TEXT OF PROPOSED REGULATIONS

Current wording is indicated by regular type.
Proposed deletions are indicated by ~~strikeout.~~
Proposed additions are indicated by underline.

TITLE 3. CALIFORNIA CODE OF REGULATIONS
DIVISION 6. PESTICIDES AND PEST CONTROL OPERATIONS
CHAPTER 1. PESTICIDE REGULATORY PROGRAM
SUBCHAPTER 1. DEFINITION OF TERMS
ARTICLE 1. DEFINITIONS FOR DIVISION 6

Amend section 6000 to read:

6000. Definitions.

"Agricultural commodity~~,~~" means an unprocessed product of farms, ranches, nurseries and forests (except livestock, poultry and fish). Agricultural commodities include fruits and vegetables; grains, such as wheat, barley, oats, rye, triticale, rice, corn and sorghum; legumes, such as field beans and peas; animal feed and forage crops; rangeland and pasture; seed crops; fiber crops such as cotton; oil crops such as safflower, sunflower, corn and cottonseed; trees grown for lumber and wood products; nursery stock grown commercially; Christmas trees; ornamentals and cut flowers; and tur~~n~~f grown commercially for sod.

…

"New major use" means the first proposed use of a previously registered active ingredient in a new product registration or an amendment of a registered pesticide product on any of the following: outdoor agricultural use; aquatic habitat use, including watercress, cranberry, and bodies of water (lakes, ponds, streams, etc.); and use on rice. Biopesticides and plant growth regulators are excluded from the definition.

…

"Master label" means a reference label that contains claims, directions, and all required labeling for the uses of a given pesticide product, but is not placed on pesticide containers intended for the marketplace.

…

"New active ingredient" means an active ingredient that has never been registered in any end-use pesticide product or master label in California. Any active ingredient that was previously registered in California will be considered a "new active ingredient" if it has not been actively registered in an end-use pesticide product or master label for more than one year as of when the

new product registration application is received by the Department. This definition does not include any new principal functioning agent used in a California-only product.

…

Note: Authority cited: Sections 11456, 11502, 12111, 12781, 12976, 12981, 13145, 14001 and 14005, Food and Agricultural Code. Reference: Sections 11401.2, 11408, 11410, 11501, 11701, 11702, 11704, 11708, 12042, 12103, 12971, 12972, 12973, 12980, 12981, 13145, 13146 and 14006, Food and Agricultural Code.

CHAPTER 2. PESTICIDES
SUBCHAPTER 1. PESTICIDE REGISTRATION
ARTICLE 1. GENERAL PROVISIONS

Amend section 6148.5 to read:

6148.5. Fees for Amendments to Registered Pesticide Products.

(a) With the exception of subsection (b), ~~E~~each application to amend the labeling or formulation of a registered pesticide product shall be accompanied by a fee of $300. This fee does not apply to special local needs labeling.

(b) Each application to amend the labeling or formulation of a registered pesticide product through a notification of minor change, pursuant to section 6173(c), shall be accompanied by a fee of $100.

(~~b~~c) If the Director returns an incomplete application to amend the labeling or formulation of a registered pesticide product to the applicant, the applicant has 180 days from the date the Director initially returned the application to resubmit a complete application without payment of a new fee. A new fee must accompany applications resubmitted after 180 days from the date the Director returned the application.

NOTE: Authority cited: Sections 12781 and 12812, Food and Agricultural Code. Reference: Section 12812, Food and Agricultural Code.

Amend section 6151 to read:

6151. Evaluation Time Frames.

The ~~d~~Director shall complete the evaluation of data submitted pursuant to s~~S~~ection 6170 for a pesticide containing any active ingredient not currently registered by the director or for any new major use within 120 days of receipt of all such data, and within 60 days of receipt of such data for all other pesticides. When additional specific data are requested, evaluation of it shall be completed within 30 days of receipt. During the evaluation of data, the director shall determine if the pesticide should be classified as a restricted material pursuant to s~~S~~ection 14004.5 of the Food and Agricultural Code. This section shall become inoperative on July 1, 2027, pursuant to section 12839 of the Food and Agricultural Code.

NOTE: Authority cited: Sections 12781, 12976, 14004.5 and 14005, Food and Agricultural Code. Reference: Sections 12824 and 14004.5, Food and Agricultural Code.

Amend section 6152 to read:

6152. Product Brands Names.

(a) With the exception of master labels or an ownership change as described in section 6153, a company shall not possess active registrations for more than one pesticide product with the exact same product brand name.

(b) A pesticide product may be registered by a different company under ~~more than one~~the same exact product brand name as another company, but the same product brand name cannot be registered for pesticide products of:

(1) different chemical composition~~,~~; or

(2) different physical condition sufficient to affect its pesticide properties.

~~(b) When a registrant submits revised labeling for a currently registered pesticide to the director all changes from the previous labeling shall be clearly specified by the registrant.~~

Note: Authority cited: Sections 11456, 11502, 12005, 12111, 12531, 12561, 12781, 12976, 12981, 14005 and 14006.7, Food and Agricultural Code. Reference: Sections 11401-12121, 12501-12671, 12751-13102 and 14001-14104, Food and Agricultural Code.

Amend section 6153 to read:

6153. ~~Transfer of Registration.~~Change of Company Ownership and Product Transfer.

~~A certificate of registration cannot be transferred if there is a change of business ownership, but a new application and fee are necessary.~~

(a) Except as allowed in subsection (b), if there is a change in company ownership or transfer of product ownership (product transfer), the new owner shall apply for a new registration of each pesticide product in accordance with section 6170 and submit the fee required by section 6148. Additionally, for a pesticide product(s) that requires federal registration, the new owner shall submit United States Environmental Protection Agency (U.S. EPA) documentation confirming the company ownership change or product transfer at the time of application.

(b) If U.S. EPA approves a company ownership change and the only change to the designated company is the company name and contact information (i.e., the product brand name and the U.S. EPA designated registration number are not changing), the company shall inform the Department in accordance with section 6154.

Note: Authority cited: Sections 11456, 12781 and 14005, Food and Agricultural Code. Reference: Sections 12751-12994, Food and Agricultural Code.

Amend section 6154 to read:

6154. Change of Company Name and Contact Information.

~~Change of the name of a registrant may be made without additional fee by submission of the following papers to the director:~~

~~(a) The current certificate of registration;~~
~~(b) A new completed application form; and~~
~~(c) An affidavit of no change of business ownership.~~
If a registrant changes their company name or contact information including phone number, email, or address, the registrant shall inform the Department and provide United States Environmental Protection Agency (U.S. EPA) documentation confirming the company name and address change at the time of the request if it has federally registered products.
(a) No fee shall be charged for a change of company name and contact information.
(b) After informing the Department, the registrant may update their label to include the new company name, phone number, email, and address through non-notification in accordance with section 6173(d)(1). If the company name change involves any change to a label other than the change in the company name or contact information, the registrant shall separately apply for either a label amendment or notification of minor changes in accordance with section 6170(c).

Note: Authority cited: Sections 11456, 12781 and 14005, Food and Agricultural Code. Reference: Sections 12751-12994, Food and Agricultural Code.

Amend section 6157 to read:

6157. Application Certification.
(a) ~~Each applicant shall certify, by a~~An authorized individual~~official~~ of the registrant shall certify~~,~~ under penalty of perjury that to the best of the applicant's knowledge, based upon all information available to the applicant, all information submitted in connection with the application for registration, amendment, or renewal is accurate and complete.
(b) If the ~~d~~Director finds that the applicant has submitted inaccurate or incomplete information, the ~~d~~Director shall initiate action to refuse or cancel the registration pursuant to ~~S~~section 12825~~(f)~~(a)(6) of the Food and Agricultural Code.

Note: Authority cited: Sections 11456 and 12781, Food and Agricultural Code. Reference: Sections 12753, 12758, 12815, 12825, 12827, 12827.5 and 14102, Food and Agricultural Code.

ARTICLE 2. REGISTRATION REQUIREMENTS

Amend section 6170 to read:

6170. Application.
(a) ~~Each application for registration of a pesticide product shall be made on the Application for Pesticide Registration DPR-REG-030 (Rev. 10/24) form, hereby incorporated by reference, and described in section 6170.5. The application is incomplete and may be returned by the Director if the application is not accompanied by the fee required by section 6148, six copies of the product labeling, and the data required to be submitted by sections 6159, 6170, 6172, 6176-6179, 6180(a), 6181-6192, and 6200 when applicable to support registration of the product. All data submitted by the applicant to the U.S. EPA in support of federal registration of the product shall be submitted and all studies shall be submitted in full. The product labeling should be printer's proof, final labels, or legible photocopies thereof. If typescript labels are submitted with~~

~~the application, printer's proof, final labels, or legible photocopies thereof, must be submitted before a Certificate of Registration (License) for the product will be issued. If the label has been approved by a federal agency, proof of such approval shall be submitted with the application.~~ Applications required by subsections (b) and (c) of this section shall be submitted through the California Pesticide Electronic Submission Tracking (CalPEST) system accessed at the Department's website (https://calpest.cdpr.ca.gov/).

(1) To submit an application online using CalPEST, the applicant must first register for an account by providing a valid email address, name, phone number, and a United States-based physical address. The applicant must also install the Microsoft Authenticator app for multi-factor authentication to access and use CalPEST.

(2) After account registration, the applicant must be associated with a company by submitting a letter of authorization. The letter of authorization must be on official company letterhead, signed by an individual authorized by the company, specify the name(s) of the individual(s) authorized to act on behalf of the company, and specify the user role if requesting a Company Administrator role. The user will be assigned the Company Submitter role by default if no role is specified.

(A) A Company Submitter can generate a copy of the company license, complete the checkout process for new submissions and renewals, and track/update the submissions for which they are a contact.

(B) A Company Administrator can perform the actions of Company Submitter as well as manage the users associated with the company, voluntarily cancel product registrations, update the company address, and change the submission contact for any active submissions.

(b) ~~An application to amend the labeling (including a special local needs labeling) of a pesticide product is incomplete and may be returned by the Director if the application is not accompanied by the fee required by 6148.5, six copies of the labeling and the data required to be submitted by sections 6159, 6170, 6172, 6176-6179, 6180(a), 6181-6192, and 6200 when applicable to the amendment. The application to amend the labeling shall be accompanied by all data submitted by the applicant to the U.S. EPA in support of the federal amended labeling of the product and all studies shall be submitted in full. The product labeling should be printer's proof, final labels or legible photocopies thereof. If typescript labels are submitted, printer's proof, final labels or legible photocopies thereof, must be submitted before the amended label will be accepted for use. If the amended labeling has been approved by a federal agency proof of such approval shall be submitted with the amendment application.~~ To register each pesticide product, an applicant shall submit a completed application containing information required by section 6170.5, along with the items and documentation described in (1)-(5) of this subsection. The application will be deemed incomplete and may be returned by the Director if the application is not accompanied by all of the following:

(1) the fee required by section 6148;

(2) the final version of the product label, if available, representing an accurate depiction of the label that will be sold in California. If typescript labels are submitted with the application, printer's proof, final labels, or legible photocopies thereof, must be submitted before a Certificate of Registration (License) for the product will be issued. For master labels, the typescript label can be provided;

(3) the pesticide product formulation(s);

(A) a copy of the United States Environmental Protection Agency (U.S. EPA) Confidential Statement of Formula, if a pesticide product is subject to federal registration.

(B) the information described in section 6170.6, submitted on a form prescribed by the Department, if a pesticide product is not subject to federal registration or for a reference to the formulation of another registered pesticide product.

(4) the data required to be submitted by sections 6159, 6170, 6172, 6176-6179, 6180(a), 6181-6192, and 6200, when applicable to support registration of the product. Additionally, for federally registered products, provide all data submitted to the U.S. EPA in support of the federal registration; and

(5) proof of U.S. EPA's acceptance of the label, if completed.

(c) To amend the label or formulation of a registered pesticide product or to amend the label or formulation of a registered pesticide product through a notification of a minor change pursuant to section 6173(c), an applicant shall submit a completed application containing information required by section 6170.7, along with the items and documentation required to accompany the application described in (1)-(5) of this subsection. The application will be deemed incomplete and may be returned by the Director if the application is not accompanied by all of the following:

(1) the fee required by section 6148.5;

(2) a cover letter and/or copy of the product label clearly specifying all product changes and if applicable, any references to scientific studies or similar products to support the change(s);

(3) for amendments to change the product label, provide a final version of the product label, if available, representing an accurate depiction of the label that will be sold in California. If typescript labels are submitted, printer's proof, final labels or legible photocopies thereof, must be submitted before the amended label will be accepted for use. For master labels, the typescript label can be provided;

(4) for amendments to add or update a pesticide product formulation, provide:

(A) a copy of the federal accepted U.S. EPA Confidential Statement of Formula, if a product is subject to federal registration; or

(B) the information described in section 6170.6, submitted on a form prescribed by the Department, if a product is not subject to federal registration;

(5) the data required to be submitted by sections 6159, 6170, 6172, 6176-6179, 6180(a), 6181-6192, and 6200 when applicable to support amendment of the label or formulation. Additionally, for federally registered products, provide all data submitted to the U.S. EPA in support of the federal registration; and

(6) Proof of approval by U.S. EPA for the amended label of formulation, if granted.

(~~c~~d) In lieu of submitting data pursuant to subsections (b) and (c) of this section, an applicant for registration or amendment may reference appropriate data previously submitted to the Director or a pesticide product(s) previously approved by the Director that would be subject to some or all of the same data requirements as applicable to the applicant's product.

(~~d~~e) If an applicant does not submit or reference its own data to support its application for registration or amendment, it is subject to the requirements imposed under Food and Agricultural Code section 12811.5.

Note: Authority cited: Section 12781, Food and Agricultural Code. Reference: Sections 12811, 12812, 12815 and 12816, Food and Agricultural Code.

Amend section 6170.5 to read:

6170.5. Product Registration Application Form.

The application form to register a new product referred to in section 6170(~~a~~b) shall require registrants to provide the following information when applicable.

(a) ~~Firm~~Company name and number, (same as on file with the United States Environmental Protection Agency (U.S. EPA) if federally registered);

(b) ~~Firm~~Company mailing address ~~and street address, if different from mailing address~~; The applicant must provide a mailing address for a representative in the United States to receive correspondence and represent the registrant in matters concerning their application;

(c) Name, mailing address, phone number, and email address, ~~and telephone number~~ of the ~~official~~individual authorized to answer questions concerning the application;

(d) Brand name of pesticide product (exactly as shown on product label);

(e) U.S. EPA or ~~CA~~California registration number of pesticide product;

(f) Type of ~~U.S. EPA~~ registration ~~obtained;~~:

(1) Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) section 3 Registration [7 U.S.C. sec. 136a];

(2) FIFRA section 5 Experimental Use Permit Full Product [7 U.S.C. sec. 136c];

(3) California-Only Product Registration, such as spray adjuvants; and

(4) Special Registration Type (if applicable): new active ingredient as defined in section 6000, new major use as defined in section 6000, special local needs registration, or interim registration;

(g) Type of Concurrent Federal Submission (if applicable) pursuant to section 6170.8:

(1) New active ingredient as defined in section 6000;

(2) New major use as defined in section 6000;

(3) Compliance with U.S. EPA Interim or Final Decisions (U.S. EPA Registration Review required changes);

(4) FIFRA section 5 Experimental Use Permit;

(5) FIFRA section 2(mm) Antimicrobial [7 U.S.C. sec. 136(mm)];

(6) FIFRA Section 2 (ll) Public Health Pesticide [7 U.S.C. sec. 136(ll)]; or

(7) Prior Department approval pursuant to section 6170.8.

(~~g~~h) Type of California registration action being requested:~~;~~

(1) New product;

(2) Product Transfer pursuant to section 6153; or

(3) Company Ownership Change pursuant to section 6153.

(i) Indicate if the product is an additional brand name, master label, or supplemental distributor;

(j~~h~~) Whether pesticide product contains biochemicals and/or microbials;

(k~~i~~) Type(s), composition, and size(s) of container(s) pesticide product is to be sold and distributed in;

~~(j) Whether pesticide product requires child-resistant packaging;~~

(k~~l~~) Signal word on pesticide product label;

~~(l) Specific gravity and pounds/gallon of liquid formulations;~~

~~(m) Bulk density of solid formulations;~~

~~(n) pH of water soluble formulations;~~

~~(o) Flash point/flame extension of products containing more than 70% petroleum distillates;~~

(~~p~~m) Whether the pesticide product is intended for commercial agricultural use, industrial use, institutional use, manufacturing or reformulation use, and/or by householders or home garden use;

(~~q~~n) Type of pesticide product, such as antimicrobial, insecticide, fungicide, or herbicide;
(~~r~~o) Method(s) of application for the pesticide product, such as additive, spray, fumigation, including:
(1) type(s) of application equipment, such as aerial or ground equipment; and
(2) area(s) the pesticide product is intended to be applied: indoor, outdoor, directly to soil, foliage, water, or other such as pets or other surfaces.
(~~s~~p) Type of formulation for the pesticide product, such as a solid dust, powder or liquid gel, suspension;
~~(t) Common chemical name, trade name and CAS number for each active ingredient in the formulation;~~
~~(u) Product name(s) and U.S. EPA registration number(s) of the source product(s) of each active ingredient in the formulation~~;
~~(v) Percent by weight of source product(s) and of active ingredient(s) in formulated product;~~
~~(w) Common chemical name, trade name and the CAS number of each inert ingredient in the formulation (if reporting by trade name only, include Safety Data Sheet);~~
~~(x) Product name(s) of the source product(s) of each inert ingredient in the formulation;~~
~~(y) Purpose of each inert ingredient in formulated product;~~
~~(z) Percent by weight of source product(s) and of the inert ingredient(s) in the formulated product.~~
(q) Certification that multilingual translations are a true and accurate representation of the English label elements, if the label contains a multilingual translation.

Note: Authority cited: Sections 12781, and 12845, Food and Agricultural Code. Reference: Sections 12811, 12815 and 12821, Food and Agricultural Code.

Adopt section 6170.6 to read:

6170.6. Product Formulation Information Form.

The application referred to in sections 6170(b) and (c) shall require applicants to provide the following product formulation information for products not subject to federal registration or when referencing the formulation of another registered product. When there are alternate formulations for the same product, the information in this section is also required for each alternate formulation.

(a) Company name and number, (if federally registered, same as on file with the United States Environmental Protection Agency (U.S. EPA)). For California-only registered products, same as on file with the Department;
(b) Brand name of pesticide product (exactly as shown on label);
(c) U.S. EPA or California registration number of pesticide product (if known);
(d) Brand name and registration number of referenced product (if applicable);
(e) Type of formulation (i.e., basic or alternate formulation);
(1) For an alternate formulation, specify the formulation number (e.g., 1, 2, or A, B, etc.)
(f) Name and address of producer;
(g) Country where formulated;
(h) Density or specific gravity;

(1) For a liquid product, specify the density or specific gravity of formulated product.

(2) For a powder or granular product, specify the bulk density of formulated product (as used).

(3) For a product produced as a tablet, briquette, or other uniformly shaped product, specify the weight per unit.

(i) pH of aqueous or water-soluble formulations;

(j) Flash point/flame extension (if applicable);

(1) State the flash point as determined by Title 40, Code of Federal Regulations (40 CFR) section 158.310 for pressurized products and/or products known or suspected to burn. State the results of the flame extension test for pressurized products, including positive flashbacks.

(k) List each ingredient as introduced into the formation by common chemical name, trade, or brand name, or American Type Culture Collection number, and Chemical Abstracts Service (CAS) number , (if reporting by trade name only, include Safety Data Sheet);

(1) For source products or proprietary blends, all active ingredients or principal functioning agents must be listed separately on the form beneath the source or blend; or the composition of proprietary blend is to be provided by the manufacturer to the Department.

(2) For food-use products, all active ingredients or principal functioning agents and inert ingredients or constituents ineffective as a spray adjuvant in the formulation must have an established tolerance or exemption from a tolerance pursuant to 40 CFR Part 180.

(3) Ingredients in nonfood-use products without U.S. EPA approval will be evaluated on a case-by-case basis and may require additional data on toxicity, expected exposure, and environmental fate.

(4) For each original and alternate source of each active ingredient, indicate the percent purity of the Manufacturing Use Product, Technical Grade Active Ingredient (TGAI), or other source of active ingredient. The composition must be submitted if the purity is less than 95% and the source is not registered in California. Specify all alternate sources and all alternate registration numbers if one or more components will be obtained from more than one source.

(5) For microbials, include the genus, species, subspecies (if any), or strain and identify by American Type Culture Collection or other recognized type culture collection number.

(6) For spray adjuvants, list principal functioning agents and constituents ineffective as a spray adjuvant.

(l) Supplier name and address for each component in the formulation;

(m) Product name(s) and registration number(s) of the source product(s) of each ingredient in the formulation, if applicable;

(n) Amount and percent by weight of each ingredient in formulated product;

(o) Certified limits (for federally registered products);

(p) Purpose of each ingredient in formulated product;

(1) For spray adjuvants, additionally specify whether the ingredients are intended as principal functioning agents or constituents ineffective as a spray adjuvant.

(q) Total weight.

(1) Indicate which ingredient(s) will be adjusted up or down to account for differences in source weights if multiple source products with varying purities are used in the formulation. Ensure certified limits account for these adjustments.

Note: Authority cited: Sections 12781 and 12845, Food and Agricultural Code. Reference: Sections 12811, 12815 and 12821, Food and Agricultural Code.

Adopt section 6170.7 to read:

6170.7. Product Amendment Application Form.

The application referred to in section 6170(c) to amend a pesticide product or formulation shall require registrants to provide the following information. The following information is also required to amend a registered pesticide through a notification of a minor change.

(a) Company name and number, (same as on file with the United States Environmental Protection Agency (U.S. EPA) if federally registered). For California-only registered products, same as on file with the Department;

(b) Company mailing address; The applicant must provide a mailing address for a representative in the United States to receive correspondence and represent the registrant in matters concerning their application;

(c) Name, mailing address, phone number, and email address, of individual authorized to answer questions concerning the application;

(d) Brand name of pesticide product registered by the Department;

(e) U.S. EPA or California registration number of pesticide product;

(f) Type of pesticide product changes being requested for an amendment or notification action as specified in section 6173;

(g) Type of concurrent federal submission (if applicable):

(1) new active ingredient as defined in section 6000;

(2) new major use as defined in section 6000;

(3) compliance with U.S. EPA Interim or Final Decisions (U.S. EPA Registration Review required changes);

(4) FIFRA section 5 Experimental Use Permit;

(5) FIFRA section 2(mm) Antimicrobial [7 U.S.C. sec. 136(mm)];

(6) FIFRA section 2 (nn) Public Health Pesticide [7 U.S.C. sec. 136(nn); or

(7) prior Department approval pursuant to section 6170.8.

(h) certification that multilingual translations are a true and accurate representation of the English label elements if the label contains a multilingual translation.

Note: Authority cited: Section 12781 and 12845, Food and Agricultural Code. Reference: Section 12811, 12815 and 12821, Food and Agricultural Code.

Adopt section 6170.8 to read

6170.8. Concurrent Submissions of Applications.

(a) The Department shall accept the following types of applications for registration of a pesticide product or for amendment of a registered pesticide product concurrently in time with the submission of the application for registration or amendment to the U.S. Environmental Protection Agency (U.S. EPA):

(1) Applications to register a new pesticide product containing a new active ingredient as defined in section 6000;

(2) Applications to register a new pesticide product or amend a registered pesticide product for a new major use as defined in section 6000;

(3) 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);

(4) Applications to register or amend an Experimental Use Permit issued pursuant to section 5 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) [7 U.S.C. sec. 136c];

(5) Applications to register a new antimicrobial pesticide or amend a registered antimicrobial pesticide, as defined in FIFRA section 2(mm) [7 U.S.C. sec. 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;

(6) Applications to register a new public health pesticide or to amend a registered public health pesticide, as defined in FIFRA section 2(ll) [7 U.S.C. sec. 136(ll)], if the amendment adds a new public health use(s) to the product label;

(A)The term "public health pesticide" does not include products intended for use by homeowners.

(B) If the public health pesticide is not labeled for use by a public health agency, the applicant shall submit documentation from a public health agency regarding how the agency plans to use the product in California to qualify for concurrent submission.

(7) With prior approval from the Department obtained pursuant to subsection (c), applications to register a new pesticide product or amend a registered pesticide product.

(b) To concurrently submit an application specified in subsection (a)(1)-(a)(6), the applicant shall include with their application, required by section 6170(b) or (c), a cover letter stating:

(1) the federal product registration or amendment is not yet accepted;

(2) the concurrent submission criteria has been met and the type of application specified in subsection (a)(1)-(a)(6); and

(3) if the application is for a new major use as specified in subsection (a)(2), state the new use.

(c) An applicant may request concurrent submission for an application not specified in subsection (a)(1)-(a)(6) as described in this subsection.

(1) Before submission of an application, the applicant shall send a letter to the Department stating:

(A) the federal product registration or amendment is not yet accepted;

(B) concurrent submission of the application is requested; and

(C) the justification with supporting documentation for the concurrent submission request. Justification can include but are not limited to, the following:

1. Needing to meet U.S. EPA's timeframe for Registration Review required label changes

2. Product meets U.S. EPA's determination of reduced risk pesticide or Designed for the Environment

3. Alternative product with potential increased sustainability

4. Alternative product with a potential lower toxicity profile

5. No other similar products on the market and there is public or grower need for the product

6. Novel technology or unique use

7. Emergency conditions exist and no other effective alternatives available.

(2) When the Department reviews the letter required by subsection (c)(1), the Department will review the information provided, and any other relevant information, and determine on a case-by-case basis whether the application qualifies for concurrent submission based on the aforementioned criteria.

(3) The Department shall notify the applicant of its decision in writing.

(4) If affirmative, the applicant may submit the application required by section 6170(b) or (c) and shall include a copy of the Department's written approval with their submission.

(d) Registration of the product or acceptance of the amendment will not be granted until U.S. EPA's stamped-accepted label and acceptance letter are received, and the proposed California label is received and accepted by the Department.

(1) After federal registration or acceptance of an amendment to the registered product, it is the applicant's responsibility to submit the following items to the Department:

(A) U.S. EPA's acceptance letter;

(B) U.S. EPA stamped-accepted label; and,

(C) any additional data submitted to U.S. EPA in support of the proposed registration/amendment.

(2) The application may be returned pursuant to section 6170(b) if U.S. EPA has not accepted the product or amendment within 18 months after the Department has completed review.

Note: Authority Cited: Sections 12836, 12836.5 and 12781, Food and Agricultural Code. Reference: Sections 12811 and 12815, Food and Agricultural Code.

ARTICLE 3. SUPPLEMENTAL DATA REQUIREMENTS

Adopt section 6173 to read:

6173. Changes to Registered Products.

(a) A registrant may change the product label or formulation of a registered product as described in this section.

(b) “Amendment.” Any change to the label or formulation that does not fall under subsections (c) or (d) shall be submitted as a label or formulation amendment as described in section 6170(c).

(c) “Notification.” A registrant may change the label or formulation through a notification of minor change by submitting an application as described in section 6170(c) if the change is one of the following types:

(1) Deleting a pest or use site provided that all other label references pertaining to the deleted pest or use site are also deleted;

(2) Adding a use or pest provided that one of the following California-specific restriction statements is included:

(A) “Not registered for use by California”; or

(B) “Not registered for use on [insert commodity] by California;” or

(C) “Not registered for use by California for use in [insert counties];” or

(D) any other variation of California-specific use/pest restrictions such as “Not for Use in California” provided if the language has been accepted by the United States Environmental Protection Agency (U.S. EPA) or is allowed by the U.S. EPA as non-notification pursuant to Title 40, Code of Federal Regulations (40 CFR) section 152.46(b).

(3) Adding an indoor, non-food site for an antimicrobial product provided that the change is accepted by the U.S. EPA or is allowed by the U.S. EPA as non-notification pursuant to 40 CFR section 152.46(b);

(4) Adding or including a label statement that the U.S. EPA has requested through a Pesticide Registration Notice;

(5) Changing the stated nominal concentration of an inert ingredient provided that the nominal concentration falls within the certified limits for the inert ingredient as listed on the statement of formula accepted by the Department;

(6) Changing the certified limits of an inert ingredient provided thatthe certified limits fall within the standard certified limits in 40 CFR section 158.350;

(7) Adding a symbol or graphic that does not substitute for or conflict with label text and is not false or misleading;

(8) Adding a statement identifying one of the pesticide or spray adjuvant categories to which the product belongs such as: “spreader,” “sticker,” “fungicide,” “insecticide,” “rodenticide,” “herbicide,” “defoliant,” “repellant,” “desiccant,” “microbiocide,” “antimicrobial,” “disinfectant,” “sanitizer,” “biochemical,” “microbial,” “plant regulator,” or “nematicide”. The categories must be accurate and consistent with uses on the label previously accepted by the Department;

(9) Adding or revising the Mode of Action Information box on agricultural use pesticide products as required by U.S. EPA;

(10) Removing a redundant label statement provided that required label statements are not removed or changed;

(11) Minor corrections or clarifications found on registered products that the Department requested to be updated. Examples include correcting typographical errors and updating organism nomenclature;

(12) Adding or revising referral statements provided they remain consistent with 40 CFR section 156.10;

(13) Adding inert ingredients to the pesticide label for consumer transparency; or

(14) Revising the pH that is within accepted range.

(d) “Non-notification.” A registrant may change the label or formulation without the

submission of an amendment as described in subsection (a) or a notification of minor change as described in subsection (b), and such change shall be deemed approved by the Director, if the change is one of the following types:

(1) Changing the company name, phone number, and/or address on the label provided that the requirements for transfer of ownership under section 6153 or for change of company name or address under section 6154 have been satisfied;

(2) Adding and removing label statements or qualifiers that are specific to another state provided that the statement has been accepted by the U.S. EPA or is allowed by the U.S. EPA as non-notification pursuant to 40 CFR section 152.46(b). Examples include the following:

(A) "Not registered for use by [insert non-California state];"

(B) "Not registered for use on [insert commodity] by [insert non-California state];" and

(C) "Not registered for use by [insert state] for use in [insert non-California counties]."

(3) Adding, revising, or deleting multilingual language provided that:

(A) the multilingual text is a true and accurate translation of the English text on the pesticide label accepted by the Department;

(B) does not replace the required text on the English label;

(C) the multilingual text may also be updated to reflect the English text without notification to DPR if any changes to the English text that fall under this subsection (d); and

(D) for web-based links (i.e., website or QR code), explanatory text can be added to the near the QR code or link that explains the purpose of the QR code if it is only for the bilingual translation, such as "Escanee el código QR para etiqueta española" (i.e., "Scan QR Code for Spanish Label")

(4) Adding, revising, or deleting minor or non-pesticidal related label elements including:

(A) company or product brand line logo;

(B) company website address;

(C) symbols or graphics that certify the product meets a specific program's standards, provided that the symbols or graphics have been accepted by the U.S. EPA or allowed by U.S. EPA as non-notification pursuant to 40 CFR section 152.46(b);

(D) logos, language, symbols, and/or graphics required by other government agencies provided that the logos, language, symbols, and/or graphics have been accepted by the U.S. EPA or allowed by U.S. EPA as non-notification pursuant to 40 CFR section 152.46(b);

(E) lot or batch codes, UPC, bar code or placeholder (FPO "For Position Only"), or other product identifiers, such as a stock keeping unit (SKU), dilution control system identifiers, and reorder numbers, in addition to description of what a product identifier means;

(F) barcodes, Quick Response (QR) codes, and other scannable symbols that allow for easier scanning of prices in retail stores;

(G) date of manufacture;

(H) date of label approval;

(I) use of metric units in addition to standard U.S. units;

(J) changes in the fertilizer analysis statement on the label provided that there is no change in the active or inert ingredient percentage on the statement of formula; and

(K) recyclable logo/image

(L) U.S. Patent and Trademark Office notations: relevant patent numbers, including notation of "patent pending";

(M) product trademark (i.e., ™ or ®) and copyright (i.e., ©) notations; and

(N) company specific warranty information such as consumer guarantees.

(5) Correcting a typographical or printing error on the label provided that:
(A) the use directions or signal word(s) do not change;
(B) the label format is consistent with U.S. EPA label requirements; and
(C) changes are allowed by U.S. EPA as a non-notification pursuant to 40 CFR section 152.46(b).
(6) Correcting a typographical error in the formulation information;
(7) Redesigning the label format provided that label language does not change and the format is consistent with the requirements of 40 CFR section 156.10;
(8) Adding, revising, or deleting any of the following statements regarding non-pesticidal characteristics:
(A) Non-pesticidal effectiveness. A non-pesticidal claim, provided it is not false or misleading, does not conflict with the pesticide label and is consistent with other applicable statutes or regulations that may apply to such claims. Examples of such claims include "Cleans," "Whitens and brightens laundry," "Removes soap scum," and "eliminates odors." Brief directions that pertain only to these non-pesticidal uses may be added. For example, "Use at full strength (2 cups per gallon) to remove tough stains."
(B) Cleanup. A statement with respect to the ease of cleanup or removal after use, such as "leaves no film or deposit" and "cleans easily with water," as long as such statement does not conflict with the use directions or adversely affect the efficacy or safety of the product.
(C) Effects on treated objects or sites. Beneficial product attributes not related to pesticidal effect, such as "non-staining" and "non-corrosive to metals."
(D) Price. Claims regarding price or price-related marketing information, such as "low price," "25 cents off," and "rebate available."
(E) Where the product is made. Factual statements about where the product was made ("Made in U.S.A."), provided these comply with other regulatory requirements.
(F) Approval by other federal agencies. Factual statements about uses approved by government agencies other than the U.S. EPA provided such statements do not imply endorsement by those agencies. An example of an acceptable statement would be, "Approved for use in USDA-inspected meat and poultry plants."
(G) New. Claims that the product is "new."
(H) Consumer access numbers. Registrant telephone number, explanatory statement about the telephone number, the National Pesticide Information Center hotline, and internet addresses may be added to the label without notification.
(I) Use of "Other Ingredients" in the Ingredients Statement. The neutral term "Other Ingredients" may be substituted for "Inert Ingredients" in the label ingredients statement.
(9) Adding, revising, or deleting a warranty statement provided that:
(A) the statement is allowed by 40 CFR Part 156 and Food and Agricultural Code sections 12853 and 12854; and
(B) the statement does not disclaim the efficacy or safety of the product when used in accordance with label directions.
(10) Changing package size and net contents if all of the following criteria are met:
(A) Product is not a rodenticide;
(B) The change does not result in addition or deletion of any other labeling language on the currently approved labeling, except changes in this subsection as a non-notification;
(C) Storage and disposal statements are not changed;
(D) Dosage, concentration, frequency, and method of application are not changed;

(E) The change would not increase exposure/risk or alter the chemical properties of the product;

(F) Worker Protection Standard wording, as required by 40 CFR Part 156, Subpart K, is not affected;

(G) Package size is not reduced to the point that net contents of the package are smaller than the dosage in the directions for use;

(H) Container size, net contents, and packaging characteristics are not changed in a way that violates federal or California laws and regulations, or results in a change in restricted material designation in accordance with section 6400; and

(I) No changes are made to bait stations, control stations, attractant stations, or other packaging sold as a component of a pesticide product, with a pesticide in it, packaged with a pesticide for use in it, or sold separately but required by the labeling to be used in some or all applications of the pesticide.

(11) Changing the following statements about product packaging:

(A) Recycled content. A statement about the recycled content of pesticide packaging itself may be made in accordance with 16 CFR section 260.13.

(B) Refillable. After obtaining approval from the U.S. EPA for a refillable container (including instructions), a registrant may add a claim that a pesticide package is refillable if:

1. a system exists for the collection and return of the package to a dealer for refill with the same pesticide, and instructions on how to do so are provided; or

2. the pesticide container may be refilled from a larger container of the same product, and instructions for refilling are provided.

(12) Changing source of an active ingredient provided that there is no resulting change in inert ingredient and the new source product is registered with U.S. EPA;

(13) Changing the source or manufacturing information of inert ingredient(s);

(14) Changing the source of starting materials for an integrated systems product (40 CFR section 158.300);

(15) Changing the formulation process of a product made by a non-integrated system (a blending or dilution of product components involving no chemical reaction-- distinguished from a reaction process).

(16) Changing the ingredient brand name provided the product is identical and supplied by the same manufacturer with only the brand name change;

(17) Other formulation information changes such as changes in ownership of ingredients, addition of a new registered establishment number, or supplier names and addresses;

(18) Adding, revising and removing U.S. EPA Endangered Species Protection Bulletins language; or

(19) Adding or revising U.S. EPA Establishment numbers.

(e) Compliance.

(1) For changes made through notification as specified in subsection (c), a registrant may distribute and sell a product with the changed label or formulation provided that the Department has received the application described in section 6170(c) and the applicant has been notified it has been received.

(A) The Department shall notify the applicant that the notification has been received.

(B) Except as provided in subsection (e)(2), any product distributed or sold with a changed label or formula before the Department receives the application for the change and before the

Department has notified the applicant that the notification has been received is considered unregistered and subject to enforcement action.

(2) For non-notification changes as specified in subsection (d), a registrant may distribute or sell the product with the changed label or formula without submitting the application described in section 6170(c).

(3) Any changes not subject to (1) or (2) of this subsection must be submitted to the Department as an amendment application. The Department must accept the amendment prior to the applicant's distribution or sale in California.

Note: Authority cited: Section 12781, Food and Agricultural Code. Reference: Sections 12811, 12812, 12815 and 12816, Food and Agricultural Code.

Amend section 6193.5 to read:

6193.5. Acute Effects Data for Dietary Risk Assessment.

(a) For the purposes of this section, "acute exposure" is defined as a single treatment or repeated treatments during a period normally not to exceed seven days. Signs of acute toxicity are physical, behavioral, or biochemical manifestations, resulting from acute exposure, which are relevant to assessing dietary risks resulting from acute exposures of humans. Relevant observations of acute toxicity are described in the United States Environmental Protection Agency Pesticide Assessment Guidelines, Subdivision F.

(b) The following data, from studies using active ingredients, are required to assess dietary risk resulting from acute exposures:

(1) Acute oral LD_{50} toxicity data as required pursuant to Title 40 Code of Federal Regulations, Part 158.~~340~~500; and

(2) Oral toxicity data demonstrating a No Observed Effect Level (NOEL) for signs of acute toxicity following acute exposure and oral toxicity data sufficient to produce a dose-response curve for active ingredients with known biological indicators (e.g., cholinesterase inhibition) when this response is relevant to the NOEL. For active ingredients with anticholinesterase activity, at a minimum, red blood cell cholinesterase activity must be reported.

(c) The data listed in subsection (b) shall be submitted with each application for registration of:

(1) A pesticide product intended for use on food or feed crops and containing an active ingredient not currently registered for food or feed use; or

(2) Amended labeling which would add directions for use on food or feed crops to the label of a pesticide product containing an active ingredient not currently registered for food or feed use.

(d) Pursuant to ~~S~~section ~~13060~~13134 of the Food and Agricultural Code, when notified by the Department, registrants of pesticides labeled for use on food or feed crops must submit the acute effects data listed in subsection (b). Registrants shall have nine months from the date of the Department's notice to submit the data.

(e) The Department will not require the data listed in subsections (b) for active ingredients for which the Department has made a written determination that existing data demonstrates that acute dietary exposure is not of toxicological concern.

Note: Authority cited: Section 12781, Food and Agricultural Code. Reference: Sections 12824 and ~~13060~~13134, Food and Agricultural Code.

Amend section 6194 to read:

6194. Required Submission of Data.

(a) Registrants required to submit data in support of registrations pursuant to Food and Agricultural Code sections ~~13060~~13134 ~~(~~c~~)~~-(1), 13127, 13143 or 13146 shall respond to the ~~d~~Director's notices of the data and study requirements. Where the notice pertains to data required pursuant to Food and Agricultural Code section 13127, the data shall be one or more of the mandatory health effects studies specified in Food and Agricultural Code section 13123. Where the notice pertains to data required pursuant to Food and Agricultural Code sections 13143 or 13146, the data shall be all or some of the information specified in Food and Agricultural Code section 13143-(a)-(1) through (a)(6). Where the notice pertains to data required pursuant to Food and Agricultural Code section ~~13060~~13134 ~~(~~c~~)~~-(1), the data shall be that listed in section 6193.5 (b). Not later than 90 days after the date of such a notice, registrants shall inform the ~~d~~Director in writing as to how they will comply with the data requirements by choosing one or more of the following options:

(1) Submit the data with their response to the notice.

(2) Develop and submit the data.

(3) Agree to jointly develop and submit the data with one or more parties and provide a copy of the agreement signed by the participating parties.

(4) Acquire authorization to use data being developed and submitted by another party and provide a copy of the authorization signed by that party.

(5) For data required pursuant to sections 13127, 13143 or 13146 of the Food and Agricultural Code, offer to compensate the developer(s) of the data and provide a copy of the offer, together with evidence that the data developer(s) received the offer.

(6) Claim the data requirements are not applicable to the registered use patterns of the registrant's pesticide products and provide information supporting the claim.

(7) When applicable to the particular notice, claim an exemption from the mandatory health effects data requirements pursuant to Food and Agricultural Code section 13128, or claim an exemption from the acute effects data requirements pursuant to Food and Agricultural Code section ~~13060~~13134(c)(2), and provide the information specified in subsection (c).

An option shall be chosen for each data requirement; however, different options may be chosen for different data requirements. When requested by the ~~d~~Director, registrants who have chosen options (2) and/or (3) shall submit a written status report to the ~~d~~Director regarding the development of the data which shall include, but is not limited to:

(1) The name and address of the person/organization conducting the study,

(2) The initiation and expected completion dates, and

(3) The scheduled date of submission of the data to the Department. The status report shall be submitted not later than 30 days after the date of the ~~d~~Director's request, unless a later date is specified.

(b) Pursuant to Food and Agricultural Code sections ~~13060~~13134(c)(2) and 13128, data requirements noticed pursuant to Food and Agricultural Code sections ~~13060~~13134(c)(1) and 13127, respectively, shall not apply to applicants or registrants of end use products that are formulated using another producer's pesticide product which is registered with the United States Environmental Protection Agency (EPA) provided, all pesticide active ingredients in the formulated product are derived solely from one or more EPA registered pesticide products and the producer(s) has/have chosen from options (1), (2), (3) and/or (5) in subsection (a) of this

section, and is/are in compliance with the requirements of sections ~~13060~~13134~~-~~(c)~~-~~(1) or 13127, whichever applies, of the Food and Agricultural Code and the ~~d~~Director's regulations contained in chapter 6 of Title 3 of the California Code of Regulations.

(c) The ~~d~~Director shall grant an exemption as authorized by sections ~~13060~~13134~~-~~(c)~~-~~(2) and 13128 of the Food and Agricultural Code to an applicant or registrant that meets the conditions specified in subsection (b). To apply for an exemption, the applicant or registrant shall submit the following:

(1) The name and the EPA registration number of each pesticide product purchased to formulate the end use product, and

(2) The name of the producer(s) from whom the applicant or registrant purchases the active ingredient(s) used to formulate the product(s), who has/have chosen from options (1), (2), (3) and/or (5) in subsection (a) of this section, and is/are in compliance with the requirements of sections ~~13060~~13134(c)(1) or 13127, whichever applies, of the Food and Agricultural Code and the ~~d~~Director's regulations contained in chapter 6 of Title 3 of the California Code of Regulations. If the active ingredient(s) is/are not purchased directly from the producer(s), but through a supplier, include a statement identifying the producer(s) by name and certifying that the active ingredient(s) used to formulate the product(s) is/are purchased indirectly from a producer(s) who has/have chosen from options (1), (2), (3) and/or (5) in subsection (a) of this section, and is/are in compliance with the requirements of sections ~~13060~~13134~~-~~(c)~~-~~(1) or 13127, whichever applies, of the Food and Agricultural Code and the ~~d~~Director's regulations contained in chapter 6 of Title 3 of the California Code of Regulations.

(d) If a registrant that has been granted an exemption pursuant to sections ~~13060~~13134~~-~~(c)~~-~~(2) or 13128 of the Food and Agricultural Code purchases a pesticide product different from that reported in accordance with subsection (c), the registrant shall notify the ~~d~~Director of the change. If the registrant still meets the conditions specified in subsection (b) and wishes to request an exemption, the registrant shall reapply for the exemption following the procedure described in subsection (c).

(e) An applicant or registrant that has been granted an exemption pursuant to sections ~~13060~~13134(c)(2) or 13128 of the Food and Agricultural Code will be exempt as long as the producer(s) of the pesticide active ingredient(s) in its end use product has/have chosen from options (1), (2), (3) and/or (5) in subsection (a) of this section, and is/are in compliance with the requirements of sections ~~13060~~13134(c)(1) or 13127, respectively, of the Food and Agricultural Code and the ~~d~~Director's regulations contained in chapter 6 of Title 3 of the California Code of Regulations. An applicant or registrant that no longer qualifies for such an exemption is subject to the requirements of sections ~~13060~~13134~~-~~(c)~~-~~(1) or 13127, whichever applies, of the Food and Agricultural Code.

Note: Authority cited: Sections 12781 and 13145, Food and Agricultural Code. Reference: Sections ~~13060,~~ 13127, 13128, 13134, 13143 and 13146, Food and Agricultural Code.

Amend section 6196 to read:

6196. Adoption of Federal Authority.

As authorized by sections 13127 and 13146 of the Food and Agricultural Code, the ~~d~~Director adopts the provisions of subparagraph (B) of paragraph (2) of subdivision (c) of section 136a of Title 7 of the United States Code, as applicable to compensation for data developed pursuant to

Food and Agricultural Code sections 13127, 13143 and 13146 and for suspension of registrations pursuant to Food and Agricultural Code ~~S~~sections 13127, 13127.2, 13127.6, 13127.91, 13127.92 and 13146. References therein to the authority of the Administrator of the United States Environmental Protection Agency (USEPA), acting pursuant to the provisions of the Federal Insecticide, Fungicide and Rodenticide Act, shall be deemed to re~~e~~fer to the ~~d~~Director, acting under the provisions of the Food and Agricultural Code and regulations in Title 3 of the California Code of Regulations. The following provisions shall apply to the adoption of the federal authority:

(a) The ~~d~~Director's authority under other provisions of law is not affected.

(b) Compensation procedures under federal law are exclusive at any time such federal procedures can be initiated before an arbitration award under this section becomes final. A later award under federal law for submission of the same data, or substantially the same data, shall supersede an award under this section.

(c) Arbitration proceedings under this section shall be conducted by arbitrators of the American Arbitration Association using federal procedures to the extent practicable.

(d) Arbitration awards under this section shall be subject to review in courts of competent jurisdiction to the same extent as judgments of California superior courts.

(e) No compensation proceedings are authorized of resubmission of public literature studies.

(f) Compensation for the use of data submitted to the ~~d~~Director is applicable only for studies initiated after January 1, 1985 to fill the data requirements of Food and Agricultural Code section 13127 and studies initiated after January 1, 1986 to fill the information requirements of Food and Agricultural Code sections 13143 and 13146. When submitted to the ~~d~~Director, use of these data is subject to protection only to the same extent and for the same time periods as such use would be subject to protection by the USEPA Administrator, had the data been submitted to USEPA pursuant to 7 U.S.C. 136a(c)(2)(B)(v).

(g) The ~~d~~Director may include in each Notice of Intent to Suspend such provisions as the ~~d~~Director deems appropriate concerning the continued sale of existing stocks of the products included in the Notice.

(h) The only matters for resolution at the hearing, called pursuant to the Notice of Intent to Suspend, shall be whether the registrant has failed to take the action that served as the basis for the Notice of Intent to Suspend, including, but not limited to, failing to take appropriate steps to submit the data required, to participate in a procedure for reaching agreement concerning a joint data development arrangement, to participate in an arbitration proceeding as required, to comply with the terms of an agreement or arbitration decision concerning a joint data development arrangement, and/or whether the ~~d~~Director's determination with respect to the disposition of existing stocks is appropriate.

(i) If a hearing is held, the decision after completion of such hearing shall be final.

Note: Authority cited: Sections 12781, 13127 and 13146, Food and Agricultural Code. Reference: Sections 13127, 13127.2, 13127.6, 13127.91, 13127.92 and 13146, Food and Agricultural Code.

ARTICLE 5. EXEMPTIONS

Amend section 6206 to read:

6206. Section 18 Exemptions.

The ~~d~~Director may apply to the U.S. EPA for a Section 18 exemption, pursuant to the Federal Insecticide, Fungicide and Rodenticide Act, when ~~he or she~~the Director determines that a specific, public health, quarantine, or crisis emergency exists that requires the use of an unregistered pesticide and there is no feasible alternative to the exemption. In the case of Section 18 exemptions, the ~~d~~Director may waive the data requirements in this subchapter, but shall require the utilization of the best pest control methods and technology available including, but not limited to, pest population monitoring, a determination of treatment thresholds, methods of application to protect human health and the environment, and limitations to mitigate adverse effects to nontarget organisms.

Note: Authority cited: Sections 11456, 12781 and 12824, Food and Agricultural Code. Reference: Sections 11501 and 12751-13102, Food and Agricultural Code.

Amend section 6252 to read:

6252. Pesticide Registration, Renewal, and Reevaluation Consultation.

This section applies to the registration, renewal of registration, and reevaluation of pesticides.

The Department shall consult on decisions proposed pursuant to this section with public agencies which have jurisdiction by law over the use of pesticides or over activities or resources which may be affected by the use of pesticides. In doing so, the Director shall establish an interagency advisory committee that shall be known as the Pesticide Registration and Evaluation Committee. This committee shall meet bimonthly or more often when requested by the Director. The Pesticide Registration and Evaluation Committee shall consist of the following members:

(a) The Director of the Department of Pesticide Regulation or ~~his or her~~ designee who shall serve as chair of the committee;

(b) A representative from each of the other boards, offices, and departments in the California Environmental Protection Agency:

(1) The Air Resources Board;

(2) The Office of Environmental Health Hazard Assessment;

(3) The Department of Resources Recycling and Recovery (CalRecycle);

(4) The State Water Resources Control Board;

(5) The Department of Toxic Substances Control.

(c) A representative from each of the following state agencies:

(1) The Department of Food and Agriculture;

(2) The Department of Fish and Wildlife;

(3) The Department of Industrial Relations;

(4) The Department of Public Health;

(5) The Structural Pest Control Board in the Department of Consumer Affairs;

(6) The University of California;

(d) A representative from each of the following federal agencies:

(1) The U.S. Department of Agriculture/Agricultural Research Service;

(2) The U.S. Environmental Protection Agency, Region ~~IX~~9.

(e) ~~The President of~~A representative from the California Agricultural Commissioners and Sealers Association ~~or his or her designee~~;

(f) A representative of any other public agency that the Director of the Department of Pesticide Regulation deems appropriate after consultation with the existing committee membership.

Note: Authority cited: Sections 11456, 11502, 12005, 12111, 12531, 12561, 12781, 12976, 12981, 14005 and 14006.7, Food and Agricultural Code. Reference: Sections 11401-12121, 12501-12671, 12751-13102 and 14001-14104, Food and Agricultural Code.