



California Notice 2020-13

TO: Pesticide Registrants and Other Stakeholders

SUBJECT: SPRAY ADJUVANT CHEMICAL FORMULATION IDENTITY
DISCLOSURE

The Department of Pesticide Regulation requires the registration of spray adjuvants prior to sale or use in California. Under California law, spray adjuvants are considered pesticides [California Food and Agricultural Code (FAC) section 12753(a)] and are broadly defined to include products intended for use with another pesticide to aid in the application or effect of the other pesticide (FAC section 12758). This notice provides guidance to registrants of spray adjuvants on three aspects of chemical formulation identity disclosure: (1) the Product Formulation Information (PFI) form; (2) the label ingredient statement; and, (3) acceptable chemical nomenclature and naming conventions.

- 1. Product Formulation Information (PFI):** Each application for the registration of a pesticide, including spray adjuvants, are required to be submitted on the Application for Pesticide Registration outlined in sections 6170 and 6170.5 of Title 3 of the California Code of Regulations. Spray adjuvants are not federally registered, so the Product Formulation Information (PFI) portion of the application must be used to provide the chemical identity of the formulated product. For spray adjuvants, Principal Functioning Agents (PFAs) should be listed under “Active Ingredients” and the Constituents Ineffective as Spray Adjuvants should be listed under “Inert Ingredients” on the Product Formulation Information page of the application. All chemical ingredients, including the complete composition of proprietary blends, mixes, tradenames, etc. must be identified and provided, and each ingredient accounted for in a quantitative manner on the PFI form (as a percent of the overall formulation). The precise chemical names of PFAs and disclosure of Constituents Ineffective as Spray Adjuvants listed on the PFI form must be adequate for scientific evaluators to understand the precise chemical composition of the proposed formulation. The registrant must provide Chemical Abstracts Service (CAS) numbers for each ingredient in the formulation that is consistent with the chemicals listed. Additionally, the contents of the formulation must sum to a total of 100%.
- 2. Label Ingredient Statement:** Only the three most abundant PFAs need to be listed on the label (FAC section 12885). According to FAC section 12882, PFAs may be listed on the label ingredient statement in any order with the overall percentage indicated as a sum of all PFAs in the adjuvant formulation. Alternatively, the name of each PFA and its percentage in the formulation may be listed separately. The statement “Constituents Ineffective as a Spray Adjuvant” may be used in lieu of “Inert Ingredients” (FAC section 12883).

3. **Chemical Nomenclature and Naming Conventions:** In order to ensure that an ingredient statement is not considered false or misleading, an accurate synonym or “chemical class” may be used on the label ingredient statement as follows:
- **Acids (such as citric acid, phosphoric acid, sulfuric acid), bases (such as ammonium hydroxide, potassium bicarbonate, triethanolamine), and ammonium sulfate:** Registrants may only use the precise chemical name for each acid, base and for ammonium sulfate on the ingredient statement.
 - Using a synonym or chemical class for an acid or base is too generic and could be misleading to workers or pesticide applicators.
 - Using a synonym or chemical class for ammonium sulfate does not allow pesticide applicators to be able to determine if they are complying with pesticide label guidance regarding ammonium sulfate.
 - **Ingredients not allowed for use on food or feed crops:** Registrants may only use the chemical name or synonym (not a chemical class) for an ingredient that is not allowed for use on food or feed crops.
 - Using a chemical class that contains both food and non-food ingredients could result in inadvertent contamination of a food or feed crop.
 - **Mineral oils, paraffinic oils, and petroleum distillates:** Registrants should use the chemical class in the ingredient statement instead of the chemical name or synonym, as the chemical class is more readily understood by pesticide applicators (e.g., Use the chemical class of “Paraffinic oil” instead of the chemical name of “Solvent-refined light paraffinic petroleum distillates.”).
 - **Food commodity allergens (such as casein, whey, fish oil):** Registrants should only use the chemical name or appropriate synonym (not a chemical class) for an ingredient that is known to be a food allergen.
 - **All other ingredients (not included above):** Registrants may use the chemical class of a PFA in the ingredient statement, instead of the chemical name or synonym.
 - DPR prefers that registrants use the chemical name or synonym in the ingredient statement, since these names more accurately describe the product composition.
 - Some ingredients may not have an adequate chemical class, and must be listed on the label using the specific chemical name or acceptable synonym.

Registrants are encouraged to contact their assigned Regulatory Scientist in the Pesticide Registration Branch should they require clarification on acceptable synonyms and acceptable chemical classes for PFAs in their specific adjuvant product(s).

If you have general questions regarding the registration process for spray adjuvants in California, please contact the Pesticide Registration Ombudsman, Mr. Aron Lindgren by email at Registration.Ombudsman@cdpr.ca.gov or by telephone at 916-324-3563.

Tulio Macedo

10/23/2020

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

Date

cc: Dr. Jason Eiserich, Environmental Program Manager I, DPR
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