



Guidance for Discontinuing or Cancelling a Pesticide Registration

Michigan's pesticide law (Act 451 of 1994, part 83) states:

(3) A registrant who intends to discontinue a pesticide registration shall do either of the following:

(a) Terminate further distribution within the state and continue to register the pesticide annually for 2 successive years.

(b) Initiate a recall of the pesticide from distribution in the state prior to the expiration of the registration of the pesticide. Pesticides that do not go through a 2-year discontinuance period and that are found in the channels of trade are subject to registration penalties and all related fees since the product's last year of registration.

In short, before a pesticide can be cancelled in Michigan it needs to: (1) go through two years of discontinuance, or (2) all product needs to be recalled from the state.

Discontinuance

If you choose to cancel a registration through discontinuance, you must cease all distribution of the product into the state, and continue to register the product for two years. Products can only enter discontinuance during our renewal period (May/June).

Cancellation

If you choose to cancel a product's registration via recall, you must notify us in writing. Your notification must be on company letterhead and must contain the following language:

" Insert Company Name requests the cancellation of the following pesticide registration: (list pesticide brand name and EPA Reg. No.)

To the best of my knowledge none of these products remain in Michigan's channels of trade. I understand that if in the future, the above pesticide is found in Michigan's channels of trade, Insert Company Name will be responsible for all registration fees, groundwater protection fees, late fees, and possible administrative penalties dating back to the last year the product was registered."

We are often asked the following question: *"We haven't sold any product in Michigan for several years. Can I just cancel the registration?"*

As indicated above, our law only provides two options for cancelling a product's registration: discontinuance and recall. If you are sure no product remains in the channels of trade, you could consider this a form of recall. As such, you could cancel the product's registration without discontinuance by following the above procedures for cancellation via recall.