

**Notice of Proposed and Final Decisions
and Public Reports**

**Volume 2021-03
January 15, 2021**

**Department of Pesticide Regulation
Pesticide Registration Branch**

NOTICE OF FINAL DECISIONS TO REGISTER PESTICIDE PRODUCTS AND WRITTEN EVALUATION

Pursuant to Title 3, California Code of Regulations section 6255, the Director of the Department of Pesticide Regulation (DPR), files this Notice of Final Decisions to Register Pesticide Products with the Secretary of the Resources Agency for posting. This notice must remain posted for a period of 30 days for public inspection. Between the time DPR posts a proposed registration decision for public comment and DPR makes a final decision regarding the product, non-significant changes may be made to the product label (e.g., revising the product name, changing a master label to an end-use marketing label, correcting typographical errors). If the changes are not significant, DPR will not re-notice the product for public review and comment. However, if significant changes are made to the product label that substantially affect DPR's analysis on direct or indirect significant adverse environmental or human health impacts that can reasonably be expected to occur from the proposed decision, DPR will re-notice the product label for public review and comment.

In addition, for any product that is posted proposed to register as a conditional registration, the registrant may address the conditions of registration by providing the appropriate data or modifying the product label (e.g., remove use site, add "not for use in California" to a use site) during the posting period. If the registrant adequately addresses the conditions of registration during the posting period and the resulting change to the product label is not significant such that DPR must re-post the product label for review and public comment, DPR will post the product below, but will no longer have a "conditional" designation by the registration type.

For information about submitting a request for any documents related to this notice, please visit https://www.cdpr.ca.gov/public_r.htm.

To view the public report that was issued when the product was proposed for registration, click on the hyperlinked Tracking Number for the product.

*Tracking Number with hyperlink to public report – (EPA Registration Number)
Applicant / Brand Name*

[276777](#) - (89825 - 1)

BARNACLE-BLOCKER, LLC.

BARNACLE STOP

USE: ANTI-FOULANT(MARINE), ANTIMICROBIAL - FOR THE CONTROL OF
BARNACLES AND MUSSELS ON BOAT HULLS, PROPELLERS, AND OTHER BOAT
RUNNING GEAR EITHER IN OR OUT OF WATER

TYPE: SECTION 3 REGISTRATION – CONDITIONAL

ACTIVE INGREDIENT(S):

CAPSICUM OLEORESIN

CAS NUMBER(S): 404-86-4

Notice of Final Decisions to Register (Continued)

Page 2

[294811](#) - (71049 - 4)

KIM-C1, LLC

CPPU PLANT GROWTH REGULATOR

USE: GROWTH REGULATOR - FOR USE AS A PLANT GROWTH REGULATOR TO IMPROVE THE FRUIT SIZE AND FRUIT SET OF CROPS SUCH AS BLUEBERRIES, GRAPES, KIWI, AND NUT CROPS

TYPE: SECTION 3 LABEL AMENDMENT – CONDITIONAL – TO REVISE THE FIRST AID BOX AND TO ADD ADDITIONAL DIRECTIONS FOR USE ON ALMONDS

ACTIVE INGREDIENT(S):

FORCHLORFENURON

CAS NUMBER(S): 68157-60-8

[294141](#) - (432 - 1604)

BAYER ENVIRONMENTAL SCIENCE A DIVISION OF BAYER CROPSCIENCE, LP
ESPLANADE SURE

USE: HERBICIDE - FOR THE CONTROL OF WEEDS SUCH AS CARPET WEED, CHICKWEED, AND HENBIT IN NON-CROP AREAS SUCH AS RAILROADS, ROADSIDES, HARDSCAPES, INDUSTRIAL AREAS, UTILITIES, AND AIRPORTS

TYPE: SECTION 3 REGISTRATION -

ACTIVE INGREDIENT(S):

INDAZIFLAM

RIMSULFURON

CAS NUMBER(S): 730979-19-8 , 122931-48-0

[294927](#) - (432 - 1541)

BAYER ENVIRONMENTAL SCIENCE A DIVISION OF BAYER CROPSCIENCE, LP
SIGNATURE XTRA STRESSGARD

USE: FUNGICIDE - FOR THE CONTROL OF DISEASES SUCH AS BLIGHT, ROOT ROT, AND YELLOW TUFT ON TURF IN SITES SUCH AS GOLF COURSES, SOD FARMS, SPORT FIELDS, INSTITUTIONAL, MUNICIPAL, AND COMMERCIAL SITES

TYPE: SECTION 3 REGISTRATION -

ACTIVE INGREDIENT(S):

FOSETYL-AL

CAS NUMBER(S): 39148-24-8

[294601](#) - (7969 - 412)

BASF CORPORATION

VIVANDO M FUNGICIDE

USE: FUNGICIDE - FOR THE CONTROL OF COBWEB DISEASE IN CULTIVATED MUSHROOMS

TYPE: SECTION 3 REGISTRATION -

ACTIVE INGREDIENT(S):

METRAFENONE

CAS NUMBER(S): 220899-03-6

Notice of Final Decisions to Register (Continued)

Page 3

Written Evaluation

Pursuant to Title 3, California Code of Regulations section 6254, this notice includes a written evaluation of significant environmental points raised in comments submitted during the review and comment period required by Title 3, California Code of Regulations section 6253 for any of the products listed above. DPR received comments raising human health and/or environmental concerns in response to DPR's November 6, 2020, Notice of Proposed and Final Decisions, Vol. 2020-45 and DPR's November 13, 2020, Notice of Proposed and Final Decisions, Vol. 2020-46 from the organization CleanEarth4Kids.org. A summary of the points raised and DPR's responses are provided below.

COMMENT: Darin Cheung from the organization CleanEarth4Kids.org expressed concerns regarding DPR's proposed decision to register Barnacle-Blocker, LLC's master label Barnacle Stop, EPA Reg. No. 89825-1, because the active ingredient capsicum oleoresin affects breathing for people and creates a burning sensation and irritates the skin. The commenter provided a link to an online fact sheet on this active ingredient.

RESPONSE: DPR's scientific evaluation of a master label is based on the potential human health impacts of the formulated end-use product based off the master label and the specific use restrictions contained on the master label, not the potential human health impacts of the active ingredient generally. Although the commenter provided a link to an online fact sheet on this active ingredient, the commenter did not provide DPR with additional data or specific information to support her concerns about how the use of capsicum oleoresin in a formulated end-use product based off this master label when used in accordance with its label directions would adversely impact human health. DPR issued a public report in support of its proposed decision on November 6, 2020, <https://www.cdpr.ca.gov/docs/registration/nod/2020-45.pdf>. As stated in the public report, based on the evaluated data, the low concentration of capsicum oleoresin in this product (0.075%), capsicum oleoresin's "Generally Recognized as Safe" designation by the U.S. Food and Drug Administration, and the precautionary statements and personal protective equipment specified on the master label, DPR does not expect use of an end-use product based off this master label in accordance with the label directions and any applicable use restrictions in regulation will result in a significant adverse impact to human health. DPR evaluated the application for this master label and determined it meets current regulatory requirements for registration in California. Therefore, DPR is proceeding with the registration of Barnacle Stop, EPA Reg. No. 89825-1.

COMMENT: Darin Cheung from the organization CleanEarth4Kids.org expressed concerns regarding DPR's proposed decision to accept KIM-C1, LLC's label amendment for CPPU Plant Growth Regulator, EPA Reg. No. 71049-4, because the active ingredient forchlorfenuron causes kidney and liver damage and is toxic to aquatic life. The commenter provided a link to an online fact sheet on this active ingredient.

RESPONSE: DPR's scientific evaluation of a pesticide product is based on the potential human health impacts of the formulated end-use product and the specific use restrictions contained on the product label, not the potential human health impacts of the active ingredient generally. When evaluating the potential environmental impacts of a pesticide product, DPR accounts for

Notice of Final Decisions to Register (Continued)

Page 4

product-specific information such as application rates, use sites, use restrictions, and mitigation measures on the product label. Although the commenter provided a link to an online fact sheet on this active ingredient, the commenter did not provide DPR with additional data or specific information to support her concerns about how the use of forchlorfenuron in this formulated end-use product, when used in accordance with its amended label directions, would adversely impact human health and the environment. DPR issued a public report in support of its proposed decision on November 6, 2020, <https://www.cdpr.ca.gov/docs/registration/nod/2020-45.pdf>. As stated in the public report, based on the evaluated data and the precautionary statements, environmental hazard statements, use restrictions, and mitigation measures contained on the label, DPR does not expect the proposed amendments to the label will result in a significant adverse impact to human health or the environment. DPR evaluated the application for this label amendment and determined it meets current regulatory requirements for registration in California. Therefore, DPR is proceeding with the acceptance of the label amendment for CPPU Plant Growth Regulator, EPA Reg. No. 71049-4.

COMMENT: Anna-Francesca Magat from the organization CleanEarth4Kids.org expressed concerns regarding DPR's proposed decision to register Bayer Environmental Science A Division of Bayer CropScience LP's product, Esplanade Sure, EPA Reg. No. 432-1604. The commenter provided a link to an online database and states it identifies the active ingredients indaziflam and rimsulfuron as being toxic with various human health and/or environmental effects.

RESPONSE: DPR's scientific evaluation of a pesticide product is based on the potential human health impacts of the formulated end-use product and the specific use restrictions contained on the product label, not the potential human health impacts of the active ingredient generally. When evaluating the potential environmental impacts of a pesticide product, DPR accounts for product-specific information such as application rates, use sites, use restrictions, and mitigation measures on the product label. Although the commenter provided a link to the online database, the commenter did not provide DPR with additional data or specific information to support her concerns about how the use of indaziflam and rimsulfuron in this formulated end-use product when used in accordance with its label directions would adversely impact human health and the environment. DPR issued a public report in support of its proposed decision on November 13, 2020, <https://www.cdpr.ca.gov/docs/registration/nod/2020-46.pdf>. As stated in the public report, based on the evaluated data and the precautionary statements, environmental hazard statements, use restrictions, and mitigation measures contained on the label, DPR does not expect use of this product in accordance with the label directions and any applicable use restrictions in regulation will result in a significant adverse impact to human health or the environment. DPR evaluated the application for this product and determined it meets current regulatory requirements for registration in California. Therefore, DPR is proceeding with the registration of Esplanade Sure, EPA Reg. No. 432-1604.

Notice of Final Decisions to Register (Continued)

Page 5

COMMENT: Darin Cheung from the organization CleanEarth4Kids.org expressed concerns regarding DPR's proposed decision to register Bayer Environmental Science A Division of Bayer CropScience LP's product, Signature Xtra Stressgard, EPA Reg. No. 432-1541. The commenter states studies show substances containing the active ingredient fosetyl-al have acute toxicity and fosetyl-al is an eye irritant and can cause serious eye damage. The commenter provided a link to an online report listing fosetyl-al as "High" acute toxicity.

RESPONSE: DPR's scientific evaluation of a pesticide product is based on the potential human health impacts of the formulated end-use product and the use restrictions contained on the product label, not the potential human health impacts of the active ingredient generally. Although the commenter provided a link to an online report listing fosetyl-al as "High" acute toxicity, the commenter did not provide DPR with additional data or specific information to support her concerns about how the use of fosetyl-al in this formulated end-use product when used in accordance with its label directions would adversely impact human health and the environment. In fact, the report cited by the commenter contains a footnote acknowledging "Acute toxicity is a function of the toxicity of the chemical ingredients and their particular formulation in the pesticide product. The acute toxicity reported in this list is for the pure chemical ingredient only and may not represent particular pesticide products." DPR issued a public report in support of its proposed decision on November 13, 2020, <https://www.cdpr.ca.gov/docs/registration/nod/2020-46.pdf>. As stated in the public report, based on the evaluated data and the precautionary statements contained on the label, DPR does not expect use of this product in accordance with the label directions and any applicable use restrictions in regulation will result in a significant adverse impact to human health. DPR evaluated the application for this product and determined it meets current regulatory requirements for registration in California. Therefore, DPR is proceeding with the registration of Signature Xtra Stressgard, EPA Reg. No. 432-1541.

COMMENT: Darin Cheung from the organization CleanEarth4Kids.org expressed concerns regarding DPR's proposed decision to register BASF Corporation's product, Vivando M Fungicide, EPA Reg. No. 7969-412. The commenter states studies show substances containing the active ingredient metrafenone are toxic to aquatic life with long-term effects on fish and the ocean. The commenter provided a link to an online fact sheet on this active ingredient.

RESPONSE: When evaluating the potential environmental impacts of a pesticide product, DPR accounts for product-specific information such as application rates, use sites, use restrictions, and mitigation measures on the product label. Although the commenter provided a link to an online fact sheet on this active ingredient, the commenter did not provide DPR with additional data or specific information to support her concerns about how the use of metrafenone in this formulated end-use product when used in accordance with its label directions would adversely impact the environment. DPR issued a public report in support of its proposed decision on November 13, 2020, <https://www.cdpr.ca.gov/docs/registration/nod/2020-46.pdf>. As stated in the public report, based on the evaluated data indicating metrafenone is unlikely to accumulate in aqueous systems and bed sediments and the environmental hazard statements, use restrictions, and mitigation measures contained on the label, such as this product is limited for indoor use only, DPR does not expect use of this product in accordance with the label directions and any applicable use restrictions in regulation will result in a significant adverse impact to the environment. DPR

Notice of Final Decisions to Register (Continued)

Page 6

evaluated the application for this product and determined it meets current regulatory requirements for registration in California. Therefore, DPR is proceeding with the registration of Vivando M Fungicide, EPA Reg. No. 7969-412.

Original signed by Tulio Macedo

Tulio Macedo, Chief
Pesticide Registration Branch

01/13/2021

Dated

NOTICE OF FINAL DECISIONS TO DENY PESTICIDE PRODUCTS

Pursuant to Title 3, California Code of Regulations section 6255, the Director of the Department of Pesticide Regulation (DPR) files this Notice of Final Decisions to Deny Pesticide Products with the Secretary of the Resources Agency for posting. Unless specified, the reason for denial is that the required data was not submitted, was determined to be inadequate, or there was a likelihood of a significant adverse environmental effect anticipated from the use of these products in a manner consistent with its label. This action will not have a significant adverse impact on the environment. This notice must remain posted for a period of 30 days for public inspection. For information about submitting a request for any documents related to this notice, please visit https://www.cdpr.ca.gov/public_r.htm.

Tracking Number – (EPA Registration Number)

Applicant

Brand Name

None to report.

Original signed by Tulio Macedo

Tulio Macedo, Chief

Pesticide Registration Branch

01/13/2021

Dated