DEPARTMENT OF PESTICIDE REGULATION
PESTICIDE REGISTRATION AND EVALUATION COMMITTEE
Meeting Minutes – May 15. 2009

Committee Members/Alternates in Attendance:

Syed Ali, State Water Resources Control Board (SWRCB)
Lynn Baker, Air Resources Board (ARB)
Jodi Pontureri, State Water Resources Control Board (SWRCB)
John Sanders, Department of Pesticide Regulation (DPR)
Rebecca Sisco, University of California, IR-4 Program
David Ting, Office of Environmental Health Hazard Assessment (OEHHA)
Dave Whitmer, California Agriculture Commissioners and Sealers Association

Visitors in Attendance:

Brian Bret, DowAgro Sciences
Angela Csondes, ARB
Nasser Dean, Western Plant Health Association (WPHA)
George Farnsworth, DPR
Roberta Firoved, California Rice Commission
Amy Her, DPR
Scott Khone, Bayer Crop Science
Dave Lawson, Lawson and Associates
Artie Lawyer, Technology Services Group
Zhimin Lu, Regional Water Quality Control Board (RWQCB)
Jeanne Martin, DPR
Pat Matteson, DPR
Eric Paulsen, Clark Pest Control
Jay Schreider, DPR
David Supkoff, DPR
Denise Webster, DPR
Jim Wells, Environmental Solutions Group, LLC
Pam Wofford, DPR

1. **Introductions and Committee Business – John Sanders, Acting Chairperson, DPR**

   a. About 20 people attended the meeting.
   b. No corrections to the minutes of the previous meeting held on April 17, 2009, were identified.

2. AB 1011 Workload Report - David Supkoff, DPR

Background: AB 1011
Effective January 1, 2006, Assembly Bill 1011 (AB 1011) was effective January 1, 2006 closed a loophole in the collection of the pesticide mill assessment (a fee on all pesticide sales), and streamlined the pesticide product registration process by eliminating the letter of authorization requirement. Revised Food and Agriculture Code (FAC) section 12811.5 authorizes DPR to rely upon previous evaluations of scientific data to support new and amended pesticide product registrations and to maintain the registration of pesticide products, regardless of data ownership. FAC section 12836.5 requires that DPR accept all application for registration of pesticide products containing new active ingredients concurrently with the applicant's submission of an application to the U.S. Environmental Protection Agency
(U.S. EPA) for federal registration. The data requirements have not changed; however, data cost sharing may be required.

AB 1011: Implementation

DPR recently completed its second report on the impact of AB 1011 on the pesticide registration process. This report looked at the years 2004, 2005, 2006 and 2007.

Regular Submissions
Staff analyzed the total number of packages submitted and the time that it took DPR to process these submissions in each calendar year. The data indicate that the total number of regular (non-new active ingredient) pesticide applications submitted to DPR in 2004, 2005, 2006, and 2007 varied over time, but did not display any general pattern of increase or decrease. The number of regular submissions that DPR received between 2004 and 2007 ranged from a high of 4,867 submissions in 2004 to a low of 4,177 submissions in 2005. It is not unexpected that the number of packages submitted to DPR would vary from year to year as the decision to submit a product is primarily the result of individual company business decisions.

The data indicate an overall decrease of approximately 27 percent in the average time that it took DPR to process all regular submissions from receipt of the submission to final action from 2004 to 2007 (from 91.3 days in 2004 to 67 days in 2007).

New Active Ingredient Submissions
In 2006, DPR experienced a large increase in the number of registration submission for pesticide products containing new active ingredients, as compared to the other three years. The annual number of new active ingredient submissions in 2004, 2005, and 2007 remained relatively constant. The 2006 increase in submissions appears to be due to the addition of FAC section 12836.5, which requires DPR to accept all applications for

registration to U.S. EPA. The 2006 surge of submissions was the result of companies with submissions already undergoing federal review, taking advantage of the enactment of FAC section 12836.5 to submit those applications to DPR. In the past, a company had to wait until their pesticide product was registered with the U.S. EPA before they could apply for registration in California.

Due to the relatively long evaluation period needed for certain new active ingredient products, DPR is unable to provide an accurate average processing time for all 2006 and 2007 submissions containing new active ingredients. The data indicate that the overall average processing time for submissions with new active ingredients, from receipt of the submission to DPR's posting of the product either proposed for registration or denial of registration, appears to be decreasing over time.

Regular Submissions Requiring Scientific Evaluation

The total number of regular submissions requiring scientific evaluation was higher in the years before the implementation of AB 1011. The percentage of regular submissions entering scientific evaluation declined from a high of 14.1 percent in 2005, just before implementation of AB 1011, to a low of 10.1 percent in 2006, the first year of AB 1011.

The average time that it took DPR to process regular submissions entering scientific evaluation in 2006 and 2007 appears to be decreasing when compared to time frames in 2005. The data indicate that the average number of days to process regular submissions from date of receipt to final action decreased approximately 20 percent, from a high of 215 days in 2005, to a low of 167 days in 2007. However, DPR will not have final results until all of the submissions from 2006 and 2007 are complete.

Regulatory Scientist Processing

DPR's regulatory scientists are responsible for processing all submissions received by DPR. Based on the data, it appears that the average number of regular registration packages completed by each regulatory scientist in the years between 2004 and 2007 varied from a high of 234 packages per scientist in 2004 to a low of 189 packages per scientist in 2007. The year to year variability in the number of packages processed by each regulatory scientist is due to fluctuations in the number of regulatory scientists working in PRB in a given year, differences in experience among regulatory scientists, and complexity of individual submissions.

Our analysis indicated that the average time that it takes a regulatory scientist to conduct an initial assessment of each submission differed in the years before and after the implementation of AB 1011. In 2004 and 2005 it took regulatory scientists an average of 58.2 and 56.6 days to process each submission, respectively. In 2006 and 2007 average processing times for regulatory scientists decreased to 48.1 and 47.9 days to process each submission, respectively. The average time it took regulatory scientists to conduct an initial

assessment of each submission declined by 16.3 percent in the years after the implementation of AB 1011. This decline in time was unexpected because AB 1011 created an increased workload for regulatory scientists.

Number of Submissions Routed to Individual Evaluation Stations
In addition to a decrease in the total number of submissions requiring any scientific evaluation, DPR considered whether there was a change in the total number of packages submitted to each individual scientific evaluation station between 2004 and 2007. After the implementation of AB 1011, the data show a general pattern of decrease in the number of submissions going into evaluation from 2004 to 2007 across most evaluation stations.

Summary
The total number of regular pesticide submissions received by DPR between 2004 and 2007, as well as the subset of those submissions not requiring evaluation, varied over time and did not seem to display any general pattern. Based on the data collected as of June 2008, there appears to be an overall decrease of approximately 27 percent in the average processing time for all regular submissions from 2004 to 2007 (from 91.3 days to 67 days) from receipt of submission to final action. Between 2004 and 2007, DPR experienced an overall 20.4 percent decrease in the number of submissions requiring scientific evaluation, and a consistent pattern of decrease in the total number of submissions into each evaluation stations. Only after final action is taken on all 2007 submissions will DPR be able to make a final assessment regarding trends in processing time for all four years.

3. Surface Water Regulation Update - John Sanders, DPR

DPR will implement a process to improve the protection of surface waters from the adverse impacts of pesticides. DPR staff plan to consult with the State and Regional Water Boards, County Agricultural Commissioners, industry representatives and other interested parties over the next six to nine months concerning regulatory concepts drafted by DPR staff. After this informal consultation process, DPR will revise the concepts and draft a regulation package for submittal to the Office of Administrative Law (OAL) to initiate the formal process of adopting regulations to improve the protection of surface waters. The formal process of adopting the regulations will take approximately 12 months. DPR believes a regulation package can be submitted to OAL sometime in 2010.

4. Air Monitoring Network - Randy Segawa, DPR

DPR plans to set up a network to sample ambient air for multiple pesticides in several communities on a regular schedule, over the next five years. DPR will use data gathered to evaluate and improve protective measures against pesticide exposure. The project is expected to begin later this year. Additional information is available on DPR's Web site at:

<http://www.cdpr.ca.gov/docs/emon/airinit/air_network.htm>.

The group present decided it was okay to drop octanol-water coefficient (Kow) as criteria for selecting the chemicals to monitor. However, would like comments from Martha Harnely of the Department of Public Health before proceeding.

There was a suggestion to rank of the pesticides for each region:
Sacramento Valley
San Joaquin Valley
Salinas Valley
Imperial Valley

Other comments:
-Consider including acres applied for chemical selection criteria.
-Add in 2006 data column.
-Method screen can be changed but chemicals will probably have to be dropped when new ones are added.
-Consider number of pesticide illnesses as a factor in prioritizing pesticides.
-Fumigants should be added even if it means less samples.
-Have a lab look into adding iprodione.
-Have a peer reviewed screening level determined before sampling. Describe health effects early in study.
-Consider including endosulfan.
-Stay with one site per community.
-The Sacramento area Agricultural Commissioners expressed their request for an urban background site and the removal of demographic criteria for selecting sites.

5. Public Comment

All public comment received during the meeting is noted above.

6. Agenda Items for Next Meeting

There will not be a June PREC meeting. A combined June and July meeting will be held on Thursday, July 16, 2009, in the Sierra Room on the second floor of the Cal/EPA building, located at 1001 I Street, Sacramento, California. It will take place from 9:00am to 1:00 pm.

7. Adjourn