Processing Company Name/Ownership Changes, Product Transfers, and Additional Brand Names

I. Company Name Change with a Change in Ownership

II. Company Name Change without a Change in Ownership

III. Product Transfers

IV. Additional Brand Names
I. Company Name Change with a Change in Ownership (also referred to as a change in ownership)

A certificate of registration cannot be transferred if there is a change of business ownership; a new application and fee are required per product. It should be noted that a company is allowed to provide the Registration Branch (all name/ownership changes must be processed by the Regulatory Scientist) with the documentation confirming the name/ownership change, applications for each product affected, and the registration fee for each product without product labels. By policy, DPR allows the product labels to be submitted within one year from the time the ownership and transfer of product registration. The new registrant can continue to sell the previous registrant's existing stock provided the previous label continues to be registered. However, the registrant may not otherwise sell, use or distribute the product label in California until the new product label has been submitted and approved. U.S. EPA generally allows 18 months for a company to sell existing stock and this time frame is usually documented in the federal ownership approval letter. However, DPR has the discretion not to renew the registration for a product under the label of the previous owner.

1. Quick Reference - Items that must be submitted by the Applicant to Support the Registration Request

The following items must be submitted by the applicant in order for the application to be processed:

- California Application for Pesticide Registration including a product formulation sheet or confidential statement of formula (CSF) that is identical to the formulation currently on file
- Six copies printer’s proof or final printed labels of each product
- A copy of the U.S. EPA documentation confirming the ownership change
- A $750 application fee per product
- A copy of the U.S. EPA Notice of Supplemental Distribution of a Registered Pesticide Product (form 8570-5) (for distributors only)
2. Detailed Description of Items that should accompany the Product Submission

a) Status sheet

The status sheet should be the first item reviewed by the Regulatory Scientist (RS). It should be reviewed for accuracy and if needed, corrections should be made. It is very important to make corrections! The status sheet is used throughout the evaluation process, including the public postings. It must contain accurate and complete information. The RS should verify the following:

- The tracking ID# matches the ID# on the colored folder
- The company name/firm number are correctly stated and are consistent with the label, application, and other documentation
- Special flags/instructions
- The active ingredients listed are consistent with the label, application, and other documentation
- The General Use and Added Use sections are sufficiently detailed so that the information is accurate and meaningful when transferred to the public Notice of Decisions (NODs) and Materials Entering Evaluation (MEEs) on-line and viewed by the public

To correct a status sheet, the Regulatory Scientist will:

- Make the changes on the original status sheet with the corrections highlighted
- Submit a photo copy with corrections highlighted to the Intake Technician

For certain active ingredients, an attention flag with instructions will appear on the status sheet. The RS should follow the instructions. See the “Intake through Archiving” manual on-line for a list of attention flags.

b) Cover Letter

Though not required by law, each package should be accompanied by a cover letter that identifies the applicant’s intention.
c) Complete Application for Pesticide Registration form (39-030)

The application form must be completely filled out and signed. The company name and address shown on the application must be consistent with federal documentation, as it will be used on the license issued by DPR. The RS should confirm that the application is completely and correctly filled out including designations of container type, density, type of pesticide, application method, type of formulation, use of pesticide, and signal word. If the information is incorrect or incomplete it will result in errors or deficiencies in DPR’s product label database. The application form must be signed and dated by an authorized representative. If an agent signs the application form, a letter from the applicant authorizing the agent to act on the applicant’s behalf must be on file. If the product’s brand name is changed during the registration process, the company must submit a new application form and revised labels showing the correct brand name before the product is posted 30-to-Register. The RS must revise the status sheet and any other pertinent documentation before the product is posted 30-to Register (if possible).

Each active and inert ingredient in the product formulation sheet must be listed. The U.S. EPA Confidential Statement of Formula (CSF), EPA form 8570-4, may be submitted in lieu of filling out page 3 of the DPR application form. The CSF must be filled out completely and accurately and the percent by weight of the listed ingredients must total 100%. If the product contains a fertilizer, the components (generally NPK or nitrogen, phosphorus, and potassium) should be identified on the CSF.

The brand name on the application form must be the same as the name shown on the label and consistent with federal documentation. The RS should confirm that the brand name is consistent on all documents before the package is submitted to licensing.

A registrant may not have the same brand name for two different products, even if those products are being supplementally distributed from different basic manufacturers. This also includes registrants that have more than one company number (i.e., 1234 and 567 both issued to Company X). A registrant cannot use the same product name under different company numbers, even if those numbers are assigned to the same company. Brand names must also read left to right, top to bottom.
d) Application Fee

A $750 application fee per product is required for a company name change when an ownership change has also taken place. This is an application-processing fee and is non-refundable. DPR’s accounting office is responsible for processing these fees. When the Registration Branch Mail Intake Technician receives a submission, the original application, and the registrant’s check are clipped together and sent to accounting. A copy of the application and the check stub is forwarded to the RS with the package. Once the check is processed, a receipt code (RC code) is stamped on the front of the application and returned to the RS. This process may take 1-2 weeks.

e) Federal Documentation Confirming the Name/Ownership Change

The registrant must provide U.S. EPA documentation confirming the name/ownership change. A copy of this document shall be provided to the Registration Resource Center. All name/ownership change documents are kept in a file and entered into our database for reference.

f) Proof of Federal Registration

The company may or may not provide a copy of the U.S. EPA stamped-accepted label. A stamped-accepted label reflecting the new company name and number is not required in order to approve the ownership change. In many cases, the ownership change takes place prior to the new labels being submitted to, and approved by U.S. EPA.

g) Six Copies of Printer’s Proof or Final Printed Labels

The registrant has one year to submit product labels for each product included in the ownership change that they intend to sell, use or distribute in California. It should be noted that not all products identified in the federal change of name/ownership approval document are necessarily sold or used in California. However, the registrant may not sell, use or distribute a product in California until a final product label has been submitted and approved.

Within one year, the company must submit 6 copies printer’s proof, final printed labels, or copies thereof. Submitted labels must be the same as the purchased company’s U.S. EPA label, although uses may be deleted and the firm name and number will differ. The address on the label may also differ from the application form and the license. If the proposed labels are not final printed or printer’s proof (i.e.
Microsoft Word documents), the RS should contact the applicant and inform him/her that they may not sell, use or distribute the product in California until the final product label has been submitted and approved by DPR.

h) Miscellaneous Items

Items such as draft labels, irrelevant documents addressed to U.S. EPA, MSDS sheets (not specifically referenced on the product label), Letters of Authorization, etc. may be retained by the RS but should not be placed in the product file once the product is registered.

i) Copy of U.S. EPA Notice of supplemental Distribution of a Registered Pesticide Product form (8570-5) (for distributors only)

This form is required for distributors of sub-registrants only. The U.S. EPA Supplemental Distributor form will confirm the new company name and ownership (new EPA registration number) of the distributor. This should be submitted for each product.

3. Verification for Completeness

Review the package to determine if it is complete, has all the required items listed above, and can be processed. If the package is incomplete, it should be returned to the applicant. Details on returning a package are listed below.

4. Review of the Label and CSF

If a label(s) is provided, the RS should compare the purchased company’s label and CSF on file to the proposed label and CSF. The labels and CSFs should be identical; though the company name and possibly the U.S. EPA Registration Number will be different (the company may or may not choose to keep the purchased company’s EPA Reg. No.). It is preferred that registrants do not make additional label changes when submitting labels for company name/ownership changes. If changes are made a label amendment should be processed, see Chapter VI Label Amendments and Formula Revisions.

5. Return to Applicant, Incomplete Submission

If any of the required items listed in the preceding sections are missing, incomplete, or unacceptable, the RS should return the registration request to the applicant. For exceptions, speak with your supervisor.

The RS will:

- Prepare a return letter to the applicant that identifies all deficiencies
• Make a copy of the first page of the original application form. This copy will be sent to the applicant along with the return letter. Do not return the CSF as it contains confidential business information that could be lost in the mail.

• Make one copy of the letter for the “return package,” a yellow surname copy (this will be returned to the RS once processed), and a return envelope

• Include a copy of the proposed label highlighting areas of concern if applicable

• Clip all items listed above to the outside of the colored folder (application package) and submit it to his/her supervisor

**The Supervisor will:**

• Review the return letter and surname the yellow copy

• Route the package with signed letters to the designated “return out box” for distribution

**The designated Technician will:**

• Enter the tracking ID# and date of return letter into the tracking system

• Mail original letter, copy of the first page of the application, and product label (if applicable) to the applicant

• Enter the date from the cover letter into the return section on the application form

• Return the surname copy of the letter to the RS

• Attach the remaining copy of the letter to the front of the package inside the colored folder. The colored folder should be placed in the “return package” designated area.

If the applicant provides only some, but not all of the missing items within 6 months from the date of the original return letter, the application is still considered incomplete. A package may be returned multiple times. If the applicant does not provide all items identified within 6 months of the date of the original return letter, another $750 application fee is required.
For more details on the tracking and processing of returned packages, see the Intake through Archiving

6. Licensing the Product

Full Registration (non-conditional)

If the company name/ownership change is acceptable, a new license can be issued. If both the old company name and the new company name remain active for the same product with the same firm number, an (01) designation is added to the license by the Licensing Technician. A new alpha code is assigned when this occurs. However, if the old product is inactivated when the new product is licensed, a new alpha code is not assigned. Licenses for firm numbers with multiple company names are tracked manually.

Note: If the alpha code remains the same, the RS should not send any information to coding! The computer system will be updated by Licensing. However, until all products have been licensed under the new firm name, they will appear in the database under the old firm name, followed by an asterisk. If a new alpha code has been assigned, the product must be re-coded so the information must be sent to coding.

The RS will:

• Check the database to determine which alpha code should be assigned.

• Completely fill out the upper right-hand portion of the Application for Registration form. Alpha codes are assigned to all new products because our database software does not recognize registration numbers with multiple brand names.

• Alpha Codes for new products and additional brand names are to be assigned in order as follows:
  - Regular products (alpha codes assigned AA, ZA, ZB, ZC…ZZ, AB, AC, AD…AZ, BA, BB, BC, ETC.) If DPR ever gets that far, it will skip over “E” and “M”.
  - Master Labels (Alpha codes assigned ML, MM, MN, MO, MP…MA, MB, MC, MD…MK)
  - EUPs (Alpha codes assigned EX, EY, EZ, EA, EB, EC…EW)
  - Section 18s approved by DPR for use in California (Alpha code EE)
  - Section 18s approved by a federal agency (but not DPR) will be applied in California (Alpha code EU)
• Stamp three labels with the appropriate stamp (Section 3, Master Label, etc.) for distribution to the product file, coding, and the company, and fill in the appropriate information. The RS may retain an additional copy for his/her file.

• Complete the appropriate Memorandum of Registration (print on blue paper)

**Assemble for the Product File (in this order)**

• The application (filled out)

• The U.S. EPA name/ownership change documentation

• Any other pertinent documentation submitted (U.S. EPA stamp-accepted label, etc.)

• The Memo of Registration (Product Ownership and Company Name Change) (on blue paper)

• A copy of the stamped-accepted label with the words “Product File” written in the upper right-hand corner (if submitted)

**Assemble for the Registrant (only applicable if the company submitted a label)**

• A copy of the stamped-accepted label with “Company” written in the upper right-hand corner (if submitted). If the company agent has requested a copy of the label, include a copy with the word “Agent” written in the upper right-hand corner. At the bottom of the letter, add “cc: <NAME OF AGENT>, <AGENT’S COMPANY NAME> (w/ enclosure)

**Assemble for Coding (only applicable if the company submitted a label)**

• A copy of the full application form with “Coding” written in the upper right-hand corner

• A copy of the stamped-accepted label with “Coding” written in the upper right-hand corner (if submitted)

• A copy of the status sheet with all corrections made

• The Memorandum of Registration (Product Ownership and Company Name Change) (on blue paper)
Assemble for Cover Letter File

- Include the cover letter (or a copy) submitted by the applicant and write “Cover Letter File” in the upper right-hand corner

Clip together the individual sections listed above (product file, registrant, coding, and cover letter - in that order) and place in the correct basket in Licensing. Include the colored folder (clipped to the bottom of the package). The package will be processed by Licensing and returned to the RS for final review.

The Licensing Technician will:

- Print out copies of new license reflecting the new company name and ownership change for the company, Licensing binder, and Registration Resource Center:
- Remove the tracking ID# from the tracking system (if the product did NOT go through evaluation, see below).
- Return the package to RS for final review and sign-off.

The RS will:

- Verify that the EPA Reg. No., company name, and product name written on the company letter, license and other documentation are consistent.
- Once the final review is complete, the RS will sign the company letter and the yellow surname copy.
- The letters, license, and package will be submitted to his/her supervisor for final sign off.

If the product went through evaluation:

The RS will place the tracking ID# on their action log under “Final to Register”, after they received their copy of the company letter back from Licensing (affirming that the license has been sent to the registrant). Do not take this action until you receive the company letter. Pursuant to 3 CCR section 6255, each product must be posted “Final to Register” within one week of the issuance of the product’s license. Issuance has not occurred until the product license has been sent out by the Pesticide Registration Branch.

If the product did NOT go through evaluation:

Do not enter the tracking ID# on the action log. The tracking ID# is removed from
the system by the Licensing Technician.

Licenses are sent to the company address entered in the Registration Branch database. They are not sent to the company agent or other interested party (i.e., the applicant who is not employed directly with the company). If the applicant, agent, or other interested party would like a copy of the product license, the RS should place a sticky note on the front of the package or indicate to Licensing that additional copies of the license and letter should be printed. The RS must include the name of the person, the company they work for, and the company address.

After the product is licensed, the Registration Resource Center will re-label the files with the new company name, staple the new application to the old application, and place a card in the appropriate files under the old company name with a cross-reference to the new company name.

**Conditional Registration**

If a product license was conditionally approved under the old firm name/owner, the conditions are transferred to the new firm. Follow the instructions above but note the following:

- Stamp "Conditional" on the top, middle portion of the first page of the application

- Prepare a form letter to the company, identifying each of the conditions and timeframe(s) for submission. Attaching copies of Evaluation Reports is not a substitute for listing the conditions and timeframes in the letter. E-mail the draft letter to Licensing. Licensing will prepare the final letter. The conditions and timeframes (expiration date) remain the same as stated under the previous company.

- Make a copy of the conditional evaluation memo(s) written for the previous company for the conditional binder (a copy of the evaluation memo may or may not already be located in the conditional binder). A new conditional evaluation memo is not written for the new company.

The Licensing Technician will prepare 6 (or 7) copies of the conditional letter:

- 1 original letter for the company
- 1 copy for the agent (if applicable)
- 1 surname copy for the product file
- 1 copy for coding
- 1 copy for the company licensing binder
- 1 copy for the Conditional Binder
- 1 copy for the RS
The Conditional Binder is located on the shelf with the other Licensing binders. It contains a copy of the letter, license, and conditional evaluation memo(s) and is filed in order by the RS’ last name.

**Licenses are sent to the company address entered in the Registration Branch database. They are not sent to the company agent or other interested party** (i.e., the applicant who is not employed directly with the company). If the applicant, agent, or other interested party would like a copy of the product license, the RS should place a sticky note on the front of the package or indicate to Licensing that additional copies of the license and letter should be printed. The RS must include the name of the person, the company they work for, and the company address.

The package will be processed by Licensing and returned to the RS for final review. **Do not enter the tracking ID# on the action log.** The tracking ID# is removed from the system by the Licensing Technician. The RS should however, verify that the EPA Reg. No., company name, and product name written on the company letter, license and other documentation are consistent. Once the final review is complete, the RS should sign the company letter and the yellow surname copy. The letters, license, and package will be submitted to his/her supervisor for final sign off.

**Yearly Assignments**

In early October of each year, each RS will review the Conditional Binder to see if there are any outstanding conditional registrations that will expire before December 31st of that year. The RS will contact all companies with outstanding conditions, to determine if the deadline can be met. Time frames may be extended no more than 3 years from the initial date of the conditional registration. The RS should consult with the evaluation scientist who recommended the conditional registration, to determine if an extension is warranted. If the evaluation scientist feels that an extension of time should be granted, he/she should request a reasonable time frame for completion of the studies. Consult with your supervisor before extending the time for the conditional registration.

If the time frame cannot be met, the company should be informed that their product will not be renewed for the upcoming year. They should be advised to line out the product on their renewal form before submitting it to the Department. See Chapter 8 for more information.

If an extension is granted, the RS is to prepare the appropriate letter to the registrant indicating that we have extended the time frame for completing the required data. Include the new target date and a copy to Licensing.
A conditional registration is converted to a full registration upon acceptance of the required data. See Chapter 8 on Changing a Conditional Registration to a Full Registration.

II. Company Name Change without a Change in Ownership

A registrant may request to change a company name without a change in ownership. For example, the company name changes from *Acme LLC* to *Acme Inc.*, or may add or delete portions of the name, *Acme Company* to *Acme*.

DPR policy allows the product labels that include the new company name to be submitted within one year from the time the ownership and transfer of product registration. The registrant can continue to sell existing stock provided the previous product label continues to be registered. However, the registrant may not otherwise sell, use or distribute the product label in California until the new product label with the new company name has been submitted and accepted. The U.S. EPA will set the time frame for a company to sell existing stock with the old company name label and DPR will follow as per the Existing Stocks Provision.

There is no fee required for a change in company name if there is no change in ownership. The company has **no longer than one year** from the date of the company name change (on the amended license) to submit labels that includes the new company name. If labels are not submitted, then the product is not able to be renewed for the following year.

All products under the old company name should be processed at the same time for the company name change. If not all products will be processed at the same time, Licensing will assign an “01” to the company until the name change is completed. Each product submission for a company name change must include the following items listed below.

Important note: if the product name changes in addition to the company name, this is not considered a company name change but a new product registration under the new company name. An application fee and a new alpha code are required. See section IV in Chapter VII on Additional Brand Names.

1. **Quick Reference** - Items that must be submitted by the Registrant to Support the Request for Company Name Change

The following items must be submitted by the applicant in order for the application to be processed:
• California Application for Pesticide Registration (DPR form 39-030) including the product formulation information sheet (page 3 of the application or the U.S. EPA Confidential Statement of Formula (CSF) (EPA Form 8570-4), that is identical to the formulation currently on file.

• Declaration of No Change in Ownership form (DPR-REG-009)

• Six copies printer’s proof or final printed labels of each product (may be submitted within one year)

• A copy of the U.S. EPA documentation confirming the company name change

• A copy of the U.S. EPA Notice of Supplemental Distribution of a Registered Pesticide Product form (8570-5) (for distributors only)

2. Detailed Description of Items that should accompany the Product Submission

   a) Status sheet

   The status sheet should be the first item reviewed by the Regulatory Scientist (RS). It should be reviewed for accuracy and if needed, corrections should be made. It is very important to make corrections!

   The RS should verify the following:
   • The tracking ID# matches the ID# on the colored folder
   • Special flags/instructions
   • The active ingredients listed are consistent with the label, application, and other documentation
   • The General Use and Added Use sections are sufficiently detailed so that the information is accurate.

   To correct a status sheet, the RS will:
   • Make the changes on the original status sheet with the corrections highlighted
   • Submit a copy with corrections highlighted to the Intake Technician
   • For certain active ingredients, an attention flag with instructions will appear on the status sheet. The RS should follow the instructions. See the “Intake through Archiving” manual on-line for a list of attention flags.

   b) Cover Letter

   Though not required by law, each package should be accompanied by a cover letter that identifies the applicant’s intention.
c) **Complete Application for Pesticide Registration form (39-030)**

The application form must be completely filled out and signed. The company name and address shown on the application must be consistent with federal documentation, as it will be used on the license issued by DPR. The RS should confirm that the application is completely and correctly filled out including designations of container type, density, type of pesticide, application method, type of formulation, use of pesticide, and signal word. The application form must be signed and dated by an authorized representative. If an agent signs the application form, a letter from the applicant authorizing the agent to act on the applicant’s behalf must be on file.

Note: Although a company name change is processed as a label amendment (3A) the company must submit an Application for Pesticide Registration (DPR form 39-030) rather than an Application to Amend Pesticide Registration.

Each active and inert ingredient in the product formulation information sheet (if submitted) must be listed. The CSF (if submitted) must be filled out completely and accurately and the percent by weight of the listed ingredients must total 100%. If the product contains a fertilizer, the components (generally NPK or nitrogen, phosphorus, and potassium) should be identified on the CSF.

The brand name on the application form must be the same as the name shown on the label and consistent with federal documentation. The RS should confirm that the brand name is consistent on all documents before the package is submitted to Licensing.

d) **Declaration of No Change in Ownership form (DPR-REG-009)**

The registrant must complete and submit a copy for each product. Note: This form does not have to be notarized.

e) **Federal Documentation Confirming the Company Name Change**

The registrant must provide U.S. EPA documentation confirming the company name change. Once the company name change is processed in Licensing, all company name change documents will be placed in the product file.

f) **Proof of Federal Registration**

The company may or may not provide a copy of the U.S. EPA stamped-accepted label. A stamped-accepted label reflecting the new company name is not required in order to accept the company name change. In many cases, the company name change takes place prior to the new labels being submitted to, and accepted by U.S. EPA.

g) **Six Copies of Printer’s Proof or Final Printed Labels**

The registrant has one year to submit 6 copies of the printer’s proof or final printed
labels for each product included in the company name change that they intend to sell, use or distribute in California. If the proposed labels are not final printed or printer’s proof (i.e. Microsoft Word documents), the RS should contact the applicant and inform him/her that they may not sell, use or distribute the product in California until the final product label has been submitted and accepted by DPR.

h) Miscellaneous Items

Items such as draft labels, irrelevant documents addressed to U.S. EPA, MSDS sheets (not specifically referenced on the product label), Letters of Authorization, etc. may be retained by the RS but should not be placed in the product file.

i) U.S. EPA Notice of Supplemental Distribution of a Registered Pesticide Product form (8570-5) (if applicable)

A copy of this form is required for distributors only. The U.S. EPA Supplemental Distributor form will confirm the new company name of the distributor. This should be submitted for each product.

1. Verification for Completeness

Review the package to determine if it is complete, has all the required items listed above, and can be processed. If the package is incomplete, it should be returned to the applicant. Details on returning a package are listed below.

2. Review of the Label and CSF

If a label(s) is provided, the RS will compare the current company’s label and CSF (if applicable) on file to the proposed label and CSF (if submitted). The labels and CSFs should be identical; though the company name will be different. It is preferred that registrants do not make additional label changes when submitting labels for company name changes. If there are any changes made to the label, excluding the company name and/or address, a label amendment must be processed, see Chapter VI Label Amendments and Formula Revisions.

3. Return to Applicant, Incomplete Submission

If any of the required items listed in the preceding sections are missing, incomplete, or unacceptable, the RS should return the company name change request (package) to the registrant. For exceptions, speak with your supervisor.

The RS will:

- Prepare a return letter to the registrant that identifies all deficiencies.
• Make a copy of the first page of the original application form. This copy will be sent to the registrant along with the return letter. Do not return the CSF as it contains confidential business information that could be lost in the mail.

• Make one copy of the letter for the “return package,” a yellow surname copy (this will be returned to the RS once processed), and a return envelope.

• Include a copy of the proposed label highlighting areas of concern (if applicable).

• Clip all items listed above to the outside of the colored folder (application package) and submit it to his/her supervisor.

**The Supervisor will:**

• Review the return letter and surname the yellow copy.

• Route the package with signed letters to the designated “return out box” for distribution.

**The designated Technician will:**

• Enter the tracking ID# and date of return letter into the tracking system.

• Mail original letter, copy of the first page of the application, and product label (if applicable) to the applicant.

• Enter the date from the cover letter into the return section on the application form.

• Return the surname copy of the letter to the RS.

• Attach the remaining copy of the letter to the front of the package inside the colored folder. The colored folder should be placed in the “return package” designated area.

If the registrant provides only some, but not all of the missing items within 6 months from the date of the original return letter, the application is still considered incomplete. A package may be returned multiple times. For more details on the tracking and processing of returned packages, see the Intake through Archiving
6. Licensing the Product

Full Registration (non-conditional)

If the company name change is acceptable, a new license can be issued. If both the old company name and the new company name remain active for the same product, an (01) designation is added to the license by the Licensing Technician. In general, the alpha code remains the same for a company name change. Although under special circumstances, a new alpha code is assigned subject to management’s approval.

When the alpha code remains the same, no information is sent to Coding. The computer system will be updated by Licensing. However, until all products have been licensed under the new company name, they will appear in the database under the old company name, followed by an asterisk, designates as an (01) company.

The RS will:

- Completely fill out the upper right-hand portion of the Application for Registration form. The alpha code remains the same.

- Stamp three copies of the label (if submitted) with the appropriate stamp for distribution for the product file and the company, and fill in the appropriate information. The RS may retain a copy for his/her signature.

- Complete the Memorandum of Registration (Product Ownership or Name Change) (on blue paper).

If not all of the products will be processed for the company name change at the same time, then the old company name will remain active. The products that have not been processed for the name change will continue to be registered/licensed in California under the old company name. In this case, the RS will answer “Yes” to the last question on the Memorandum. Licensing will assign an “01” to the old company name until the company name change is completed, once all the products have been processed for the name change.

If all of the products will be processed for the company name change at the same time, then the products under the old company name will be inactivated. When inactivated, these products will no longer be registered/licensed in California. In this case, the RS will answer “No” to the last question on the Memorandum.

Note: For a company name change only, no documents are submitted to Coding. Licensing will update the company name in the database.

Assemble for the Product File (in this order)

- The application (filled out)
• The U.S. EPA company name change documentation and U.S. EPA supplemental distributor (if applicable)

• Any other pertinent documentation submitted (U.S. EPA stamp-accepted label, etc.)

• The Memorandum of Registration (Product Ownership or Name Change) (on blue paper)

• A copy of the stamped-accepted label with the words “Product File” written in the upper right-hand corner (if submitted)

**Assemble for the Registrant (only applicable if the company submitted a label)**

• A copy of the stamped-accepted label with “Company” written in the upper right-hand corner. If the company agent has requested a copy of the label, include a copy with the word “Agent” written in the upper right-hand corner.

**Assemble for Cover Letter File**

• Include the cover letter (or a copy) submitted by the applicant and write “Cover Letter File” in the upper right-hand corner

Clip together the individual sections listed above (product file, registrant, and cover letter - in that order) and place in the correct basket in Licensing. Include the colored folder and the tracking ID# will be removed from the tracking system by the Licensing Technician.

A new license is issued to supersede the license with the old company name. The license with the old company name is then marked "Amended" in the license binder files.

**The Licensing Technician will:**

• Print out copies of new license reflecting the new company name for the company, Licensing binder, and Registration Resource Center

• Remove the tracking ID# from the tracking system.

• Return package to RS for final review and sign-off.

The package will be processed by Licensing and returned to the RS for final review. Do not enter the tracking ID# on the action log. The tracking ID# is removed from the system by the Licensing Technician. The RS will verify that the EPA Reg. No., company name, and product name written on the company letter, license and other documentation are consistent.
Once the final review is complete, the RS will sign the company letter and the yellow surname copy. The letters, license, and package will be submitted to his/her supervisor for final sign off.

Issuance of the license has not occurred until the product license has been sent/e-mailed out by the Pesticide Registration Branch.

After the product is licensed, the Registration Resource Center will re-label the files with the new company name.

**Conditional Registration**

Each product that was registered conditional under the old company name will continue to be conditional under the new company name. Follow the instructions above but note the following:

- Stamp “CONDITIONAL” on the top, middle portion of the first page of the application.

- On the Memorandum of Registration, list “Conditional” next to the products that are registered conditional. These products will continue to be registered conditional under the new company name.

Note: With a company name change only, the RS does not have to prepare a conditional letter since the company is already aware of the conditions and timeframes. The products that are registered conditional will be listed as so on the new (amended) license.

**Yearly Assignments**

In early October of each year, each RS will review the Conditional Binder to see if there are any outstanding conditional registrations that will expire before December 31st of that year. The RS will contact all companies with outstanding conditions, to determine if the deadline can be met. Time frames may be extended no more than 3 years from the initial date of the conditional registration. The RS should consult with the evaluation scientist who recommended the conditional registration, to determine if an extension is warranted. If the evaluation scientist feels that an extension of time should be granted, he/she should request a reasonable time frame for completion of the studies. Consult with your supervisor before extending the time for the conditional registration.

If the time frame cannot be met, the company should be informed that their product will not be renewed for the upcoming year. They should be
advised to line out the product on their renewal form before submitting it to the Department. See Chapter 8 for more information.

If an extension is granted, the RS is to prepare the appropriate letter to the registrant indicating that we have extended the time frame for completing the required data. Include the new target date and a copy to Licensing.

A conditional registration is converted to a full registration upon acceptance of the required data. See Chapter 8 on Changing a Conditional Registration to a Full Registration.

Note the following:

- **There is no fee required for a change in company name if there is no change in ownership**

- The company must provide a copy of DPR’s Declaration of No Change in Ownership form that can be found on-line (DPR – REG – 009)

Please note: if the product name changes in addition to the company name, this is not considered a company name change but a new product registration under the new company name. An application fee and a new alpha code are required. Speak to your supervisor or lead to determine the appropriate action.

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### III. Product Transfers

A registrant may choose to sell a single product or multiple products to another firm. This is sometimes referred to as a product transfer. The change in ownership is product specific and does not involve the sale or purchase of the firm itself. Procedures for processing a product transfer are identical to those of a change in company ownership. To process a product transfer, follow the instructions listed above for a company name change with a change in ownership, but note the following:

- The company must provide documentation from U.S. EPA confirming the product(s) were legally transferred. The RS will verify the product(s) transferred on the U.S. EPA acceptance Letter. In the letter, the subject line will state **Product(s) Transfer** and not a Company Ownership.

- When completing the Memorandum of Registration (Product Ownership or Company Name change) Form (blue memo) the
RS will check the box for “Transfer of pesticide product Registration”. NOTE: The “new company” is the purchaser of the product; the “old company” is the old owner of the product. Also, the EPA Reg. No. will change the old RS will assign an alpha code.

**REMINDER:**
If the product being transferred is conditional, the product will remain conditional under the purchasing (new) company. See instructions under “Conditional Registration” in section I. Company Name with a Change in Ownership. The conditions and timeframes (expiration date) remain the same as stated under the previous company.

Once the product(s) is licensed to the purchasing (new) company, the appropriate staff person in the Registration Resource Center will create a new product file under the new company name. They will place a reference card in place of the file under the old company name with a cross-reference to the new company and re-file the product file accordingly. If the old company maintains their product registration along with the new company, the old file is maintained. Otherwise, the Label Resource Center inactivates the old file.

**IV. Additional Brand Names**

California Food and Agriculture Code section 12821 states that “Each applicant for a certificate of registration shall also file a statement of every brand, trademark, and kind of pesticide that the applicant intends to manufacture or sell…..” Pesticide products sold under different names in California require separate registrations. A registrant may not however, register the same brand name for two different products of different chemical composition, or different physical condition sufficient to affect its pesticide properties (see 3 CCR section 6152).

To process an additional brand name application, follow the instructions listed in Chapter 4 according to the classification it falls under (conventional product, antimicrobial, etc.).

**Note:** Registrants who intend to sell their product(s) under additional brand names must submit to U.S. EPA a copy of federal form 8570-1, identifying the additional brand name(s) the product will be sold under. A copy of this form, in addition to the other documents required for registration, must be submitted to DPR with the product application.

It is also important to note that a company will often include additional use sites, pests, viruses, etc. on the additional brand name product label so it should be reviewed carefully. If this occurs, the product may require scientific evaluation.