



California Notice 2023-01

TO: Pesticide Registrants and Other Stakeholders

SUBJECT: FINAL DECISION TO RENEW PESTICIDE PRODUCT REGISTRATIONS FOR 2023

The Director of the Department of Pesticide Regulation (DPR), under Title 3 of the California Code of Regulations (3 CCR) section 6255, files this notice of final decision to renew pesticide product registrations for the 2023 calendar year with the Secretary of the California Natural Resources Agency to be posted for a period of thirty (30) days for public inspection.

REGULATORY FRAMEWORK FOR RENEWAL

Pesticide product registrations expire on December 31 of the year in which they are issued. Annual renewal of pesticide registrations is a non-discretionary action that must be taken if a registrant submits a completed renewal application and fee within one month of the December 31 expiration date. (Food and Agricultural Code (FAC) section, 12817; 3 CCR sections 6215-6216.) A completed renewal application includes a certification by the registrant stating that it submitted any factual or scientific evidence of an adverse effect or risk of the pesticide to human health or the environment to DPR (3 CCR sections 6210 and 6215). Upon receipt of a complete and timely renewal application, DPR is required to renew each pesticide product registration, regardless of reevaluation status, within sixty days, except if the Director separately cancelled the pesticide product registration after hearing (FAC sections 12816, 12825, and 12827; 3 CCR section 6215).

When DPR renews a pesticide product registration that is not already under reevaluation under 3 CCR section 6220, the Director shall make a written finding that he or she has not received and/or completed its review of sufficient information necessitating reevaluation at that time. (3 CCR section 6215; *Californians for Alternatives to Toxics v. Department of Pesticide Regulation (CATs v. DPR)* (2006) 136 Cal. App. 4th 1049, 1066).

As part of DPR's program of continuous evaluation, DPR solicits and investigates information generally to identify and evaluate any potential significant adverse environmental impact stemming from use of a registered pesticide product. DPR's investigation of information, including any information submitted during the renewal comment period, and any possible subsequent decision regarding reevaluation or cancellation of a registered pesticide product, is not tied to the sixty-day time frame of annual renewal. (*CATs v. DPR* (2006) 136 Cal. App. 4th at 1066.)

COMMENTS RECEIVED IN RESPONSE TO NOTICE OF PROPOSED DECISION

On October 3, 2022, DPR issued California Notice 2022-18 proposing the decision to renew pesticide product registrations for the 2023 calendar year. DPR solicited public comments and consultation until November 4, 2022.

DPR received 4,689 comments related to the chemical paraquat. Specifically, the commenters requested that DPR begin reevaluation, suspension, and/or cancellation of pesticide products containing paraquat. DPR received 4,683 identical or substantially similar comments submitted pursuant to an email campaign, as well as the following six unique comments containing references to public literature and studies:

1. Kylah Staley, Center for Biological Diversity (CBD), dated 11/4/2022
2. Robert E. Rutkowski, no affiliation listed (includes a copy of Kylah Staley/CBD letter as an attachment), dated 11/4/2022
3. Ray Dorsey, University of Rochester Medical Center (and other Parkinson's Disease researchers and practitioners), dated 11/4/2022
4. Beate Ritz, UCLA School of Public Health (includes a copy of Ray Dorsey's letter as an attachment), dated 11/4/2022
5. Jonathan Evans, CBD (includes a copy of Kylah Staley/CBD letter as an attachment, dated 11/4/2022)
6. Megan May, Michael J. Fox Foundation for Parkinson's Research, dated 11/4/2022

As part of DPR's continuous evaluation, DPR scientists are currently reviewing all requests and associated information received during the comment period. Such review is not complete at this time. DPR will respond in writing when its review is complete. DPR's decision regarding reevaluation, suspension, and/or cancellation of any or all products containing paraquat will follow the procedures outlined in FAC sections 12824, 12825, 12826, and 3 CCR sections 6220-6226. Such a decision may be made at any time and is not linked in any way to the 60-day annual renewal period for the pesticide registrations that are the subject of this final renewal decision.

DIRECTOR'S FINDING

The Director finds that for all pesticides proposed for renewal that are not currently in reevaluation, sufficient information has not been received necessitating the initiation of a separate reevaluation or cancellation, and/or DPR has not completed its review of available information to reach an informed separate decision regarding reevaluation or cancellation.

The Director's decision to renew the Certificates of Registration for pesticide products registered in California for the 2023 calendar year is therefore adopted under FAC section 12817.

Original signed by _____

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

02/15/2023 _____

Date