



July 22, 2020

ENF 20-10

TO: County Agricultural Commissioners

SUBJECT: CARBARYL EXPANDED AS A CALIFORNIA RESTRICTED MATERIAL –  
RETAIL SALES END AUGUST 1, 2020

Effective August 1, 2020 all carbaryl products available to the general public (by retailers) will become California restricted materials. Therefore, retailers and unlicensed individuals (including homeowners) cannot sell or possess carbaryl products. Carbaryl, used agriculturally, is also a popular residential insecticide for lawns, ornamentals, vegetables, and pets.

The California Code of Regulations (CCR) sections 6400(c) and (e)4 were revised by removing exemptions for carbaryl, making all carbaryl products California restricted materials. This means that only sales by licensed pesticide dealers and use by certified applicators is allowed; other sales and use would be in violation. Note: carbaryl baits labeled for agricultural use are not affected.

Below are questions and answers regarding this change to CCR section 6400. For additional information about licensing and a list of affected products, see the May 2020 letter to interested parties at <[https://www.cdpr.ca.gov/docs/license/pdf/carbaryl\\_outreach\\_flyer.pdf](https://www.cdpr.ca.gov/docs/license/pdf/carbaryl_outreach_flyer.pdf)>.

**Q1: Why has carbaryl been expanded as a California restricted material?**

**A1:** In 2014, DPR released Risk Characterization and Human Exposure Assessment Documents for carbaryl which estimated homeowner applications account for a significant percentage of total carbaryl applied in a year, and identified several exposures of concern for occupational and homeowner applicators. These included residential and bystander exposure during residential application of home use carbaryl products via dust application equipment (e.g., shaker container); residential adult and toddler exposure via reentry onto turf treated with carbaryl products; and residential toddler exposure via hand-to-mouth transfer, object-to-mouth transfer, and soil ingestion.

The removal of exemptions reduces the residential and bystander exposure when applied in and around residences, industrial sites, such as restaurants and retail nurseries; institutional sites, such as schools and hospitals; or when it is applied for vector control. Such products can now only be purchased at a licensed pesticide dealer and applied by a certified applicator who is trained.

**Q2: Will retailers be allowed to sell existing stocks of carbaryl products after August 1<sup>st</sup>, 2020?**

**A2:** No. Once a product is designated as a restricted material, it may only be sold by licensed pesticide dealers to an end-user who has a permit issued by the county agricultural commissioner. In addition, a restricted material can only be possessed or used in California by, or under the direct supervision of, a certified private applicator or certified commercial applicator under a permit issued by the county agricultural commissioner. Accordingly, once this regulation goes into effect, only entities that are licensed pesticide dealers can sell affected carbaryl products to end-users.

**Q3: If carbaryl products are on the retail shelf after August 1<sup>st</sup> 2020, what is the consequence?**

**A3:** Administrative and civil enforcement actions can address any unlawful sales and/or purchase of restricted materials, pursuant to Food and Agricultural Code sections 12998, 12999.4, and 12999.5.

**Q4: What should retailers do with existing stocks?**

**A4:** Existing stocks must be removed from sale on August 1, 2020. Existing stocks may be recovered by distributors or appropriately disposed of. Retailers may contact their state or local hazardous waste disposal program to find out how to dispose of carbaryl products appropriately. In no instance should carbaryl products be disposed of in sinks, toilets, storm drains, or any body of water, which is against label instructions and environmental laws.

**Q5: Are homeowners allowed to use their existing carbaryl products?**

**A5:** No. On August 1, 2020, it will be illegal for any person, including homeowners, to apply carbaryl products if they are not licensed as a certified applicator. Homeowners should contact their state or local hazardous waste disposal program or local solid waste collection service for information on proper disposal in their community. The products are potentially harmful to human health and the environment. In no instance should carbaryl products be disposed of in sinks, toilets, storm drains, or any body of water, which is against label instructions and environmental laws.

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If you need further assistance, please contact the Enforcement Branch Liaison assigned to your county.

Sincerely,

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cc: Mr. Joe Marade, DPR County/State Liaison  
Enforcement Branch Liaisons