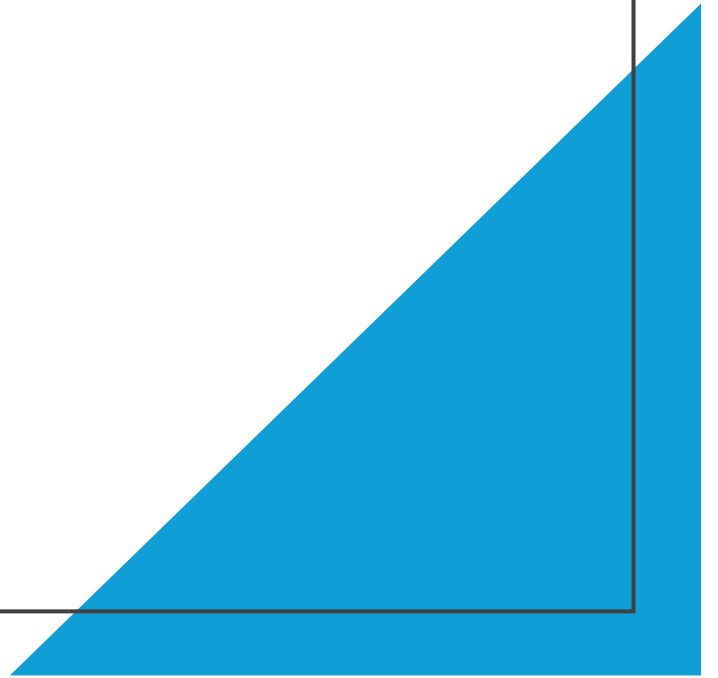


# Pesticide-Treated Seed Informal Public Workshop

Pesticide Evaluation Branch  
Department of Pesticide Regulation

**October 29, 2025**



# Overview

---

- Background
- Draft Proposed Regulations
- Additional Areas for Public Comment
- Next Steps

Disclaimer: The use of specific company or brand names, products, or services in this presentation is for informational, illustrative, or educational purposes only. This mention does not imply any endorsement or disparagement by DPR



Image Credit: Alberta Seed Guide (2018),  
<https://www.seed.ab.ca/importance-treating-seed-2/>

# Pesticide-treated Seeds

---

- Seed Treatment Products are applied to seeds to introduce pest protection at the time of planting.
- Many active ingredients in pesticide-treated seeds (e.g., fungicides, insecticides, bactericides)



Image Credit: Syngenta

# Nomenclature

---



**Seed Treatment Product**

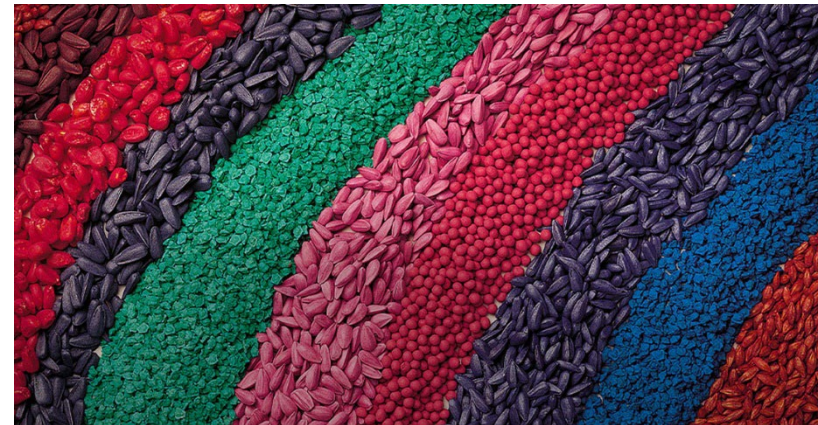


Image Credit: Bayer

**Pesticide-Treated Seeds**

# Regulatory Framework

---

## Seed Treatment Products



**Registered under FIFRA**



**Registered under FIFRA  
and California FAC**

## Pesticide-Treated Seeds



**Exempt from registration  
as “treated article”**

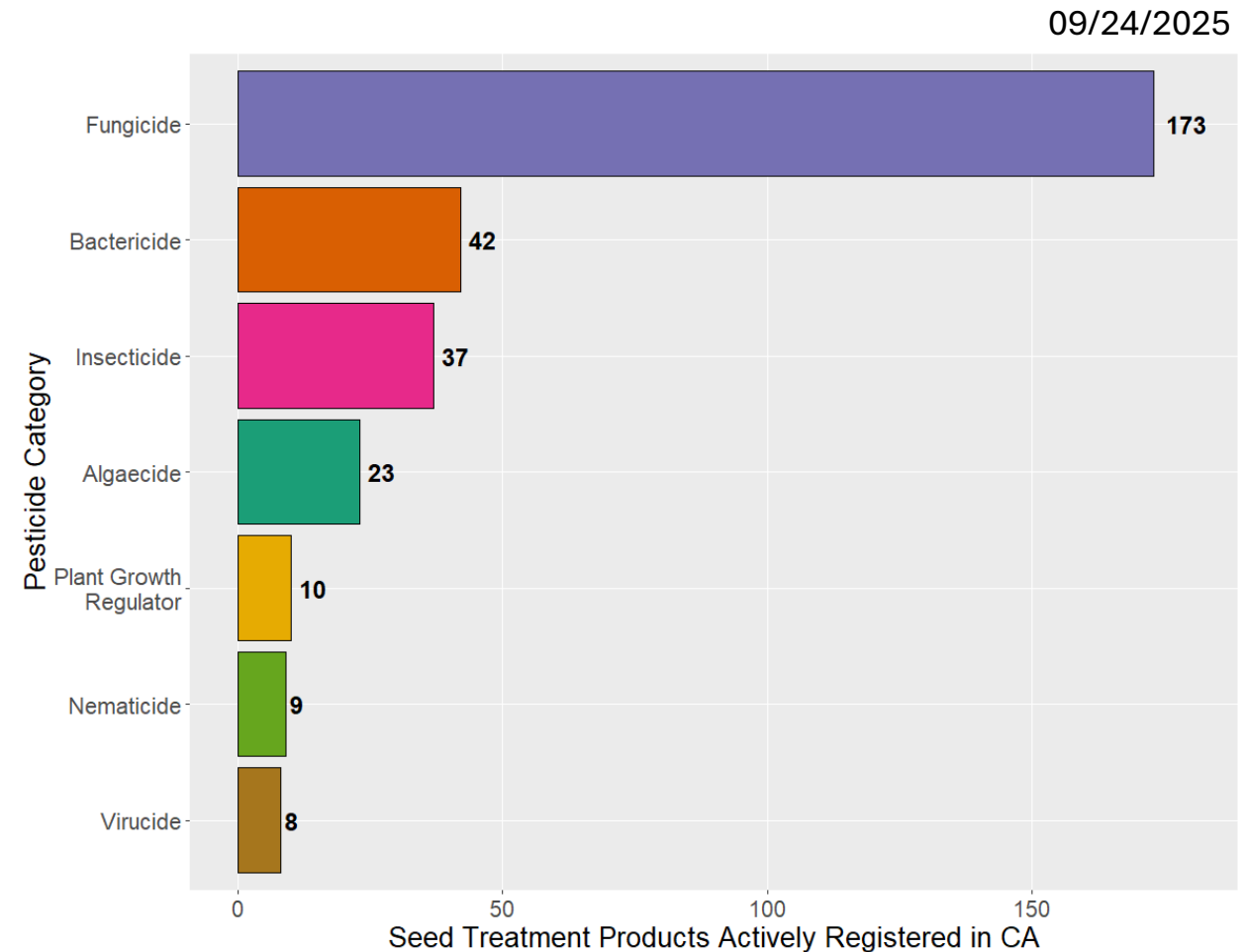
**Exempt from registration  
in draft proposed  
regulations**

FIFRA = Federal Insecticide, and Rodenticide Act

FAC = Food and Agriculture Code

# Seed Treatment Products in California

- Seed treatment products must be registered for use as an application to seed
- There are 235 seed treatment products currently registered in California



# Background

---

- In 2021, DPR held a public workshop on pesticide-treated seeds to focus on a number of topics, including:
  - Characterize current regulatory framework surrounding seed treatment products and pesticide-treated seeds.
  - Gather additional information on use and potential impacts of pesticide-treated seeds.



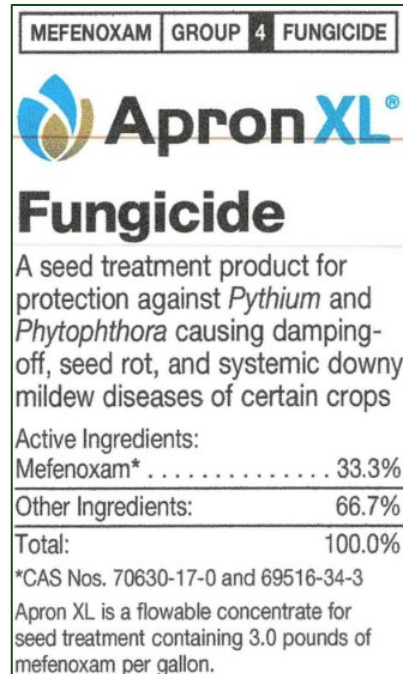
# Pesticide-Treated Seed Application Rates

Application rate for pesticide-treated seed expected to be much lower than soil or foliar treatments

## Example: Lettuce (mefenoxam)

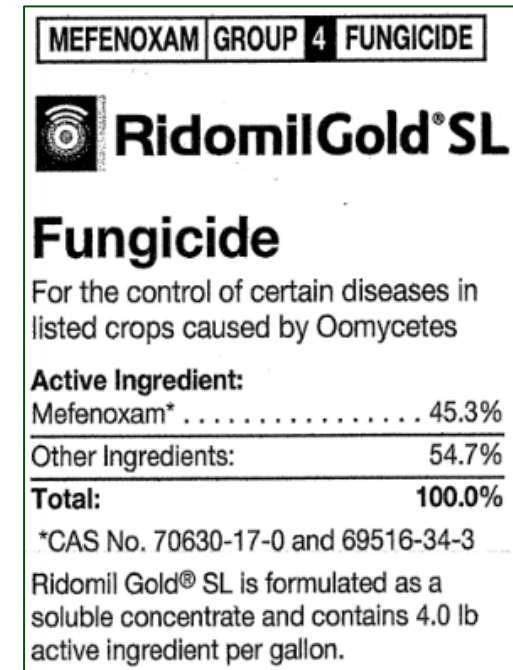
### Seed Treatment:

- Seeding rate of 1 lb/A
  - 0.64 fl oz/100 lb seed
- = **Approx. 0.00015 lb/A**



### Foliar Spray:

- Max rate of 0.25 pt/A
- = **0.125 lb/A**





# Pesticide-Treated Seed Application Rates

## Example: Lettuce (clothianidin)

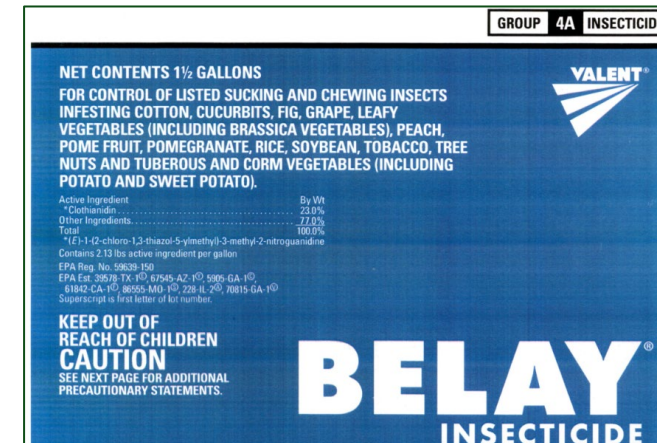
### Seed Treatment:

- Seeding rate of 1 lb/A
  - 132.6 fl oz/100 lb seed
- = Approx. 0.052 lb/A**



### Soil Application:

- Max rate of 12 fl oz/A
- = 0.200 lb/A**



# Summary of Federal Litigation

---

- In 2017, the Center for Food Safety (CFS) filed a petition with U.S. EPA regarding U.S. EPA's application of the treated article exemption to seeds treated with systemic insecticides and requested a formal re-interpretation. CFS subsequently filed a lawsuit regarding U.S. EPA's denial of the petition.
- In 2024, a California federal district court ruled in favor of U.S. EPA, holding that U.S. EPA acted within its authority to exempt pesticide-treated seeds from registration under the treated article exemption.

# Summary of CA Lawsuit and Settlement Agreement

---

- In February 2023, environmental groups filed a lawsuit against DPR alleging that its handling of pesticide-treated seeds constituted an underground regulation in violation of the Administrative Procedures Act.
- In October 2024, DPR reached a settlement agreement with NRDC that requires DPR to submit proposed regulations to the Office of Administrative Law to address the following :
  1. Whether treated seeds used, delivered, or sold in California must be treated solely with pesticide products registered by DPR for that purpose;
  2. DPR's authority to assess and require mitigation of environmental and human health impacts that DPR identifies as having been caused by the use of pesticide products used to treat seeds and by pesticide-treated seeds;
  3. Reporting of sales and uses of pesticide-treated seeds. On this topic, DPR will consult with the California Department of Food and Agriculture, as appropriate.

# Recent Legislation (AB 1042 / FAC § 52484)

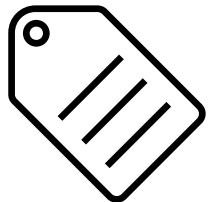
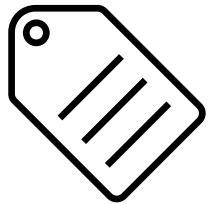
---

New requirements for seed tag labeling for seeds shipped, delivered, transported or sold in California (effective January 1, 2027):

- U.S. EPA registration numbers of applicable pesticides applied to seed
- Quantity applied by weight or amount per seed



Image Credit: Fonseca/CIMMYT



# Proposed Regulatory Approach

---

- Ensure pesticide-treated seeds planted in the state are treated with seed treatment products that have been registered by DPR.
- Require pesticide use reporting of pesticide-treated seeds.
- Enable DPR to identify potential risks from use of pesticide-treated seeds.



# Proposed Approach

---

1. Add a definition of pesticide-treated seeds (3 CCR § 6000)
2. Add pesticide-treated seeds to the list of pesticides exempt from registration, as long as they meet certain California conditions (3 CCR § 6147)
3. Require the reporting of pesticide-treated seeds planted in California (3 CCR § 6626.5)
4. Provide appropriate exemptions to the distance restrictions for pesticide-treated seed use near schoolsites under certain conditions (3 CCR § 6760)



# Definition of Pesticide-Treated Seed

---

Proposed addition to 3 CCR § 6000:

- “Pesticide-treated seed” means any seed treated with one or more pesticides.

Feedback requested:

- Is additional clarity needed?



Image Credit: LSU Ag Center



# Registration Exemption

---

- Proposed additions to 3 CCR § 6147
  - Pesticide-treated seeds would be exempt from registration as long as the following conditions are met:
    1. The seed is treated with a pesticide to protect the seed itself
    2. The pesticide is registered by DPR as a seed treatment product
    3. The seed is properly labeled as specified in FAC § 52484

**DPR does not intend to register pesticide-treated seeds**

Feedback requested:

- Is additional clarity needed?
- Does our intent match the regulatory text?



# Pesticide Use Reporting (PUR)

---

- Proposed new section 3CCR § 6626.5 to require reporting of pesticide-treated seed use
  - Mirrors monthly aggregate record-keeping and reporting requirements
  - By commodity and amount of treated seed applied (# of seeds or weight)

## Feedback requested:

- Is additional clarity needed?
- Does monthly aggregate reporting make sense?

# Pesticide Use Near Schoolsites

---

- Amend 3 CCR § 6691 – Pesticide Application Restrictions
  - Pesticide-treated seeds would be exempt from the distance restriction
  - If pesticide-treated seeds are applied by aircraft, the ¼ mile restriction would apply

## Feedback requested:

- Is additional clarity needed?
- Does this exemption make sense?



Image Credit: freesvg.org

# Additional Areas for Public Comment

---

- How are Pesticide-Treated Seeds Purchased?
  - Pre-treated directly from large seed/pesticide companies (e.g., cotton, corn)
    - Selection of standard treatments and extensive labeling
  - Through dealer network
    - Pre-treated
    - Untreated
      - Grower purchases seed and dealers arrange for 3rd party treatment
      - Treater provides service only – does not sell seed
      - On farm treatment is not prevalent

Feedback requested:

- Is this accurate?

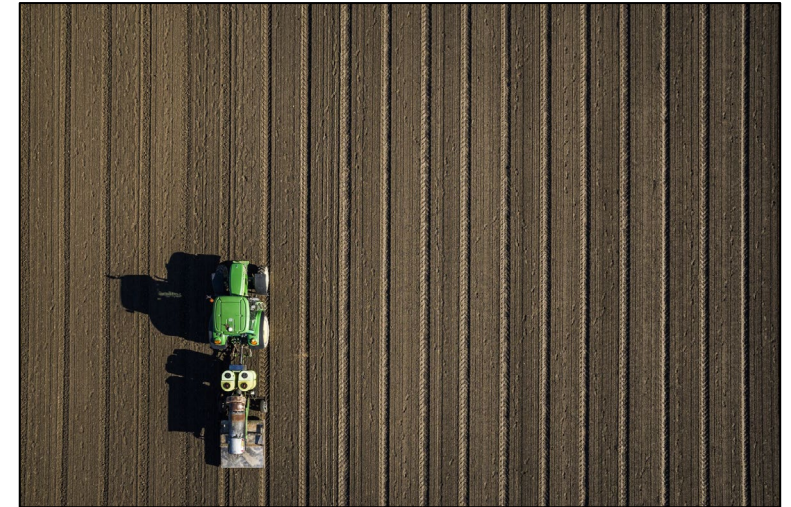
# Additional Areas for Public Comment

---

- How are Pesticide-Treated Seeds Planted?
  - Mainly by growers and their employees

## Feedback requested:

- Is this accurate?
- Are any additional businesses planting pesticide-treated seeds and are they licensed for pesticide application?



# Thank You

---

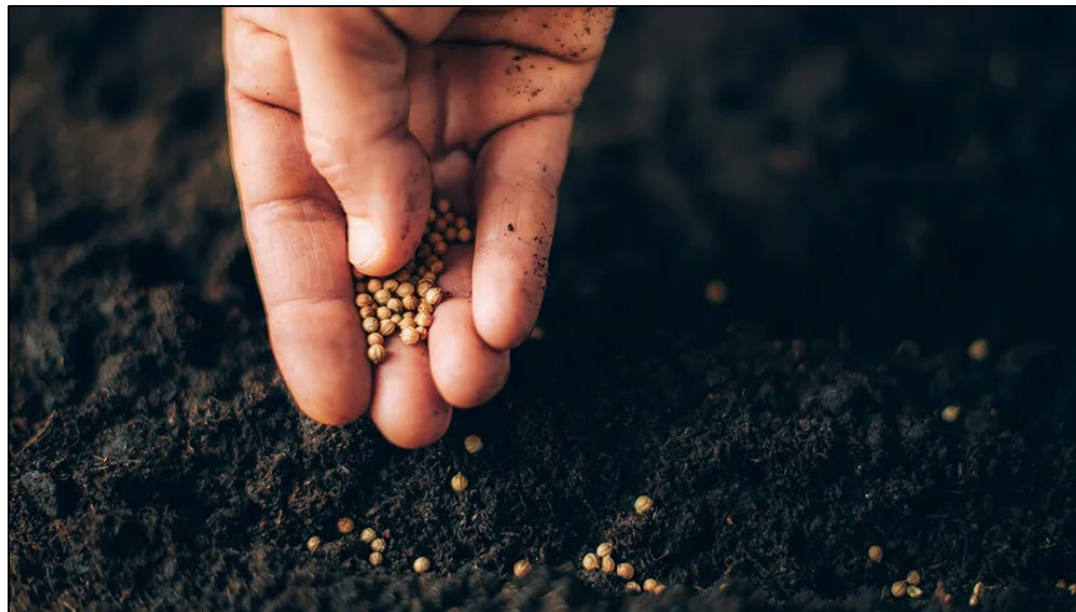


Image Credit: UC Agriculture and Natural Resources

# Questions/Comments

---

- Draft regulation text available on our website ([www.cdpr.ca.gov](http://www.cdpr.ca.gov))
- Now taking clarifying questions
  - Submit by email, chat, or briefly raising your hand to speak

Email: [treatedseeds@cdpr.ca.gov](mailto:treatedseeds@cdpr.ca.gov)

- The written comment period for this pre-regulatory workshop ends December 1, 2025
  - Please submit to comment portal at:  
<https://cdpr.commentinput.com/?id=S9PiY8KeN>



SmartComment QR Code