



California Notice 2022-12

TO: Pesticide Registrants and Other Stakeholders

SUBJECT: APPLICATION RETURN POLICY FOR PESTICIDE PRODUCT REGISTRATIONS AND AMENDMENTS

The Department of Pesticide Regulation's (DPR's) Pesticide Registration Branch (PRB) is responsible for the pesticide registration process, including coordinating the evaluation of scientific data by other DPR branches and state agencies to support product registration and amendment. Registrants who apply for registration of new pesticide products or amendment of currently registered pesticides are required to submit an accurate and complete application with supporting documents and fee. Pursuant to Title 3 of the California Code of Regulations (3 CCR), section 6170(a) and (b), if the application and/or supporting documents are incomplete or inaccurate or the fee is missing, DPR cannot process the submission. This policy, effective July 1, 2022, describes PRB's new timeframe for responding to certain application deficiencies and the return process.

15-BUSINESS DAY TIMEFRAME TO RESPOND TO CERTAIN APPLICATION DEFICIENCIES

After an application is submitted to PRB, a Regulatory Scientist (RS) will review the submission for completeness and accuracy. If during the review, the RS determines that the submission is incomplete or inaccurate and the deficiency can be readily corrected within a 15-business day timeframe, the RS will e-mail the registrant's authorized representative or agent listed on the application to inform them of the deficiencies found. The following are examples of deficiencies that would qualify for the 15-business day timeframe:

- Application corrections
- Missing data or reference to data on file or product previously approved by DPR to support registration or amendment of a currently registered product (3 CCR section 6170)
- Missing application fee (3 CCR sections 6148 and 6148.5)
- Missing six copies of the label or provided labels are not legible (3 CCR sections 6170 and 6240)
- Missing U.S. Environmental Protection Agency (EPA) documents (3 CCR 6170)
- Missing agent letter of authorization (California Notice 2009-5)
- Failure to use current application form (3 CCR section 6170.5)
- Undisclosed content of proprietary blends in product formulation (3 CCR sections 6170, 6170.5, California Notice 2020-13)

The RS will contact the registrant's authorized representative or agent by e-mail and provide them with a 15-business day timeframe for PRB to receive all corrected items. The 15-business

day timeframe starts on the date of the e-mail from the RS. At the end of the 15-business day timeframe, the RS will either continue their review (if deficiencies were addressed), or return the submission. The RS will return the submission if the registrant's authorized representative or agent is unable to provide information completely correcting the deficiency within the 15-business day timeframe. The RS will return the submission if any deficiency remains unresolved. The RS will also return the submission if any new deficiencies are identified that were not associated with the original submission.

IMMEDIATE RETURNS

PRB recognizes that for a variety of reasons, registrants cannot address certain deficiencies within a 15-business day timeframe. For these situations, the RS will e-mail the registrant's authorized representative or agent to notify them that their submission will be returned. Once the registrant or agent is informed by e-mail, the RS will immediately return the submission. The following are examples of the types of deficiencies that would result in an immediate return:

- If any deficiency still exists after the 15-business day timeframe
- Product revisions that require U.S. EPA approval
- When the registrant addresses deficiencies and makes substantive changes to the product/label that go beyond addressing the deficiencies (e.g., addition of use sites, additional pests)
- Submitted data not formatted appropriately according to California Notice 2017-05

RETURN PROCESS

When a submission is returned, PRB sends a formal return letter. With a return, registrants are provided the opportunity to resubmit within six months (180 calendar days) of the date of the original return letter without payment of a new fee. When responding to the return letter, registrants must provide all of the corrected items to support their application and are asked to include in their cover letter the product brand name, registration number, and DPR tracking identification number (ID#) listed in the upper right corner of the return letter. If a complete and accurate application, including all corrected items, is not received by PRB within six months of the date of the original return letter, PRB will shred the submission per 3 CCR sections 6148 (b) and 6148.5 (b). To reapply after six months, the registrant must submit a new application, all relevant documents (including data), and a new application fee.

PRB provides stakeholders with a number of reference documents such as guides and checklists for product registration, amendment, and notification. These references can be found on DPR's website at <<https://www.cdpr.ca.gov/docs/registration/references.htm>>. PRB highly encourages registrants to review these resources and contact their assigned RS with any questions before submitting an application for a pesticide product. The PRB Ombudsman should be contacted for assistance if a registrant is new to California and does not currently have an assigned RS.

If you have questions regarding the return process, please contact the Pesticide Registration Branch Ombudsman, Mr. Aron Lindgren at <Registration.Ombudsman@cdpr.ca.gov> or 916-324-3563.

Original Signed by Tulio Macedo

Tulio Macedo, Chief
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916-324-3527

May 9, 2022

Date