

TEXT OF PROPOSED REGULATIONS

Current wording is indicated by regular type.
Proposed deletions are indicated by ~~strikeout~~.
Proposed additions are indicated by underline.

TITLE 3. CALIFORNIA CODE OF REGULATIONS
DIVISION 6. PESTICIDES AND PEST CONTROL OPERATIONS
CHAPTER 2. PESTICIDES
SUBCHAPTER 1. PESTICIDE REGISTRATION
ARTICLE 1. GENERAL PROVISIONS

Amend section 6147 to read:

6147. Exempted Pesticide Products

(a) Manufacturers of, importers of, and dealers in the following pesticide products or classes of pesticide products are exempt from the requirements of Division 7 of the Food and Agricultural Code, provided the pesticide products are exempt pursuant to section 25(b)(2) of the Federal Insecticide, Fungicide, and Rodenticide Act [7 U.S.C. sec. 136w(b)(2)]:

(1) Pheromones and identical or substantially similar compounds labeled for use only in pheromone traps (or labeled for use in a manner which the Director determines poses no greater risk of adverse effects on the environment than use in pheromone traps), and pheromone traps in which those compounds are the sole active ingredient(s), as specified in 40 Code of Federal Regulations 152.25(b).

(2) Preservatives for biological specimens, including:

(A) Embalming fluids;

(B) Products used to preserve animal or animal organ specimens, in mortuaries, laboratories, hospitals, museums and institutions of learning; and

(C) Products used to preserve the integrity of milk, urine, blood, or other body fluids for laboratory analysis.

(3) Products consisting of foods that are used to attract pests and which contain no active ingredient(s).

(4)(A) Natural cedar blocks, chips, shavings, balls, chests, drawer liners, paneling, and needles that meet all of the following criteria:

1. The product consists totally of cedarwood or natural cedar.

2. The product is not treated, combined, or impregnated with any additional substance(s).

3. The product bears claims or directions for use solely to repel arthropods other than ticks or to retard mildew, and no additional claims are made in sale or distribution. The labeling must be limited to specific arthropods, or must exclude ticks if any general term such as "arthropods," "insects," "bugs," or any other broad inclusive term is used.

(B) The exemption does not apply to natural cedar products claiming to repel ticks, including cedar oil or formulated products containing cedar oil, other cedar extracts, or ground cedar wood.

(5)(A) Products containing the following active ingredients alone or in combination with other substances listed in paragraph (5)(A), provided that all the criteria specified in paragraphs (5)(C) and (5)(D) are met:

Castor oil³
Cedarwood oil¹
Chitosan⁷
Cinnamon
Cinnamon oil¹
Citric acid¹
Citronella⁴
Citronella oil⁴
Cloves²
Clove oil^{1,2}
Corn gluten meal
Corn oil
Cornmint
Cornmint oil¹
Cottonseed oil
Dried blood
Eugenol^{1,2}
Garlic
Garlic oil¹
Geraniol²
Geranium oil²
Lauryl sulfate¹
Lemongrass oil¹
Linseed oil
Malic acid¹
Peppermint²
Peppermint oil^{1,2}
2-Phenylethyl propionate¹
Potassium sorbate¹
Putrescent whole egg solids
Rosemary²
Rosemary oil^{1,2}
Sesame⁵
Sesame oil
Sodium chloride
Sodium lauryl sulfate^{1,2}
Soybean oil
Spearmint
Spearmint oil¹
Thyme²
Thyme oil^{1,2}
White pepper¹

Zinc⁶

¹ Products containing 8.5% or more of this active ingredient in the formulated product must at a minimum bear the signal word "CAUTION," the phrase "Keep Out of Reach of Children," appropriate precautionary language, and a requirement for appropriate protective eyewear and gloves.

² Products containing this active ingredient intended for topical application to human skin must at a minimum bear the signal word "CAUTION," the phrase "Keep Out of Reach of Children," a dermal sensitization precautionary statement, a prohibition against application to the hands of children, and use directions requiring adult supervision during application to children.

³ United States Pharmacopeia (U.S.P.) or equivalent

⁴ Non-topical uses only

⁵ Includes ground sesame plant

⁶ Zinc metal strips (consisting solely of zinc metal and impurities)

⁷ Includes chitosan salts that are only formed when chitosan is mixed with the acids listed as active or inert ingredients eligible for use in minimum risk pesticide products.

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NOTE: Authority cited: Section 11456, 12781 and 12803, Food and Agricultural Code.
Reference: Section 12803, Food and Agricultural Code.