

## Conditional Pesticide Product Registration

A new pesticide may be eligible to register in Arizona conditionally for one year with an option to renew annually for a period not to exceed three years if it is considered important to agriculture in Arizona (A.R.S. §49-310) by meeting either of the following criteria.

A new pesticide means a pesticide containing an active ingredient for which the information required under A.R.S. §49-302.A. has not been submitted by the applicant or applicants for registration and approved by the director of ADEQ.

### Criteria I

The pesticide is registered by the USEPA as a reduced risk pesticide under Section 3 of Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA).

**OR**

### Criteria II

The pesticide can be shown to reduce risk to public health, the work place or the environment by demonstrating that it meets two (2) or more of the following conditions in Arizona's agricultural industry:

- Condition 1. The pesticide is more effective than existing alternatives based on the comparison of scientifically valid efficacy data.
- Condition 2. The pesticide replaces an existing, currently registered pesticide(s) whose availability is limited. Limited availability may be due to a number of situations, including production has ceased or availability to Arizona has been significantly reduced either temporarily or permanently.
- Condition 3. The pesticide reduces the risk of pest resistance because it has a different mode of control action as compared to those of existing alternatives.
- Condition 4. The pesticide provides a control mechanism when there are no feasible alternatives. This can be achieved by documenting the control mechanism in question and discuss all alternatives and their respective feasibility.
- Condition 5. The pesticide provides a significant economic advantage to a certain sector of the agricultural industry as compared to existing alternatives. The economic advantage shall be demonstrated using quantifiable information such as: reduced production costs, yield and/or quality estimates, material and application costs, or crop budget information.
- Condition 6. The pesticide allows for the implementation of an effective Integrated Pest Management (IPM) Program by reducing pest habitat, reducing total use of other pesticides or has been shown to be safer to non-target organisms as compared to existing alternatives.

**Conditional Pesticide Product Registration Packet**

**Arizona Department of Environmental Quality  
Pesticide Contamination Prevention Program (A.R.S. §49-310)  
Conditional Registration Application Form**

<b>I/We certify that the pesticide(s) identified below and containing the following active ingredient(s):</b>			
<b>CAS#:</b>		<b>Common Name:</b>	
<b>CAS#:</b>		<b>Common Name:</b>	
<b>CAS#:</b>		<b>Common Name:</b>	
<b>Is/are registered pursuant to FIFRA as amended (United States Code Section 136; P.L. 100-532; 102 Stat. 2654) and is/are also registered for use in the following states:</b>			
<b>In accordance with A.R.S. §49-310, I/We are requesting conditional registration from the State of Arizona for the following pesticide(s) containing the above active ingredient(s):</b>			
<b>Product Brand Name</b>		<b>EPA Registration #</b>	
<b>The reasons why the conditional registration of the pesticide(s) containing the above active ingredient(s) is/are <i>important to agriculture</i> in Arizona are as follows (Please attach separate supporting document):</b>			

In accordance with A.R.S. §49-302, all product chemistry and environmental fate studies of an active ingredient must be completed and approved by the Arizona Department of Environmental Quality (ADEQ) prior to completing the permanent registration process for the pesticide(s) containing such active ingredient with the Department of Agriculture (ADA). The conditional registrant must assure ADEQ that the conditional registration process will ultimately lead to a permanent registration within the time frame, mutually agreed upon between ADEQ and the conditional registrant. This date and other requirements of A.R.S. §49-310 are contained in a separate, signed contract between ADEQ and the conditional registrant.

I/We understand that the conditional registration of the pesticide(s) shall be revoked if the conditions under A.R.S. §49-310 are not met.

I/We certify that the conditional registration will result in use of the pesticide(s) in this state that is sufficient to generate acceptable data to complete the permanent registration of the pesticide(s) pursuant to A.R.S. §49-302. A conditional registrant shall commit to develop and generate new data for ADEQ's review and approval. The new data shall address the deficiency or deficiencies previously identified by ADEQ in its initial review and approval process. NOTE: New data may not need to be generated and developed in every instance, conditional registrants may be able to resolve the deficiency or deficiencies identified by ADEQ with existing or bridging data.

I/we understand that the contract approval for the conditional registration of a pesticide(s) as required under A.R.S. §49-310.A.2, shall include, at a minimum, the following parameters:

- , The time of the submission to ADEQ of the protocol with which each item of the required new data will be developed and generated.
- , The time of the submission to ADEQ of the contract with each contractor that will develop and generate each item of the required new data.
- , The time of the submission of each item of the required new data for ADEQ's review and approval.
- , A description of the deficiency or deficiencies to be addressed during conditional registration, the protocols for addressing the deficiency or deficiencies and the date of the submission to ADEQ of the required new data for review and approval.
- , The receipt time for the conditional registration application and the time that the conditional registration is granted.

The annual progress report as required under A.R.S. §49-310.B shall include, at a minimum, the following parameters:

- , The progress status in developing and generating each item of the required new data addressing the deficiency or deficiencies indicated in the mutually agreed upon contract by ADEQ and the conditional registrant.
- , The date of the submission of each item of required new data for ADEQ's review and approval (if there is any change).

All dates shall be on a calendar year basis from the date the conditional registration has been granted.

**I certify under penalty of law that I have personally examined and am familiar with the information submitted in this and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information. I believe that the submitted information is true, accurate, and complete.**

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Name and Title of Authorized Representative      Phone Number

**Send Conditional Registration Information Form to:  
Arizona Department of Environmental Quality  
Hydrologic Support and Assessment Section  
Groundwater Monitoring Unit, MC-5415A-1  
1110 West Washington Street  
Phoenix, AZ 85007**

**Arizona Department of Environmental Quality  
Pesticide Contamination Prevention Program (A.R.S. §49-310)  
Conditional Registration Contract**

I, \_\_\_\_\_ commit to develop and generate new data, according to the schedule and time frames outlined in the attached table, to obtain the one-year conditional registration of a pesticide(s) containing \_\_\_\_\_ (CAS#), subject to the Arizona Department of Environmental Quality (ADEQ)'s review and approval. I understand this contract is required under A.R.S. §49-310 to obtain the conditional registration of a pesticide(s) containing \_\_\_\_\_.

I further understand that ADEQ has the option to renew the one-year conditional registration of a pesticide(s) annually for a period not to exceed three years. In order to qualify for an extension of the conditional registration, I agree to submit to ADEQ, by November 30<sup>th</sup> of this year, a report summarizing the progress in developing and generating data to address the previously identified deficiency or deficiencies. I understand the conditional registration of a pesticide(s) containing \_\_\_\_\_ will be cancelled immediately if the annual report indicates a lack of progress in developing and generating new data according to the agreed schedule and time frames. If the conditional registration of a pesticide(s) containing \_\_\_\_\_ cancelled, I understand all products in the state, including product at the user level, shall be removed from sale or distribution.

The conditional registration of a pesticide(s) containing \_\_\_\_\_, shall be effective upon signing of this contract by the undersigned parties. The conditional registration and this agreement shall expire at midnight on December 31<sup>st</sup> of this year.

_____ ADEQ Representative	_____ Date	_____ Conditional Registrant	_____ Date
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