

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 14. VIOLATIONS

Adopt section 6302 to read:

6302. Sale of Agricultural Use and Restricted Material Pesticides.

(a) It is illegal for any registrant or licensed pesticide broker to sell any pesticide labeled for agricultural use to any person in California other than a registrant, licensed pesticide broker, or licensed pest control dealer.

(b) It is illegal for any registrant or licensed pesticide broker to sell any pesticide designated as a restricted material under section 6400 to any person in California other than a registrant, licensed pesticide broker, or licensed pest control dealer.

(c) It is illegal for any licensed pest control dealer to sell a restricted material to an end user who does not have a permit or, if exempt by regulation from the permit requirement, who is not a certified commercial or certified private applicator.

Note: Authority cited: Sections 11456, 12781, and 14005, Food and Agricultural Code.

Reference: Sections 11407, 12116, and 12400, Food and Agricultural Code.

SUBCHAPTER 4. RESTRICTED MATERIALS
ARTICLE 2. POSSESSION AND USE LIMITATIONS

Amend section 6414 to read:

6414. Permit Exemptions.

(a) Permits to possess restricted materials shall not be required of commercial carriers to transport such materials.

(b) No permit shall be required for restricted materials included only in subsection(a) of section 6400 (federally restricted use) when possessed or used by or under the supervision of a certified private or certified commercial applicator unless otherwise required by the commissioner.

(c) No permit shall be required for antifouling paints or paints containing tributyltin.

(d) No permit shall be required for restricted materials used only for experimental or research purposes when possessed or used, by or under the supervision of, research personnel from

colleges and universities provided they are operating according to the current established policy of the college or university which covers experimental pesticide use.

(e) No permit shall be required for restricted materials used according to a valid research authorization issued pursuant to section 6260.

(f) A permit is not required of a licensed pesticide broker when possessing a pesticide designated as a restricted material for sale to a registrant, licensed pest control dealer, or another licensed pesticide broker in California.

NOTE: Authority cited: Sections 11456, 12976, 14005 and 14102, Food and Agricultural Code.
Reference: Sections 11501, 14006, ~~and~~ 14006.6, and 14015, Food and Agricultural Code.