



California Notice 2004-13

POST UNTIL December 6, 2004

NOTICE OF PROPOSED DECISION TO RENEW PESTICIDE PRODUCT REGISTRATIONS FOR 2005

The Director of the Department of Pesticide Regulation (DPR), pursuant to Title 3, California Code of Regulations (CCR), section 6253, notices her proposed decision to renew, for calendar year 2005, certificates of registration of those pesticide products registered with DPR on December 31, 2004. In reaching the proposed decision to renew these certificates of registration, the Director of DPR presents the following findings:

1. Food and Agricultural Code (FAC) section 12812 authorizes the Director to establish, by regulation, annual fees for each pesticide product submitted for registration and penalties for the late payment of registration fees;
2. CCR section 6216 establishes the fee for annual renewal as \$750 for each pesticide product.
3. FAC section 12817 requires that the registration of every pesticide product expire on December 31 of each calendar year, except when renewal is applied for within one calendar month thereafter;
4. CCR section 6215 requires the Director to make specified findings in regard to renewal of registrations and to renew the registrations of pesticide products within sixty (60) days after receiving an accurate and complete application for renewal, except when the Director, after hearing, has canceled the registration of, or refused to register, a pesticide product.
5. FAC section 12818 provides for penalty fees should an application for renewal of registration not be made within one calendar month after expiration of registration. Such penalties are to be established by the Director by regulation.
6. CCR section 6217 requires that a penalty of 20 percent of the original amount due shall be added to the renewal fee for each pesticide product if renewal of a certificate of registration is not applied for within one calendar month of December 31 of each year.
7. FAC section 12819 provides that penalties shall not be collected for renewals of registration if no business was done during the period of non-registration;
8. Pursuant to CCR 6253, DPR notices proposed decisions pertaining to the registration of new pesticide products for thirty (30) days to provide for public comment before final decisions are made. DPR submits notices of final registration decisions to the Secretary for Resources



to be posted for thirty (30) days. These notices of proposed and final decisions can be found on the Internet at <<http://www.cdpr.ca.gov/docs/nod/nodmenu.htm>>;

9. The provisions of CCR section 6220 provide individuals and organizations with an opportunity to submit information indicating possible adverse effects from the use of a pesticide to DPR at any time;
10. Pursuant to CCR 6253, DPR posts notices of proposed reevaluations of pesticide products for thirty (30) days to provide for public comment. DPR submits notices of final reevaluation decisions to the Secretary for Resources to be posted for thirty (30) days. DPR prepares and makes available to the public semiannual reports on pesticide products that have been reevaluated, that are under reevaluation, or for which factual information has been received. These notices of proposed and final reevaluation decisions, and copies of semiannual reports can be found on the Internet at <<http://www.cdpr.ca.gov/docs/nod/nodmenu.htm>>. For products that were not reevaluated in 2004, are not under reevaluation, and are not under consideration for reevaluation, the Director finds that, at this point in time, sufficient information has not been received necessitating reevaluation pursuant to CCR sections 6220 and 6221;
11. DPR consults in a timely manner with state agencies that have legal jurisdiction over resources that may be affected by the use of pesticides on both registrations and reevaluations. DPR consults with these agencies both directly and during regularly scheduled meetings of DPR's Pesticide Registration and Evaluation Committee;
12. FAC section 12825.5 requires that pesticide product registrants submit adverse effects disclosures to DPR any time they have factual or scientific evidence of any adverse effect or risk to human health, livestock, crops, or the environment that has not been previously submitted to DPR. The information on adverse effects mandated by the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) section 6(a)(2) is included in this requirement. Upon application for renewal of registration, the registrant must certify under penalty of perjury that it has complied with the adverse disclosure requirements of FAC section 12825.5 as set forth and clarified in CCR 6210. Pursuant to FAC section 12825(g), failure to report adverse effects may result in cancellation of the pesticide product.

Pesticides proposed for registration renewal pursuant to this notice can be found in a DPR database on the Internet at <<http://www.cdpr.ca.gov/docs/label/labelque.htm>>. There are approximately 11,400 registered pesticide products in this database. A current listing of California-registered pesticide products can be downloaded from the same Internet address.

DPR registers additional pesticide products throughout the year. DPR posts notices of registration decisions on these pesticide products for public comment for thirty (30) days prior to registration. These notices of proposed and final decisions can be found on the Internet at <<http://www.cdpr.ca.gov/docs/nod/nodmenu.htm>>. Other databases that may be accessed via DPR's Internet site at <<http://www.cdpr.ca.gov/dprdatabase.htm>> include:

1. Chemical Ingredient Queries - searches can be made by common, technical, synonym, or trade name; or by chemical abstracts service numbers. Additional queries yield products, registrants, etc.
2. Product/Label Database Queries - searches of this database may be made by company name/number or product name/number. In addition, multiple variable queries on a number of different criteria yield specific product matches. DPR updates these databases nightly.
3. Section 18 Emergency Exemptions - copies of current California FIFRA Section 18 Emergency Exemptions.
4. U.S. Environmental Protection Agency (U.S. EPA) Office of Pesticide Programs (OPP) Databases - include DPR's implementation of U.S. EPA's OPP chemical dictionary and product databases.

As required by CCR section 6254, DPR prepares a public report entitled *Public Report Relating to Renewal of Pesticide Registrations*. Upon written request to the address below, DPR will send individuals and organizations a copy of the public report, free of charge.

Comments on this proposed decision should be submitted no later than December 6, 2004 and mailed to:

Mr. Van Cheney
Pesticide Registration Branch
Department of Pesticide Regulation
P.O. Box 4015
Sacramento, California 95812-4015

Original signed by Barry Cortez

November 3, 2004

Barry Cortez, Chief
Pesticide Registration Branch
(916) 445-4377

Date

cc: Mr. Van Cheney