official of the applicant under penalty of perjury, that, prior to filing the renewal application the registrant has, to the best of the applicant's knowledge based upon all information available to the applicant, complied with the provisions of Section 6210, (Adverse Effect Disclosure).

(b) Each renewal shall be issued within 60 days after the director receives an accurate and complete renewal application unless the director takes action pursuant to Sections 12816, 12825, or 12827 of the Food and Agricultural Code.

(c) The director shall, when renewing a pesticide registration without a reevaluation, make a written finding that he or she has not received sufficient information necessitating reevaluation pursuant to Sections 6220 and 6221.

(d) Label amendments, including those made pursuant to Sections 18 and 24 (c) of the Federal Insecticide, Fungicide and Rodenticide Act, are subject to departmental review and approval pursuant to Section 6170(b). Approved label amendments are not subject to separate registration renewal requirements.

NOTE: Authority cited: Sections 11456, 12781, 14004.5 and 14006.7, Food and Agricultural Code.

Reference: Sections 12812, 12817-12820 and 12824-12827, Food and Agricultural Code.

HISTORY:

1. Editorial renumbering and amendment of former Section 2366 to Section 6215 and designation of new Article 7 filed 7-19-85 (Register 85, No. 29).

2. Amendment filed 6-29-87; operative 7-29-87 (Register 87, No. 31).

3. Change without regulatory effect amending NOTE filed 6-20-2001 pursuant to Section 100, Title 1, California Code of Regulations (Register 2001, No. 25).

6216. Annual Registration Renewal Fee.

Beginning with those certificates of registration expiring on December 31, 2021, the fee for annual renewal is \$1,525 for each product.

NOTE: Authority cited: Sections 12781 and 12812, Food and Agricultural Code.  
Reference: Section 12812, Food and Agricultural Code.

HISTORY:

1. New section filed 11-3-2003 as an emergency; operative 1-1-2004 (Register 2003, No. 45). This action is a permanent emergency change for which no Certificate Compliance is needed pursuant to Food and Agricultural Code Section 12812.
2. Editorial correction of HISTORY 1 (Register 2004, No. 37).
3. Amendment filed 8-10-2015 as an emergency; operative 10-1-2015 (Register 2015, No. 33). This action is a permanent emergency for which no Certificate of Compliance is needed pursuant to Food and agricultural Code Section 12812.
4. Amendment filed 9-27-2021 as an emergency; operative 10-1-2021 pursuant to Government Code Section 11346.1(d) (Register 2021, No. 40). This action is a permanent emergency for which no Certificate of Compliance is needed pursuant to Food and Agricultural Code Section 12812(e).

6217. Penalties for Late Payment of Annual Renewal Application Fee.

If renewal of a certificate of registration is not applied for within one calendar month after December 31 of each year, a penalty of 20 percent of the original amount due shall be added to the renewal fee for each product.

NOTE: Authority cited: Sections 12781, 12812 and 12818, Food and Agricultural Code.  
Reference: Section 12818, Food and Agricultural Code.

HISTORY:

1. New section filed 11-3-2003 as an emergency; operative 1-1-2004 (Register 2003, No. 45). This action is a permanent emergency change for which no Certificate Compliance is needed pursuant to Food and Agricultural Code Section 12812.
2. Editorial correction of HISTORY 1 (Register 2004, No. 37).



Article 3. Protection of Bees [Repealed]  
Sections 6550-6556 [Renumbered]

6650. Pesticides Toxic to Bees. [Renumbered]

NOTE: Authority cited: Section 29102, Food and Agricultural Code.  
Reference: Sections 29100 and 29102, Food and Agricultural Code.

HISTORY:

1. Amendment of subsection (a) and NOTE filed 12-7-89; operative 1-6-90 (Register 89, No. 49).
2. Repealer and new section filed 12-26-2001; operative 1-25-2002 (Register 2001, No. 52).
3. Repealer of Article 3 (Sections 6650-6656) and renumbering of former Section 6650 to new Section 6980 filed 12-30-2021; operative 1-1-2022 pursuant to Government Code Section 11343.4 (Register 2021, No. 53).

6651. Vector Control Exemption. [Renumbered]

NOTE: Authority cited: Section 29102, Food and Agricultural Code.  
Reference: Sections 29100 and 29102, Food and Agricultural Code.

HISTORY:

1. Amendment of NOTE filed 12-7-89; operative 1-6-90 (Register 89, No. 49)
2. Renumbering of former Section 6651 to new Section 6981 filed 12-30-2021; operative 1-1-2022 pursuant to Government Code Section 11343.4 (Register 2021, No. 53).

6652. Availability for Notification [Renumbered]

NOTE: Authority cited: Sections 11456 and 29102, Food and Agricultural Code.  
Reference: Section 29102, Food and Agricultural Code.

HISTORY:

1. Amendment filed 5-24-85; effective upon filing pursuant to Government Code Section 11346.2(d) (Register 85, No. 22).
2. Amendment filed 12-7-89; operative 1-6-90 (Register 89, No. 49).
3. Editorial correction of printing error in subsection (a) (Register 91, No. 33).
4. Amendment of subsection (a) filed 9-27-91; operative 1-1-92 pursuant to Government Code Section 11346.2(c) (Register 91, No. 52).
5. Change without regulatory effect amending NOTE filed 6-20-2001 pursuant to Section 100, Title 1, California Code of Regulations (Register 2001, No. 25).
6. Renumbering of former Section 6652 to new Section 6982 filed 12-30-2021; operative 1-1-2022 pursuant to Government Code Section 11343.4 (Register 2021, No. 53).

6654. Notification to Beekeepers. [Renumbered]

NOTE: Authority cited: Section 29102, Food and Agricultural Code.  
Reference: Section 29102, Food and Agricultural Code

HISTORY:

1. Amendment filed 4-18-85 as an emergency; effective upon filing (Register 85, No. 16).
2. Order of Repeal of 4-18-85 emergency filed 4-18-85 by OAL pursuant to Government Code Section 11349.6 (Register 85, No. 16).
3. Amendment of subsection (c) filed 4-29-85 as an emergency; effective upon filing (Register 85, No. 18). A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed on 8-27-85.
4. Certificate of Compliance including amendment transmitted to OAL 8-27-85 and filed 9-27-85 (Register 85, No. 39).
5. Amendment of subsection (c) and new subsection (d) filed 3-29-89 as an emergency; operative 3-29-89 (Register 89, No. 13). A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed on 7-27-89.
6. Amendment filed 12-7-89; operative 1-6-90 (Register 89, No. 49).
7. Amendment of subsection (a) filed 12-26-2001; operative 1-25-2002 (Register 2001, No. 52).
8. Renumbering of former Section 6654 to new Section 6983 filed 12-30-2021; operative 1-1-2022 pursuant to Government Code Section 11343.4 (Register 2021, No. 53).

6655. Notification Region for Butte, Glenn and Tehama Counties. [Repealed.]

NOTE: Authority cited: Sections 11456, 29080, 29081 and 29082, Food and Agricultural Code.  
Reference: Sections 29080, 29081, 29082, and 29101, Food and Agricultural Code.

HISTORY:

1. New section filed 7-20-89; operative 8-19-89 (Register 89, No. 31).
2. Change without regulatory effect amending NOTE filed 6-20-2001 pursuant to Section 100, Title 1, California Code of Regulations (Register 2001, No. 25).
3. Repealer filed 12-30-2021; operative 1-1-2022 pursuant to Government Code Section 11343.4 (Register 2021, No. 53).

6656. Citrus/Bee Protection Area. [Renumbered]

NOTE: Authority cited: Sections 11456 and 29102, Food and Agricultural Code.  
Reference: Sections 29100, 29101 and 29102, Food and Agricultural Code.

**HISTORY:**

1. Amendment filed 4-18-85 as an emergency; effective upon filing (Register 85, No. 16).
2. Order of Repeal of 4-18-85 emergency filed 4-18-85 by OAL pursuant to Government Code Section 11349.6 (Register 85, No. 16).
3. Amendment of subsection (b) filed 4-29-85 as an emergency; effective upon filing (Register 85, No. 18). A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed on 8-27-85.
4. Certificate of Compliance including amendment transmitted to OAL 8-27-85 and filed 9-27-85 (Register 85, No. 39).
5. Amendment filed 3-29-89 as an emergency; operative 3-29-89 (Register 89, No. 13). A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed on 7-27-89.
6. Amendment of subsection (b) filed 4-27-89 as an emergency; operative 4-27-89 (Register 89, No. 18). A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed on 8-25-89.
7. Amendment filed 12-7-89; operative 1-6-90 (Register 89, No. 49).
8. Editorial correction of printing errors in subsections (b) and (c) (Register 91, No. 33).
9. Change without regulatory effect amending NOTE filed 6-20-2001 pursuant to Section 100, Title 1, California Code of Regulations (Register 2001, No. 25).
10. Amendment of subsections (c), (f)-(h) and (i)(2) filed 12-26-2001; operative 1-25-2002 (Register 2001, No. 52)
11. Renumbering of former Section 6656 to new Section 6984 filed 12-30-2021; operative 1-1-2022 pursuant to Government Code Section 11343.4 (Register 2021, No. 53).

Article 4. Storage, Transportation and Disposal  
Sections 6670-6686

6670. General Requirement.

Pesticides, emptied containers or parts thereof, or equipment that holds or has held a pesticide, shall not be stored, handled, emptied, disposed of, or left unattended in such a manner or at any place where they may present a hazard to persons, animals (including bees), food, feed, crops or property. The commissioner may take possession of such unattended pesticides or emptied containers to abate such hazard.

NOTE: Authority cited: Sections 11456, 12976 and 12981, Food and Agricultural Code.  
Reference: Sections 11501, 12981 and 14102, Food and Agricultural Code.

HISTORY:

1. Editorial renumbering of former Section 3135 to Section 6670(a), and renumbering of former Section 3136(a) to Section 6670(b) filed 7-18-85; effective thirtieth day thereafter (Register 85, No. 29).
2. Amendment of section heading and repealer of subsection (a) and subsection (b) designator filed 8-1-96; operative 8-31-96 (Register 96, No. 31).
3. Change without regulatory effect amending NOTE filed 6-20-2001 pursuant to Section 100, Title 1, California Code of Regulations (Register 2001, No. 25).
4. Change without regulatory effect amending section heading filed 8-26-2009 pursuant to Section 100, Title 1, California Code of Regulations (Register 2009, No. 35).

6672. Security of Pesticides and Pesticide Containers.

(a) No person shall deliver a container which holds or has held a pesticide to a property unless he stores it in an enclosure or closure complying with the requirements of this section or delivers it to a person in charge of the property or his agent, or a pest control operator or his employee. The person receiving the container shall control access to it in accordance with this section.

(b) Each person who controls the use of any property or premises is responsible for all containers or equipment on the property which hold or have held a pesticide. Unless all such containers are under his personal control so as to avoid contact by unauthorized persons, he shall:

- (1) Provide a person responsible to him to maintain such control over the containers at all times, or
- (2) Store all such containers in a locked enclosure, or in the case of liquid pesticides in a container larger than 55 gallons capacity, the container shall have a locked closure. Either shall be adequate to prevent unauthorized persons from gaining access to any of the material.

NOTE: Authority cited: Sections 11456, 12976 and 12981, Food and Agricultural Code.  
Reference: Sections 11501, 12981 and 14102, Food and Agricultural Code.

HISTORY:

1. Editorial renumbering and amendment of former Section 3137 to Section 6672(a), and renumbering of former Section 3136(b) to Section 6672(b) filed 7-18-85; effective thirtieth day thereafter (Register 85, No. 29).

Article 1. Protection of Bees  
Sections 6980-6984

6980. Pesticides Toxic to Bees.

(a) Pesticides toxic to bees are those that include the words “toxic to bees” on the product labeling, regardless of modifying words on the label.

(b) Bees are considered to be inactive from one hour after sunset to two hours before sunrise or when the temperature is below 50 degrees Fahrenheit. The sunset and sunrise times will be those indicated in the local newspaper or on the local news Web site.

NOTE: Authority cited: Section 29102, Food and Agricultural Code.

Reference: Sections 29100 and 29102, Food and Agricultural Code.

HISTORY:

1. Amendment of subsection (a) and NOTE filed 12-7-89; operative 1-6-90 (Register 89, No. 49).
2. Repealer and new section filed 12-26-2001; operative 1-25-2002 (Register 2001, No. 52).
3. New Subsection 6, Article 1 (Sections 6980-6984) and renumbering and amendment of former Section 6650 to new Section 6980 filed 12-30-2021; operative 1-1-2022 pursuant to Government Code Section 11343.4 (Register 2021, No. 53).

6981. Vector Control Exemption.

Pesticides diluted in one half gallon of water or more per acre applied by local vector control agencies or their contractors pursuant to a cooperative agreement with the Department of Health Services are exempt from the requirements of this article.

NOTE: Authority cited: Section 29102, Food and Agricultural Code.

Reference: Sections 29100 and 29102, Food and Agricultural Code.

HISTORY:

1. Amendment of NOTE filed 12-7-89; operative 1-6-90 (Register 89, No. 49).
2. Renumbering of former Section 6651 to new Section 6981 filed 12-30-2021; operative 1-1-2022 pursuant to Government Code Section 11343.4 (Register 2021, No. 53).

6982. Apiary Operator Request for Notification

(a) Each apiary operator, or their designated representative, who desires to receive advance notification of pesticide applications toxic to bees from persons intending to apply pesticide(s) labeled toxic to bees, shall inform the commissioner when the apiary operator, or their designated representative, registers in that county pursuant to Section 29040 of the Food and Agricultural Code. This request for notification shall expire on December 31 of each year.

NOTE: Authority cited: Sections 11456 and 29102, Food and Agricultural Code.  
Reference: Section 29102, Food and Agricultural Code.

HISTORY:

1. Renumbering of former Section 6652 to new Section 6982, including amendment of section heading and section, filed 12-30-21; operative 1-1-2022 pursuant to Government Code Section 11343.4 (Register 2021, No 53).

6983. Notification to Apiary Operators.

(a) Each person intending to apply any pesticide labeled toxic to bees to a blossoming plant shall, prior to the application, inquire of the commissioner, or of a notification service designated by the commissioner, whether any apiary operator with apiaries within one mile of the application site, or their designated representative, has requested notification of such application.

(b) If the person performing pest control is made aware of a request for notification-pursuant to subsection (a), he or she shall notify the apiary operator, or their designated representative, at least 48 hours in advance of the application. The notification must include:

- (1) time and place the application is to be made;
- (2) crop and acreage to be treated;
- (3) method of application;
- (4) active ingredient(s) and dosage rate of the pesticide to be applied; and
- (5) how the person performing pest control may be contacted by the apiary operator or their designated representative.

This advance notification time may be increased or decreased by the commissioner, or by an agreement of both the apiary operator, or their designated representative, and the person performing the pest control work.

NOTE: Authority cited: Section 29102, Food and Agricultural Code.  
Reference: Section 29102, Food and Agricultural Code.

HISTORY:

1. Renumbering of former Section 6654 to new Section 6983, including amendment of section heading and section, filed 12-30-2021; operative 1-1-2022 pursuant to Government Code Section 11343.4 (Register 2021, No. 53).

6984. Citrus/Bee Protection Area.

(a) The provisions of this section apply to a citrus/bee protection area during the March 15 through May 31 time period. A citrus/bee protection area means the area within one mile of any citrus planting of one acre or more within Fresno, Kern or Tulare counties.

(b) The citrus bloom period, in any citrus grove, for purposes of declaring bloom, shall be from when 10 percent of the total citrus blossoms are open until 75 percent of the blossom petals on the north side of the trees have fallen.

The commissioner shall give public notice of the official beginning and ending dates of each citrus bloom period for each citrus growing district in the county, at least three days before establishing such dates.

(c) Pesticide applications of products labeled toxic to bees may be made 48 hours or more after the official end of citrus bloom without advance notification to apiary operators, or their designated representatives, until March 15 of the following year. Growers/pesticide applicators wishing to make pesticide applications prior to 48 hours after the official end of bloom shall follow the inquiry and notification procedures specified in Section 6983.

(d) Each person who owns or operates any apiary shall file a written notice of apiary location with the commissioner before March 15 and shall update such notice within 72 hours for any apiary location changes, including notice of departure from the county.

(e) Each apiary operator, or their designated representative, who desires advance notification of pesticide applications of products labeled toxic to bees that will be performed from March 15 through May 31, shall inform the commissioner as specified in Section 6982.

(f) Any person intending to apply a pesticide labeled toxic to bees, as defined in Subsection 6980(a), to citrus during a citrus bloom period, except as otherwise provided in this subsection, shall file a notice of intent with the commissioner as provided in Section 6434(b) at least 48 hours prior to the intended application. This subsection shall not apply to pesticides listed in Subsection 6984(g) applied when bees are inactive.

(g) Notwithstanding Section 6983(b), the following pesticide applications may be made during the citrus bloom period when bees are inactive, as defined in Subsection 6980(b), without notification to apiary operators, or their designated representatives:

(1) Any pesticide that does not include the words "toxic to bees" on the product labeling;

(2) Any pesticide applied so that the time period of the Residual Toxicity specified on the product labeling will expire before the next period of bee activity; or

(3) Any pesticide that includes the words "toxic to bees" on the product labeling, if the labeling allows applications when bees are inactive.

(h) Except for pesticide applications allowed in subsection (g) during the citrus bloom period, an application delay of 48 hours or more requires that the person intending to apply the pesticide recontact apiary operators, or their designated representatives, and inform them of the change in scheduling.

6984. continued

(i) The following applications to citrus are prohibited:

(1) Carbaryl from first bloom until complete petal fall.

(2) Any pesticide labeled toxic to bees, except those exempted in subsection (g) during a citrus bloom period, unless the pesticide is applied to control a California Department of Food and Agriculture declared quarantine pest, or the need for control of lepidoptera larvae or citrus thrips (*Scirtothrips citri*) has been established by written recommendation of a representative of the University of California Cooperative Extension, or a licensed agricultural pest control adviser. The recommendation shall state that the citrus planting does not meet the citrus bloom period criteria and why alternatives less hazardous to bees would not be effective.

NOTE: Authority cited: Sections 11456 and 29102, Food and Agricultural Code.

Reference: Sections 29100, 29101 and 29102, Food and Agricultural Code.

**HISTORY:**

1. Renumbering and amendment of former Section 6656 to new Section 6984 filed 12-30-2021; operative 1-1-2022 pursuant to Government Code Section 11343.4 (Register 2021, No. 53).