



California Notice 2024-05

## **NOTICE OF INITIATION OF REEVALUATION OF NEONICOTINOID PRODUCTS INTENDED FOR NON-AGRICULTURAL USE ON NON-PRODUCTION, OUTDOOR ORNAMENTAL PLANTS, TREES, OR TURF**

Pursuant to Food and Agricultural Code (FAC) section 12838(c)(3)(B), the Director of the Department of Pesticide Regulation (DPR) notices the initiation of this reevaluation of pesticide products containing the neonicotinoid active ingredients acetamiprid, clothianidin, dinotefuran, imidacloprid, and thiamethoxam, intended for non-agricultural use on non-production, outdoor ornamental plants, trees, or turf.<sup>1</sup>

Effective January 1, 2024, Assembly Bill (AB) 363 (Chapter 520, Statutes of 2023) amended FAC section 12838. Specifically, FAC section 12838(c)(3)(B) requires the following: “The department shall evaluate, at a minimum, the potential impacts of the neonicotinoid pesticide uses described in paragraph (2) [“any use that is excluded from the definition of ‘agricultural use’ in Section 11408 on nonproduction outdoor ornamental plants, trees or turf”] on pollinating insects, aquatic organisms, and human health, taking into account relevant routes of exposures, as follows: ... (B) On or before July 1, 2024, the department shall initiate a reevaluation of neonicotinoid pesticides relative to pollinating insects, aquatic organisms, and human health, taking into account relevant routes of exposure.”

DPR’s initiation of this reevaluation is a non-discretionary project mandated by the California Legislature and is therefore a ministerial project exempt from the requirements of the California Environmental Quality Act and DPR’s associated certified regulatory program (*See* Public Resources Code, § 21080, subd. (b)(1); Cal. Code of Regs., tit. 14, § 15268). In accordance with Section 15062 of Title 14 of the California Code of Regulations (CCR), DPR filed a Notice of Exemption with the Office of Planning and Research.

DPR is currently assessing the existing data and will request additional data if needed to fulfill the requirements of FAC section 12838(c)(3)(B) to determine whether current uses of these products pose unacceptable risks to pollinating insects, aquatic organisms, or human health, and whether additional restrictions on use, up to and including cancellation, are necessary.

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<sup>1</sup>In February 2009, DPR placed certain pesticide products containing the nitroguanidine-substituted neonicotinoid active ingredients imidacloprid, clothianidin, dinotefuran, and thiamethoxam into reevaluation (*See* [California Notice 2009-02](https://cdpr.ca.gov/docs/registration/canot/2009/ca2009-02.pdf)<cdpr.ca.gov/docs/registration/canot/2009/ca2009-02.pdf>). DPR determined that additional restrictions on use were necessary to address risks identified in its “California Neonicotinoid Risk Determination” and “Addendum to the July 2018 California Neonicotinoid Risk Determination.” DPR adopted 3 CCR sections 6990 through 6990.16 as control measures necessary to protect pollinator health from food and feed use production agricultural applications of products containing the active ingredients clothianidin, dinotefuran, imidacloprid, and thiamethoxam, as identified in the Risk Determination and Addendum and in compliance with FAC section 12838 (a) and (b). Those regulations became effective on January 1, 2024. As a result, DPR noticed the closure of the associated reevaluation (*See* [California Notice 2024-04](https://cdpr.ca.gov/docs/registration/canot/2024/ca2024-04.pdf)<cdpr.ca.gov/docs/registration/canot/2024/ca2024-04.pdf>).

This reevaluation involves 42 registrants and 146 pesticide products currently registered in California. The reevaluation includes any product or master label that contains any of the above-noted use patterns, regardless of whether the product is intended to be applied by homeowners or licensed applicators. A list of products to be included in the reevaluation is available upon written request to the email address listed below or on [DPR's Non-agricultural, Outdoor Neonicotinoid Reevaluation Web site](https://cdpr.ca.gov/docs/registration/reevaluation/reevals.htm). <[cdpr.ca.gov/docs/registration/reevaluation/reevals.htm](https://cdpr.ca.gov/docs/registration/reevaluation/reevals.htm)>.

For information regarding the reevaluation process, please contact or Mr. Taylor Whitehill, at <[Taylor.Whitehill@cdpr.ca.gov](mailto:Taylor.Whitehill@cdpr.ca.gov)>.

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*03/07/2024*

Date

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