INITIAL STATEMENT OF REASONS AND PUBLIC REPORT
DEPARTMENT OF PESTICIDE REGULATION

Title 3. California Code of Regulations
Adopt Sections 6170.6, 6170.7, 6173, 6170.8
Amend Sections 6000, 6148.5, 6152, 6153, 6154, 6157, 6170, 6170.5, 6193.5, 6194, 6196, 6206, and 6252
Pertaining to Pesticide Registration Branch Regulatory Updates

This is the Initial Statement of Reasons required by Government Code section 11346.2 and the public report specified in section 6110 of Title 3, California Code of Regulations (3 CCR). Section 6110 meets the requirement of Title 14, CCR section 15252 and Public Resources Code section 21080.5 pertaining to state regulatory programs certified under the California Environmental Quality Act (CEQA).

SUMMARY OF PROPOSED ACTION/PESTICIDE REGULATORY PROGRAM ACTIVITIES AFFECTED

The Department of Pesticide Regulation (DPR) proposes to adopt 3 CCR sections 6170.6, 6170.7, 6170.8, and 6173, and amend sections 6000, 6148.5, 6152, 6153, 6154, 6157, 6170, 6170.5, 6193.5, 6194, 6196, 6206 and 6252. DPR also proposes to repeal Pesticide Registration DPR-REG-030 (Rev. 10/24) form, currently incorporated by reference. This proposal will affect the pesticide regulatory program activities pertaining to pesticide registration. In summary, the proposed action will replace previous application forms; require electronic submission of applications to register or amend pesticide products; clarify and reduce requirements for company changes; clarify information required for applications to register and amend pesticide products; including submission of concurrent applications to U.S. EPA and the Department; define application types – new major use, master label, and new active ingredient; establish pesticide labeling and formula changes that may submitted to the Department as either a notification or non-notification; reduce the fee for notifications; and make other minor changes that include replacing outdated terms and correcting typographical errors.

SPECIFIC PURPOSE AND FACTUAL BASIS

Background

DPR protects human health and the environment by fostering sustainable pest management and regulating pesticides. DPR's strict regulatory oversight of pesticide sales and use includes: product evaluation and registration; statewide licensing of commercial and private applicators, dealers, and advisers; environmental monitoring; and residue testing of fresh produce. This regulatory scheme is set forth primarily in Food and Agricultural Code (FAC) Divisions 6 and 7. The requirements for pesticide registration are outlined in 3 CCR sections 6170 through 6172.

The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) requires all pesticide products sold or distributed in the United States to be registered by the U.S. Environmental Protection

Agency (EPA). Pesticide products must comply with labeling requirements that are set forth in Title 40 of the Code of Federal Regulations Part 156. Pesticide products, certain federally exempt pesticides, and adjuvants are additionally required to be registered by DPR before the product can be sold, distributed, or used in California. California law (FAC sections 12824 and 12839) requires DPR to provide a thorough and timely evaluation before a pesticide is registered for the first time and to place appropriate restrictions on its use. DPR's registration evaluation is conducted in addition to U.S. EPA's evaluation. Before a pesticide is registered, both agencies require data on a product's toxicology and environmental fate to evaluate how it behaves in the environment; its effectiveness against target pests and the hazards it poses to non-target organisms; its effect on fish and wildlife; and its degree of risk to human health.

The Pesticide Registration Branch (PRB) serves as the primary point of contact for pesticide product and adjuvant companies (referred to as registrants), and processes all applications for pesticide product registrations, amendments, and renewals, among other activities. PRB receives and processes approximately 5,000 submissions each year and maintains registrations for approximately 1,500 different registrants and 13,500 pesticide products that collectively contain over 1,000 different active ingredients. The registration process historically has been paper-based and managed manually with limited supporting technology across several systems. Registrants must submit many types of hardcopy documents to DPR for evaluation, including multiple copies of the pesticide label, supporting documentation (such as copies of EPA documents and forms), and scientific data studies to verify the product safety and performance. Information from this documentation must be manually entered in tracking databases, physical documents must be moved from work team to work team through the evaluation process, and physical documents must be stored when not in use. DPR has insufficient space to store all the physical documents received; therefore, large volumes of documents must be stored off-site. Due to the paper-based nature of this process and the limitations of the existing system, submissions must be worked on sequentially rather than concurrently. This sequential process extends review times, makes it difficult for staff to find information efficiently and requires staff to handle and physically route large volumes of paper, resulting in delays to the registration process. In addition, the paper-based registration process can delay the registration of newly developed, innovative products that offer safer and sustainable pesticide alternatives.

DPR's California Pesticide Electronic Submission Tracking (CalPEST) system recently took the place of the paper-based pesticide registration process and allows applications for new products, amendments to currently registered products, and renewals to be submitted, processed, and accepted electronically through DPR's website. The initial system implementation of CalPEST launched in September 2024 and full system implementation in October 2025. The CalPEST system is an integrated system enabling an effective and efficient administration of DPR's pesticide product registration program. The CalPEST system automates the product registration program to streamline processes; provides workflow management; integrates data; and provides online functionality. The CalPEST system allows for online electronic submission, payment, tracking, review, and approval or denial of registration applications, submission of supporting documentation, and amendment and renewal of currently registered pesticide products.

DPR proposes to amend, adopt, and repeal specific subsections throughout sections 6000 through 6252 related to pesticide registration. The proposed changes are intended to modernize and streamline registration procedures by reducing administrative requirements for company changes, clarifying processes for company ownership changes and product transfers, adopting existing guidance for notification and concurrent submissions into regulation, and reducing fees for notification submissions to reflect their simplified review process. The proposal also includes defining key pesticide regulatory terms to improve consistency and understanding. Lastly, the proposed regulations will update and adopt electronic application forms to align with DPR's CalPEST system, fully replacing the paper submission process. These updates will ensure accurate data collection and support DPR's comprehensive evaluation of pesticide products for sale and use in California.

These changes are necessary to improve efficiency and reduce processing delays. Incorporating existing guidance into regulation, aligning forms with CalPEST, and requiring electronic submission of applications will standardize the submission process, strengthen data integrity, increase transparency and clarity for registrants, enable better reporting and analytics, and ensure compliance with state and federal standards. Reducing fees for notification submissions recognizes the lower level of staff time required for these submissions, providing cost savings for registrants while maintaining regulatory oversight. By streamlining procedures and clarifying requirements, DPR will save time and resources for both registrants and the Department, reduce backlogs, and support DPR's mission to protect human health and the environment through clearer requirements and more accurate information for DPR's risk assessment, continuous evaluation, and regulatory oversight.

Proposed Changes to Regulations Relating to Registration

Section 6000. Definitions.

DPR proposes to amend the "agricultural commodity" definition to correct typographical errors, removing a misplaced comma and replacing "turn" with "turf." This change has no regulatory effect.

DPR proposes to add a definition for "new major use." This term is being proposed as a registration request type on the application for registration (3 CCR section 6170.5) and concurrent federal registration submission type on the application for registration or for amendment (3 CCR section 6170.7), but is not currently defined. Establishing this definition will provide clarity to applicants who must identify their registration or amendment request type and/or concurrent federal registration submission type. This definition will also clarify the meaning of new major use in existing 3 CCR section 6151. The first use of a pesticide for outdoor agricultural use, aquatic habitats, or use in rice requires additional data and evaluation. DPR proposes to exclude biopesticides and plant growth regulators from the definition as they do not require the same environmental fate data. New major use product submissions are reviewed

and evaluated by specific trained staff. The proposed definition will not change current practices for evaluating new major use requests. Rather, adding this definition and registration request type to the applications (3 CCR section 6170.5 and 6170.7) will provide clarity to companies regarding new major use and allow DPR to assign applications to the appropriate staff for review and evaluation.

DPR proposes to add a definition for "master label." "Master labels" are registered in California but are not currently defined or referenced in 3 CCR. This definition helps clarify the meaning of "master label" in proposed amendments to sections 6152 and 6170, and is necessary to distinguish "master labels" from labels that are placed on pesticide containers intended for the marketplace. This definition will not change current practices for evaluating master labels, but rather establish a clear and consistent definition for registrants to appropriately select this as a product type when completing an application for registration (3 CCR section 6170.5).

DPR proposes to add a definition for "new active ingredient." New active ingredient is being proposed as a registration request type on the application for registration (3 CCR section 6170.5) and concurrent federal registration submission type on the application for registration or for amendment (3 CCR section 6170.7), but is not currently defined. The proposed definition will provide clarity to applicants for registration who are required to provide their registration request type and/or concurrent federal registration submission type. This definition is also applicable to FAC sections 12836.5 and 11454.2, and will clarify what a new active ingredient is. New active ingredients for California require significant data and evaluation. DPR is proposing to add a one-year timeframe for the registration lapse. After one year of an ingredient being inactive, DPR would require any products to apply for registration as a new active ingredient application type. This approach allows DPR to fully evaluate the chemical and request any new data based on current regulatory data requirements. The one-year window also provides flexibility for late renewals of registration. Additionally, DPR proposes to exclude new principal functioning agents in California-only products from this definition, as they are generally not considered conventional active ingredients. The proposed definition will not change current evaluation practices. Rather, adding this definition and registration request type to the applications (3 CCR sections 6170.5 and 6170.7) will provide clarity to companies regarding new active ingredients and allow DPR to assign applications to the appropriate staff for review and evaluation. It will also support compliance with FAC section 12839, which requires DPR to meet specific review timeframes for new active ingredient applications. This ensures the timely and efficient registration of innovative products.

Section 6148.5. Fees for Amendments to Registered Pesticide Products.

DPR proposes to amend section 6148.5 to establish a lower fee for amendments submitted by notification to the Department. Adoption of new section 6173 defines the criteria for product label and formulation changes that qualify as notifications. These changes are minor in nature, such as removing a pest or use site or changing the nominal concentration of an inert ingredient,

and do not require extensive scientific or regulatory review. Because these notifications involve minimal staff time and resources compared to full amendments, a reduced fee is appropriate and reflects the lower level of staff time required for processing. Establishing a lower fee will provide cost savings for registrants, encourage timely compliance, and improve efficiency by aligning fees with the complexity of the review process. This change supports DPR's goal of streamlining registration procedures while maintaining regulatory integrity and transparency.

Section 6151. Evaluation Time Frames

DPR proposes to amend section 6151 to sunset this regulation on July 1, 2027, pursuant to section 12839 of the Food and Agricultural Code.

Section 6152. Brands.

DPR proposes to change the title of section 6152 to "Product Brand Names." This is necessary to clarify that the name of the section specifically pertains to pesticide product brand names. DPR proposes to relocate existing subsection (a) to new subsection (b), and replace existing subsection (a) with a provision clarifying when products can or cannot have the same brand name. DPR proposes to specify that a company may not maintain more than one actively registered pesticide product bearing the exact same product brand name, except in two limited circumstances: master labels and ownership changes. A company may use the same brand name on both a master label and the corresponding end-use label because both labels are associated with the same U.S. EPA registration number and therefore represent the same product. In this situation, the identical brand names do not create confusion in the marketplace since master labels are not sold or distributed to end-users. During a change in ownership, a registrant may temporarily maintain active registrations for the same product under both the previous and new company names. In this situation, the product itself is identical, and the two registrations remain distinguishable by the company name listed on the label. This allowance ensures business continuity while preventing misbranding or consumer confusion.

These narrow exceptions maintain DPR's intent to prevent multiple, distinct products from using the same product brand name, while recognizing situations where identical products may lawfully bear identical names without undermining regulatory clarity.

In new subsection (b), DPR proposes to reword and reorganize the existing provisions for clarity, and specify that a different registrant may have a pesticide product with the same product brand name unless it meets the criteria in proposed subsections (b)(1) and (b)(2). DPR proposes to clarify that while a pesticide product may be registered by a different registrant under the same brand name as another registrant, the same brand name cannot be registered for pesticide products that have different formulations or conditions (such as formulation type or physical characteristics) that may alter the pesticide characteristics or performance. Pursuant to section 2(q)(1)(C) of the FIFRA (Title 7, United States Code, section 136c), a product is considered misbranded if "it is an imitation of, or is offered for sale under the name of another pesticide."

Additionally, 40 CFR 156.10(b) prohibits names that are false or misleading. These branding requirements are also reflected in FAC sections 12881 (a) and (c). To comply with federal and state laws, each pesticide product must have a unique name. This ensures that consumers and the Department can clearly differentiate products and avoid confusion that could lead to improper use or enforcement challenges.
This clarification promotes transparency, prevents misbranding, and supports accurate recordkeeping and regulatory oversight. It ensures that products marketed under the same name are consistent in composition and performance, reducing risks to public health and the environment.

Lastly, DPR proposes to delete and relocate existing subsection (b) to a more appropriate section 6170(c), which covers amendments to currently registered products.

Section 6153. Transfer of Registration.

DPR proposes to amend section 6153 to consolidate transfers of product ownership (product transfers) with company ownership changes and amend the title of section 6153 to "Change of Company Ownership and Product Transfer" to reflect this consolidation. Existing section 6153 provides that a certificate of registration (product license) cannot be transferred if there is a change of business ownership, and requires a new application and fee. DPR proposes to replace the term "business" with "company" to be consistent with terms that are used in regulations and application forms. This proposal clarifies that when either a product transfer or company ownership change occurs, the new owner must apply for a new registration in accordance with section 6170. This is an existing requirement for changes in company ownership, however, DPR proposes to extend this requirement to product transfers for consistency. It is necessary for the new owner to apply for a new registration in order to transfer the product license and ownership of product data. Once a product license is transferred, the new owner is permitted to distribute and sell the registered pesticide. Additionally, all restrictions, data requirements, conditions of registration, including timeframes for the submittal of data or other information, suspensions or any other requirements existing on the registration are transferred with the registration. The new owner is responsible for adhering to or complying with all such restrictions, data requirements, conditions of registration, timeframes, suspensions, or any other requirements that have been imposed on the acquired product. Additionally, for pesticide products requiring federal registration, DPR proposes to require the new owner to submit U.S. EPA documentation confirming the company ownership change or product transfer to ensure the ownership and transfer has been accepted by U.S. EPA.

Section 6154. Change of Name.

Regulations on company name changes are being amended to clarify current requirements, streamline processes, and reduce paperwork submitted to the Department. DPR proposes to amend the title of section 6154 to "Change of Company Name and Contact Information" to clarify that the section pertains to company contact changes, including name, address, email, and

phone number. Under existing section 6154, companies are required to submit the following information to update their company name for **each** registered product: current certificate of registration (product license), a new completed application form, and an affidavit of no change of business ownership. DPR is proposing to amend section 6154 to remove submittal of these documents. DPR maintains copies of product licenses and no longer requires the registrant to submit for a company name change request. In CalPEST, a company can easily submit a request to change the company name, update their address and/or contact information. Additionally, in CalPEST, an affidavit of no change of business ownership no longer will need to be submitted; instead, the registrant can check a box verifying that no change in business has occurred. DPR proposes to require a registrant to notify the Department when it changes its company contact information, so that DPR maintains accurate company contact information to process applications, issue licenses, and enforce state-specific regulations. Additionally, if the registrant is federally registered, DPR proposes to require U.S. EPA documentation confirming the company name and address change to ensure the changes have been accepted by U.S. EPA. In CalPEST, a company will only need to submit a copy of U.S. EPA documentation (for federally registered companies only) confirming the company name and address change along with their request. DPR proposes to relocate the provision that the change of company name may be made without an additional fee to new subsection (a), and reword the provision for clarity. Section 6154 is also being amended to add new subsection (b) and clarify that a label may be updated to include the new company name, phone number, and/or address through non-notification in accordance with proposed section 6173(d). Changes to the label other than those outlined in section 6173(d) would be classified as amendments rather than non-notification. It is necessary the regulation specifies that a notification or product amendment must be submitted in accordance with 6170(c) to make clear the requirements for registrants.

Section 6157. Certification.

DPR proposes to amend section 6157 to change the title to "Application Certification" to clarify that the section pertains to certification of applications for pesticide registration and amendments of currently registered products. Additionally, DPR proposes to reword sentences for clarity, correct grammar, capitalize "Director," and change "section" to lowercase. These changes have no regulatory effect. DPR also proposes to require an authorized individual of a registrant to certify that all information submitted in connection with an application for amendment is accurate and complete. This is already required for similar applications for registration and renewal, and this proposed change makes requirements for applications for amendment consistent with those other applications. It will also verify that the applicant acknowledges that the information submitted for an application for amendment is accurate and complete.

Lastly, FAC 12825(f) was amended in 2024 by AB 2113 and renumbered to 12825(a)(6). DPR proposes to amend section 6157(b) to reflect this change ensuring the correct statute is cited.

Section 6170. Application.

Application forms
DPR proposes to repeal the Application of Pesticide Registration DPR-REG-030 (Rev. 10/24), currently incorporated by reference in section 6170(a). Listing the required information in CCR, rather than incorporating it by reference on a form, will allow DPR to request the information in an electronic format, facilitating the transition from the current paper-based submission process to the CalPEST system. The proposed changes will modernize DPR's registration process to align with the U.S. EPA, where electronic submission of applications has been required since 2015. Requiring electronic submission of applications will standardize the application process for registrants, ensuring requirements are clear and consistent. Moving away from paper-based systems will also reduce administrative burden and enable more timely approval decisions on applications.

The required information on this form is either listed in existing section 6170.5, proposed to be added to sections 6170, 6170.5 or 6170.6, or proposed to be removed from the form. The proposed additions to the form are discussed below regarding changes to section 6170.5. Additionally, product formulation information (PFI), currently page 5 of existing DPR-REG-030 (Rev. 10/24), is being proposed as a stand-alone form, with requirements related to product composition and instructions clarifying the information that is needed to register a pesticide relocated to newly proposed section 6170.6.

DPR also proposes to add into regulation the requirements for applications to amend a registered pesticide product label or formulation or to amend the label or formulation of a registered pesticide product through a notification of minor change pursuant to proposed section 6173. Clarifying the requirements to amend a registered pesticide product in proposed section 6170(c) will allow DPR to maintain consistency regarding application requirements throughout regulation and align with the adoption of proposed section 6170.7 as discussed below.

CalPEST User Account Requirements
DPR proposes to include CalPEST system account registration requirements in regulation because these elements constitute prerequisites to accessing and using DPR's electronic submission portal. CalPEST serves as DPR's primary electronic system for submitting pesticide product registration applications, renewals, amendments, and related documentation. Therefore, the foundational system access requirements must be codified. To apply online through CalPEST, applicants must register for an account by providing a valid email address, name, phone number, and a United States-based physical address. These requirements are necessary to verify user identity, protect confidential business information, prevent unauthorized access, and ensure that DPR can facilitate official communication with applicants. The requirement to install the Microsoft Authenticator app for multifactor authentication is further necessary to comply with statewide cybersecurity standards and to safeguard the regulatory records maintained within CalPEST. Multi-factor authentication is a security requirement established by OAL's technology provider. In addition, CalPEST only works with the Microsoft Authenticator app, which is free to use and works with any email address. After the initial account is created, the user must be

associated with a company through submission of a letter of authorization on official company letterhead that is signed by an authorized company representative and that specifies the name of the individual(s) authorized to act on behalf of the company. This ensures that the individual accessing the system has legal authority to act on behalf of the registrant, submit applications, access confidential formulation information, and make decisions regarding product registrations and amendments. The user role is also required to be specified in the letter of authorization and the reasons for this information is described in the following paragraph.

The proposed regulations include the two CalPEST user roles, Company Submitter and Company Administrator. A Company Submitter may generate a copy of the company license, complete the checkout process for new submissions and renewals, and track or update submissions for which they are listed as a contact. A Company Administrator performs all submitter functions but also manages users associated with the company, voluntarily cancels product registrations, updates the company address, and changes the submission contact for active submissions. These distinctions are necessary to ensure that appropriate controls exist over actions that may impact a company's regulatory status, and to align system permissions with the level of authority granted by the registrant.

Application materials
In addition to adopting requirements from DPR-REG-030 (Rev. 10/24) into regulation and reorganizing existing section 6170(a) in proposed section 6170(b), DPR proposes section 6170(b)(3)(A), to add the requirement of submitting a copy of the U.S. EPA Confidential Statement of Formula (CSF) for federally registered products when registering a new product, rather than having an applicant re-enter the same information on the product formulation section of the application form. This approach reduces duplication and minimizes the burden on applicants by eliminating redundant data entry. It also streamlines DPR's process by reducing the amount of paperwork that must be completed by applicants and handled by the Department. Leveraging the existing U.S. EPA-approved CSF ensures accuracy while decreasing the overall paperwork volume, ultimately improving efficiency and resource allocation.

Similarly, DPR proposes to clarify requirements for an application to amend a registered pesticide product label or formulation or to amend the label or formulation of a registered pesticide product through a notification of a minor change pursuant to proposed section 6173(c), and reorganize existing section 6170(b) in proposed section 6170(c). The documents required for product amendment applications will mirror those of applications to register a pesticide product. In addition to the standard documentation, for amendments to the product label, DPR proposes section 6170(c)(2) requiring a cover letter and/or copy of the product label with all changes specified and supporting documentation if applicable. The existing requirement to provide a label reflecting specified changes, currently found in section 6152, is proposed to be relocated to consolidate requirements for applications of product amendments in the appropriate regulation section. Allowing a cover letter as an alternative (or in addition) provides applicants flexibility in how they communicate proposed changes. Supporting documentation for amendments, such as

data or references to similar registered products, is already required under existing section 6170(d).

DPR is also proposing to remove the requirement for applicants to submit six copies of the product label with their application in existing sections 6170(a) and 6170(b). Previously, six copies were required so that each internal program had its own working copy for review and processing. After approval, registrants and agents received a physical stamped accepted copy of the label for their records. For applications submitted in CalPEST, the registrant will upload an electronic copy of their label which internal staff can access simultaneously, thus eliminating the need for multiple physical copies. Transitioning to a digital process eliminates redundancy, reduces the volume of paper handled by both applicants and DPR, and supports a more efficient, modernized workflow while maintaining accessibility for all internal programs.

Other
Other proposed changes include clarifying that a final version of a master label does not need to be submitted because they are for reference only and not container labeling that are sold or distributed. DPR proposes other non-substantive changes throughout the regulation including general reformatting and numbering to accommodate proposed amendments. These changes have no regulatory effect.

Section 6170.5. Application Form.

Existing section 6170.5 lists required information that registrants shall provide on the form referred to in section 6170(a). As mentioned above, DPR is proposing to repeal the Application of Pesticide Registration DPR-REG-030 (Rev. 10/24), which is the form incorporated by reference in section 6170(a). Eliminating this form will facilitate electronic submissions in the CalPEST system. Listing the required information in CCR, rather than incorporating it by reference on a form, will allow DPR to request the information in an electronic format, facilitating the transition from the current paper-based submission process to the CalPEST system. The existing form requires information listed in section 6170.5 as well as some additional information. As a result, DPR is proposing to add information not currently listed in section 6170.5, revise reference to section 6170(b) in alignment with proposed changes to section 6170, and make additional non-substantive changes. To streamline application processing, DPR proposes to adopt sections 6170.5(f)(3)-6170.5(h)(3) to include other available registration types: new active ingredient not currently registered in California, new major use to a currently registered active ingredient, options for concurrent federal registration submission types, and addition of different California-only registration types. To better categorize the pesticide product in CalPEST, the application adds options under the pesticide type section and adds questions on how and where the pesticide will be applied in California. Other non-substantial changes include replacing the term “firm” with “company” to be consistent with terms that are used in regulations; replacing CA with California for consistency across regulations in how California registration is referenced; corrections to punctuation for clarity;

changing official to individual in section 6170.5(c) to make language consistent with other regulations; and renumbering to accommodate proposed regulations. Below is a summary of the changes for applicant information, registration and submission types, California registration actions, and product information.

Applicant Information
DPR proposes amendments to section 6170.5(a) to include the company number and clarify if the company is federally registered, the company name and number must be the same on file with U.S. EPA. U.S. EPA assigns company numbers to companies with federally registered products; for companies without federal registrations, DPR assigns the number. The company number forms part of the California registration number, which serves as the unique identifier for each pesticide product.

In addition to the company number, DPR proposes amendments to section 6170.5(b) requiring a U.S. mailing address for correspondence and representation. Pursuant to 40 CFR section 152.20, foreign registrants must designate a U.S. agent to receive correspondence and represent them in matters concerning their application; U.S. registrants may also designate an agent, though it is not required. DPR must have a U.S. address to ensure reliable delivery of official communications and to establish jurisdiction over the registrant. The name, address, and contact information for the company's authorized representative or agent is also being proposed as an addition to the applicant information in section 6170.5(c). This required information supports enforcement, facilitates timely communication, and aligns with federal standards for pesticide registration.

Lastly, in alignment with the U.S. Environmental Protection Agency's Pesticide Registration Improvement Act of 2022 (PRIA5) and DPR's processes regarding multilingual language translations for pesticide labels, DPR proposes section 6170.5(q) to require that the applicant's signature certify all multilingual translations on the pesticide label are a true and accurate representation of the English label elements. This requirement ensures consistency, accuracy, and integrity of label information across languages, which is critical for proper pesticide use, compliance, and public safety. Incorporating this certification into regulation will strengthen DPR's ability to enforce labeling standards and maintain alignment with federal requirements.

Registration and Submission Types and California Registration Actions
DPR proposes to recategorize the options on the existing application form that applicants may select when applying for registration. Existing categories already included on DPR-REG-030 (Rev. 10/24) will be reorganized to align with CalPEST. This change will allow DPR to accurately classify and track different application types within the system, improving data consistency and enabling better reporting and analytics. Additionally, two new categories, New Active Ingredient and New Major Use, are proposed. These application types require extensive review because novel chemistries or major expansions of use patterns create unknown exposure pathways and potential risks to human health and the environment. Establishing these new categories ensures the Department can clearly identify, review, and track such applications,

improving risk assessment and continuous evaluation, regulatory consistency, and overall program oversight.

Existing registration types include federal and state categories such as FIFRA Section 3 Registration, FIFRA Section 5 Experimental Use Permit Full Product, and California-only registrations such as spray adjuvants. DPR proposes adding a new subcategory in section 6170.5(f)(4), Special Registration Types, which will include two new options, new active ingredient and new major use, and recategorize two existing options, special local needs registration and interim registration, currently in DPR-REG-030 (Rev. 10/24) under the registration type category California registration actions. The type of federal concurrent submission is also proposed in section 6170.5(g) to expand options to include new active ingredient, new major use, compliance with U.S. EPA Interim or Final Decisions, FIFRA Section 5 Experimental Use Permit, FIFRA Section 2(mm) Antimicrobial, FIFRA Section 2(ll) Public Health Pesticide, or prior Department approval, refer to section 6170.8 for proposed adoption of concurrent submission process. Additionally, DPR proposes to include the existing California registration actions listed on the application in regulation in proposed sections 6170.5(h)(1) through 6170.5(h)(3), including new product, product transfer and company ownership change and whether the product is an additional brand name, master label, or from a supplemental distributor in proposed section 6170.5(i).

Product Information

DPR proposes to update the pesticide product registration application to include additional options that allow applicants to better categorize their products and provide more detailed information on intended use. These changes in proposed sections 6170.5(k) through 6170.5(s) will capture critical data such as whether the product is intended for industrial, institutional, manufacturing or reformulation, or home garden use; the pesticide type (e.g., antimicrobial, insecticide, herbicide); the intended application method (e.g., additive, spray, fumigation) and equipment (e.g., aerial or ground); the areas of application (e.g., indoors, outdoors, soil, foliage, water, or other surfaces); the product formulation type (e.g., solid dust, powder, liquid gel, suspension); and the composition type of the pesticide container used to determine corrosion characteristics. The proposed language of the regulation offers examples but is not an exhaustive list. This allows registrants to categorize products appropriately without being restricted to the options listed in regulation. Collecting this information will improve DPR's ability to accurately assess potential exposure scenarios, environmental impacts, and human health risks. These updates will, among other things, enhance regulatory oversight, strengthen DPR's risk assessment, continuous evaluation, and mitigation strategies, and improve transparency and data quality for both DPR and stakeholders, ensuring compliance with state and federal standards.

DPR proposes to remove the question regarding child-resistant packaging in existing section 6170.5(j) from the pesticide product registration application. Under section 25(c)(3) of the FIFRA (Title 7, United States Code, section 136c), certain household pesticides are required to be packaged in child-resistant containers. U.S. EPA enforces this requirement and mandates registrants to certify compliance with child-resistant packaging standards pursuant to 40 CFR Part 157, Subpart B. Because DPR does not require applicants to submit a copy of the child-

resistant packaging (CRP) certification and relies on U.S. EPA's oversight for this requirement, the question on the application is redundant and unnecessary. Removing this question will streamline the application process, reduce confusion for registrants, and eliminate collection of information that DPR does not use for regulatory review. This change improves efficiency while maintaining alignment with federal requirements.

As stated above, DPR proposes to make the Product Formulation Information (PFI), currently page 5 of the application, a stand-alone form. The required information for this form will be specified in new section 6170.6. Additionally, sections 6170.5(l) through 6170.5(o) and 6170.5(t) through 6170.5(z), which include chemical composition details such as specific gravity, pH, and bulk density, are proposed to be relocated from the registration application to the PFI form. This change will improve organization, simplify the application process, and ensure that formulation data is captured in a dedicated format for clarity and consistency.

Section 6170.6. Product Formulation Information Form.

DPR proposes to adopt new section 6170.6 to establish requirements for product formulation information provided with an application to register a product or to amend a registered product formulation. Currently, this information is required on the existing form, DPR-REG-030 (Rev. 10/24) that is incorporated by reference in section 6170. Sections 6170(b)(3) and 6170(c)(4) require registrants to submit the product formulation by providing either a copy of the U.S. EPA Confidential Statement of Formula (CSF) form or DPR's PFI form. The PFI form allows applicants of California-only products to provide information on their product's formulation. The revised PFI form requests additional information on the components in the product formulation (e.g., certified limits, purpose in formulation). The PFI form will also allow applicants to address the formulation of their product when referencing a registered product's formulation to support the registration of their product. The additional information on the PFI is the same information requested on the U.S. EPA CSF(EPA Form 8570-4). The U.S. EPA CSF is a form designed for reporting the ingredients used in the formulation of a pesticide product. The form must be completed and submitted with each application for new registration of a pesticide and application for amended registration if the revision involves a formula change. An applicant would complete the PFI form when referencing the formulation of another registered product (i.e., repackaged products, additional brand names, and supplemental distributor products) rather than submitting duplicate formulation information for a registered product that is already on file with the Department. The information on the PFI is critical to DPR's evaluation of a pesticide before registering a product, specifically for adjuvants that are not reviewed or registered by U.S. EPA. The PFI is being proposed as a separate form that registrants complete when amending a registered product formulation pursuant to proposed section 6170(c).

Section 6170.7. Product Amendment Application Form.

Existing subsection 6170(c) requires each applicant to complete and submit existing form, DPR-REG-030 (Rev. 10/24) to amend a currently registered pesticide product, but the information

required on that form is not currently in regulation. Codifying the required information ensures each submission is accompanied by essential information such as amendment type and/or formula change that allows DPR to conduct thorough scientific reviews and maintain procedural consistency.

DPR proposes to adopt new section 6170.7 to establish requirements for applications for amendments to labeling or formulations. Listing the required information in CCR, rather than incorporating it by reference on a form, will allow DPR to request the information in an electronic format, facilitating the transition from the current paper-based submission process to the CalPEST system. A registrant is required to submit product changes (label and formulation changes) to the Department pursuant to subsection 6170(c).

Section 6170.8 Concurrent Submissions of Applications

DPR proposes to adopt new section 6170.8 to place existing guidance and new criteria for accepting submissions of applications concurrently with U.S. EPA into regulation. DPR proposes to incorporate existing processes for handling concurrent submissions into regulation along with including applications to amend a registered pesticide product to comply with U.S. EPA mandated mitigation set forth by Interim and Final Registration Decision Notices. A pesticide product or amendment to a registered pesticide product must be accepted by U.S. EPA before submitting to the Department. To streamline the registration process, the Department allows certain types of applications to be submitted before U.S. EPA approval. An applicant is able to submit applications to DPR and U.S. EPA at the same time for new pesticide products or amendments. DPR does not finalize approval until U.S. EPA acceptance. DPR proposes subsections (a)(1) through (a)(6) allowing the following types of applications that may be submitted concurrently:

- Applications to register new pesticide products containing new active ingredients pursuant to FAC 12836.5 and proposed definition in Title 3 CCR section 6000;
- Applications to register a new pesticide product or amend a registered pesticide product for a new major use as defined in proposed Title 3 CCR section 6000;
- Applications to amend a registered pesticide product that has been amended to comply with U.S. EPA Interim Decisions or Final Decisions (U.S. EPA Registration Review required changes)
- Applications to register or amend an Experimental Use Permit issued pursuant to section 5 of the FIFRA (Title 7, United States Code, section 136c);
- Applications to register a new antimicrobial pesticide or amend a registered antimicrobial pesticide, as defined in section 2(mm) of the FIFRA (Title 7, United States Code, section 136(mm)), that is intended to control pests that pose a threat to human health. The amendment must add a new claim to control a pest that poses a threat to human health;

- Applications to register a new public health pesticide or to amend a registered public health pesticide, as defined in section 2(ll) of the FIFRA (Title 7, United States Code, section 136(ll)), if the amendment adds a new public health use(s) to the product label.

If an application does not fall under the primary categories, DPR proposes section 6170.8(a)(7) allowing concurrent submission for applications that have received prior approval pursuant to the requirements listed in section 6170.8(c). DPR will make a determination for each case, based on the provided justification with supporting documentation demonstrating one or more of the following:

1. Need to meet U.S. EPA's timeframe for Registration Review label changes
2. Product qualifies as U.S. EPA Reduced Risk or Designed for the Environment
3. Alternative product with potential for increased sustainability
4. Alternative product with a lower toxicity profile
5. No similar products available and there is public or grower need
6. Novel technology or unique use
7. Emergency conditions with no effective alternatives

This option provides flexibility for the Department to allow other application types for concurrent submission. Concurrent submissions are essential for bringing innovative pesticide technologies to California, protecting public health during disease outbreaks, and implementing U.S. EPA risk mitigation measures. Submitting to EPA and DPR simultaneously reduces delays, accelerates federal and state approvals, and ensures timely availability of products for critical uses such as public health and antimicrobial applications. This streamlined process gives growers and pest managers faster access to needed solutions.

Lastly, DPR proposes section 6170.8(d) requiring registrants to submit U.S. EPA.'s acceptance letter, stamped-accepted label, and any additional data submitted in support of the proposed registration/amendment to DPR. U.S. EPA approval is required for registration and amendment of all pesticide products. While concurrent submission will allow for an expedited review process, this approval is required for all final determinations.

Section 6173. Changes to Registered Products.

DPR proposes to adopt new section 6173 to place existing guidance and new criteria for product label and formulation changes that must be submitted to DPR and those that do not require submission (non-notification) into regulation. This section will provide clarity and ensure that DPR's existing processes for product label and formulation changes closely parallel the federal framework established in U.S. EPA's draft Pesticide Registration Notice (PR Notice) entitled ''Pesticide Registration (PR) Notice 2026–NEW: Notifications, Non-Notifications, and Minor Formulation Amendments." Although the approaches are generally aligned, some differences remain to address California-specific needs. The PR Notice, released for public comment on January 6, 2026, and currently being finalized by U.S. EPA, provides guidance to U.S. EPA personnel and registrants concerning the federal process for notifications, non-notifications, and minor formulation amendments. The proposed section includes definitions for "amendment," "notification," and "non-notification," and specifies which changes to a registered pesticide

product may be submitted by notification and which qualify for non-notification.

The key differences between the U.S. EPA draft PR Notice and proposed section arise from the distinct roles and authorities of the two regulatory systems. While the U.S. EPA draft PR Notice updates the federal framework for notifications, non-notifications, and minor formulation amendments, providing general guidance for federally registered products, DPR must administer California's separate registration program and determine how those federally permissible changes apply within the state. As a result, DPR's criteria differ in several areas, including California's regulation of spray adjuvants as pesticides, its need to request corrections to label errors identified during state review, its allowance for additional flexibility such as pH adjustments, and multilingual translations beyond Spanish.

Proposed section 6173(c)(8) would allow pesticide or spray adjuvant categories to be added to the product label through notification to DPR. This aligns with U.S. EPA as they also allow the pesticide categories to be added to labels through notification. However, DPR expands upon U.S. EPA requirements by including spray adjuvant categories such as sticker and spreader, in addition to pesticide categories, because spray adjuvants are considered pesticides under California law (FAC section 12753(a)).

Proposed section 6173(c)(9), the addition or revision of the Mode of Action (MOA) box is being proposed to be allowed by notification to DPR. The addition of the MOA is a federal labeling requirement on agricultural use pesticide products and must be accepted by the U.S. EPA through an amendment before it is submitted to DPR. For this labeling change, DPR defers to the U.S. EPA for review and acceptance. If the labeling change is approved by U.S. EPA, DPR will also accept the labeling change. Thus, the change can be made on pesticide labels after accepted by U.S. EPA and notifying DPR.

Proposed section 6173(c)(11) is specific to the Department requesting /corrections for labeling errors (e.g., organism nomenclature and typos) when identified. DPR's corrective actions ensure accuracy in labeling, reflecting its local oversight and quality assurance role. Though not in PR Notice, this is consistent with similar criteria for correcting typographical and printing errors on labeling in the draft PR Notice and appropriate to allow as a notification to DPR.

Proposed section 6173(c)(14) revision of pH that is within accepted range is being proposed to be accepted by a notification with DPR to add flexibility for formulations; however, is not on the U.S. EPA draft PR Notice. Given that DPR previously accepted a pH range, revising the pH to a single number within the range would be a non-substantive change.

Proposed section 6173(d)(3) pertains to the addition or changes to multilingual language on labeling. While current federal Spanish translation requirements are specific to certain sections of a product label, DPR expanded the scope of allowable non-notification translations in California to include all languages and allow for translation of the entire product label. This deviation from the federal language translation requirement is an acknowledgment of the diversity of spoken languages within California's agricultural workforce. DPR's decision to allow optional multilingual translations through non-notification will expedite the accessibility of pesticide labels and foster clearer understanding of pesticide label use directions. Additionally,

this supports DPR's mission to promote environmental justice by making information on pesticide labels available to everyone who may be affiliated with the use of pesticides in their community.

Proposed section 6173(d)(10)(H) allows changes to package size and net contents done through non-notification so long as they do not violate federal or California laws and regulations. This requirement aligns with U.S. EPA. However, DPR expands upon these requirements as some active ingredients are identified as California restricted materials based on container size and concentration. Therefore, in order to qualify as a non-notification, the change in container size must also not result in a restricted material designation in accordance with 3 CCR section 6400.

Proposed section 6173(d)(18) allows addition or revision of the U.S. EPA establishment number to be done by non-notification with DPR. The U.S. EPA establishment number is a required labeling element and is allowed by notification with U.S. EPA, therefore, DPR defers to the U.S. EPA for review and acceptance. If the labeling change is approved by U.S. EPA, DPR will allow registrants to make changes to U.S. EPA establishment numbers through non-notification. .

Before DPR can accept changes to a registered pesticide, those changes must either be accepted by U.S. EPA or allowed under non-notification pursuant to Title 40 CFR section 152.46(b). The proposed scope of changes accepted through notification and non-notification processes parallels, but does not fully mirror, those in U.S. EPA's PR Notice, reflecting differences in federal and state regulatory frameworks. These provisions are necessary to clarify and distinguish which process must be followed based on the change being made to the registered product label or formulation. Establishing these processes in regulation helps DPR manage staffing and resources by enabling DPR to triage these types of changes and create efficiencies when reviewing changes made to registered pesticide products while maintaining full protection of human health and the environment. As mentioned, most changes must be accepted or allowed by U.S. EPA before the changes can be accepted by DPR, therefore, it is necessary and appropriate to mirror U.S. EPA's process as most registrants are already familiar with the scope of changes that are permitted through notification and non-notification.

The proposed section also establishes compliance requirements for registrants. For changes submitted by notification, a registrant may distribute and sell a product with the changed label or formulation only after the Department has received the application for the change. Any product distributed or sold with a changed label or formulation before the Department receives the application is considered unregistered and subject to enforcement action. DPR also proposes to establish that products with changes allowed by non-notification may be distributed or sold without submitting an application. For amendments, the Department must accept the amendment prior to the registrant's release of the product for shipment, distribution, or sale in California. These provisions are necessary to provide clarity to registrants about distribution and sale requirements for these specific types of label or formula changes. These updates will improve submission efficiency, save time and resources for both registrants and DPR, and help reduce application backlogs while maintaining regulatory integrity and consistency.

<u>Section 6193.5. Acute Effects for Dietary Risk Assessment.</u>

In section 6193.5(b)(1), 40 CFR section 158.340 is incorrectly cited. DPR proposes to correct this error by renumbering 40 CFR section 158.340 to 158.500.

Existing section 6193.5 was adopted 1992 and since then, only nonsubstantive changes have been made to that section. In 1989, AB 2161 added FAC section 13060. In 1991, AB 1487 renumbered FAC section 13060 to 13131. In 1993, AB 613 (Stats. 1993, Ch. 40) renumbered FAC section 13131 to 13134. The cross-reference to FAC section 13036 was never updated in existing 3 CCR section 6193.5. To reflect this renumbering, DPR proposes to renumber FAC section 13060 to 13134 throughout this section and in the reference citation.

Section 6194. Required Submission of Data.

For the same reasons described above regarding the proposed amendments to 3 CCR section 6193.5, DPR proposes to update all cross-references to FAC section 13060 to 13134 throughout 3 CCR section 6194 and in the associated reference citation. DPR also proposes to capitalize "Director" throughout the section for consistency with other code sections. These changes have no regulatory effect.

Section 6196. Adoption of Federal Authority.

DPR proposes to amend section 6196 by capitalizing "Director" throughout the section and changing the case of "section" for consistency with other code sections. Additionally, DPR proposes to correct a typographical error in the spelling of "refer." These changes have no regulatory effect.

Section 6206. Section 18 Exemptions.

DPR proposes to amend section 6206 by capitalizing "Director" throughout the section and replacing "he or she" with "the Director" for consistency with other code sections. These changes have no regulatory effect.

Section 6252. Pesticide Registration, Renewal, and Reevaluation Consultation.

DPR proposes to amend section 6252 by removing the pronouns, "his or her" throughout the section. In subsection (b)(3), DPR proposes to add "(CalRecycle)" as the Department of Resources Recycling and Recovery is known as CalRecycle. In subsection (d)(2), DPR proposes to replace the roman numeral "IX" with the number "9" to denote the U.S. EPA region. U.S. EPA uses a number rather than roman numerals, so this change aligns with their format. These changes have no regulatory effect. Lastly, in subsection (e), DPR proposes to revise "the president" to a "representative from" the California Agricultural Commissioners and Sealers Association. This change aligns language with the representative requirement in subsection (b).

CONSULTATION WITH OTHER AGENCIES

On May 15, 2026 DPR presented the proposed regulatory action at the Pesticide Registration and Evaluation Committee (PREC) meeting. Copies of the PREC minutes are contained in the rulemaking file.

ALTERNATIVES TO THE PROPOSED REGULATORY ACTION [GOVERNMENT CODE SECTION 11346.2(b)(4)]

DPR has not identified any feasible alternatives to the proposed regulatory action that would achieve the purpose of the regulation with less possible adverse economic impacts, including any impacts on small businesses. The proposed action will add the option to electronically submit applications to register or amend pesticide products, clarify and reduce requirements for company changes, clarify information required for applications to register and amend pesticide products, including submission of concurrent applications to U.S. EPA and the Department, define application types- new major use, master label, and new active ingredient, establish pesticide labeling and formula changes that may submitted to the Department as either a notification or non-notification, reduce the fee for notifications, and make other minor changes that include replacing outdated terms and correcting typographical errors.

ECONOMIC IMPACT ON BUSINESSES [GOVERNMENT CODE SECTION 11346.2(b)(5)(A)]

The proposed regulations will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with business in other states. Businesses affected by these regulations are pesticide registrants applying for pesticide registration in California. The proposed regulations clarify registration requirements and amend the pesticide application forms. The businesses affected by these regulations, already submit pesticide applications and data to DPR and any new information being requested is readily available as part of their business practices. Thus, proposed changes and additions are not expected to have a significant economic impact to businesses. Proposed changes and additions are intended to facilitate the submission and review of new product and amendment application forms by transitioning to electronic submission of information instead of requiring businesses to print out information, which can include numerous volumes of data, and mail hard copies of all the information. Additionally reducing fees for amendments submitted by notification will provide cost savings for registrants

ECONOMIC IMPACT ASSESSMENT PURSUANT TO SECTION 11346.3(b)

The proposed action would not create or eliminate jobs in California; or result in the creation of new businesses or the elimination of existing businesses within the State of California; or result in an expansion of businesses currently doing business with the State of California. The proposed

regulations will support the implementation of CalPEST, clarify and update registration requirements, and increase the efficiency of pesticide registration procedures.

This proposed action will benefit the health and welfare of California residents, worker safety, and State's environment by allowing DPR have the necessary information to evaluate pesticides before they are sold and distributed in California. Implementation of the proposed regulations will not adversely affect or pose unreasonable risks the health and welfare of California residents, worker safety, or the environment.

IDENTIFICATION OF ANY SIGNIFICANT ADVERSE ENVIRONMENTAL EFFECT THAT CAN REASONABLY BE EXPECTED TO OCCUR FROM IMPLEMENTING THE PROPOSAL

The Secretary of Natural Resources determined that DPR's pesticide regulatory program, including the adoption, amendment, and repeal of pesticide regulations, qualifies as a certified regulatory program under Public Resources Code section 21080.5 and title 14, California Code of Regulations (14 CCR) section 15251(i). This determination means DPR's pesticide regulatory program is functionally equivalent to the California Environmental Quality Act's (CEQA) requirements for preparing environmental impact reports (EIRs), negative declarations, and initial studies, and is therefore exempt from such requirements. This initial statement of reasons serves as the public report required under 3 CCR section 6110 and satisfies the requirements of DPR's CEQA certified regulatory program for rulemakings at 3 CCR sections 6110–6116.

DPR's public report, as the substitute document satisfying CEQA functional equivalency requirements, must include a description of the proposed activity, and either (A) alternatives to the activity and mitigation measures to avoid or reduce any significant effects that the project might have on the environment, or (B) a statement that DPR's review of the project showed that the project would not have any significant effects on the environment and therefore no alternatives or mitigation measures are proposed to avoid or reduce any significant effects on the environment. (3 CCR section 6110.) DPR shall not adopt a regulation that would cause a significant adverse environmental impact if there is a feasible alternative or mitigation measure that would substantially lessen those significant adverse environmental impacts. (3 CCR section 6116.)

DPR has determined that there is no significant adverse environmental effect to human health, flora (plants), fauna (fish & wildlife), water quality, or air quality that can reasonably be expected to occur, directly or indirectly, from the proposed regulatory action. The proposed action, rather than causing an adverse environmental effect, is intended to provide clarity on registration requirements and collect additional information from applicants necessary to regulate registered pesticides in California. Therefore, there is no significant adverse environmental effect and no alternatives or mitigation measures are proposed to lessen any significant adverse effects on the environment.

EFFORTS TO AVOID CONFLICT OR DUPLICATION OF FEDERAL REGULATIONS

The proposed regulatory action does not duplicate or conflict with the Code of Federal Regulations.

DOCUMENTS RELIED UPON

1. U.S.EPA. 2026. "Draft Guidance for Pesticide Registrants on Notifications, Non-Notifications, and Minor Formulation Amendments." U.S. Environmental Protection Agency. Federal Register, Vol. 91, No. 2, January 5, 2026. https://www.regulations.gov/document/EPA-HQ-OPP-2025-2863-0001