

FINAL STATEMENT OF REASONS AND PUBLIC REPORT
DEPARTMENT OF PESTICIDE REGULATION

Title 3. California Code of Regulations
Amend Section 6147
Pertaining to Exempted Pesticide Products

UPDATE OF THE INITIAL STATEMENT OF REASONS

As authorized by Government Code section 11346.9(d), the Department of Pesticide Regulation (DPR) incorporates by reference the Initial Statement of Reasons prepared for this rulemaking. In the text of the proposed regulations, DPR proposes to amend Title 3, California Code of Regulations (3 CCR) section 6147. No changes were made to the proposed regulations nor are any changes necessary to the Initial Statement of Reasons following the 45-day public comment period.

The proposed regulatory action was noticed in the *California Regulatory Notice Register* on January 31, 2025. During the 45-day public comment period, DPR received one comment on the proposed text. The comment is discussed under the heading “Summary and Response to Comments Received During 45-Day Comment Period” of this Final Statement of Reasons.

In the footnote in 3 CCR section 6147(a)(5)(A), DPR added cross-references to subsections 6147(a)(5)(A) and 6147(a)(5)(C) as nonsubstantive changes.

DPR has amended 3 CCR section 6147. In summary, this action adds chitosan to the list of active ingredients permitted in exempted pesticide products. This action mirrors the U.S. Environmental Protection Agency’s recent action adding chitosan to Title 40, Code of Federal Regulations section 152.25(f)(1) that was published in the Federal Register Vol. 87, No. 67364 on November 8, 2022.

PUBLIC HEARING

No public hearing was scheduled or held, and none was requested.

SUMMARY AND RESPONSE TO COMMENTS RECEIVED DURING 45-DAY COMMENT PERIOD

• ***Taren Hogan***

Comment no. 1: yes i agree

Response: DPR acknowledges this comment.

MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS

DPR has determined that the proposed regulatory action does not impose a mandate on local agencies or school districts.

ALTERNATIVES DETERMINATION

The Director has determined that no alternative considered by DPR would be more effective in carrying out the purpose for which these regulations are proposed; as effective and less burdensome to affected private persons or businesses than the adopted regulations; or more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law. Adding chitosan to the list of active ingredients of products exempt from registration will aid in increasing alternatives to conventional pesticide products and reduce regulatory burden on manufacturers who sell and distribute chitosan products in California. This may lead to increased production of chitosan pesticidal products. In turn, consumers may see lower costs for chitosan-based pesticidal products, and potentially a wider availability of these products.

POSTING REQUIREMENT

3 CCR section 6110, states in part that, “The public report shall be posted on the official bulletin boards of the Department for 45 days.” DPR has posted its Initial Statement of Reasons and Public Report on its official bulletin board, which consists of the Department's Internet Home Page <<http://www.cdpr.ca.gov>>.