

SFIREG OPP Updates
April 2023 – May 2023

April 10, 2023: EPA Publishes Updated Registration Review Schedule

<https://www.epa.gov/pesticides/epa-publishes-updated-registration-review-schedule>

EPA released an updated registration review schedule for the next three years to provide a roadmap and advance notice of actions for stakeholders. This update reflects the four-year extension for the registration review deadline provided for in the FY 2023 budget. The deadline for the completion of registration review final decisions is now October 1, 2026, for the pesticides registered before October 1, 2007.

April 11, 2023: EPA Proposes New Standards to Protect Public Health, Reduce Exposure to Ethylene Oxide Pollution

<https://www.epa.gov/newsreleases/epa-proposes-new-standards-protect-public-health-reduce-exposure-ethylene-oxide>

EPA proposed new health protections to reduce exposure to Ethylene Oxide (EtO), including more stringent air emissions standards and additional protections for workers who are exposed to the gas used to sterilize medical devices and certain spices. EPA is moving urgently to advance these new protections based on the Agency's latest assessment of cancer risks from EtO exposure in occupational settings, which are more significant than previously understood.

April 13, 2023: EPA Establishes First Pesticide Tolerance for Hemp

<https://www.epa.gov/pesticides/epa-establishes-first-pesticide-tolerance-hemp>

EPA established the first pesticide tolerance for hemp, for the pesticide ethalfluralin. Ethalfluralin, a conventional pesticide, is an herbicide that already has tolerances for use on other crops such as peanuts, potatoes, and soybeans. In October 2020, EPA received a petition from Interregional Research Project No. 4 (IR-4) requesting tolerances be established for residues of ethalfluralin in or on several crops, including hemp.

After a robust human health risk assessment, on April 10th, EPA issued a final tolerance rule that established the maximum amount of ethalfluralin residues allowed to remain in or on hemp seed. On April 13th, EPA accepted labels for this pesticide that now contain directions for use on hemp.

April 17, 2023: EPA Issues Revised Proposed Registration Decision of Fluazaindolizine to Address Exposures to Endangered Species and Their Critical Habitats

<https://www.epa.gov/pesticides/epa-issues-revised-proposed-registration-decision-fluazaindolizine-address-exposures>

EPA is revising its proposed registration decision for fluazaindolizine, a new pesticide active ingredient for agricultural use, to include EPA's new analysis of the pesticide's potential effects to federally endangered and threatened (listed) species and their designated critical habitats. This analysis, known as the draft effects determination, was completed as part of EPA's efforts to meet its obligations under the Endangered Species Act (ESA) and furthers the goals outlined in EPA's April 2022 ESA Workplan to provide practical protections from pesticides for listed species.

After considering public comments on the proposed registration and the draft effects determination, EPA will determine whether the registration action meets the FIFRA standard and ESA obligations.

Public comments were accepted for 30 days. The comment period closed on May 17, 2023

April 17, 2023: EPA Proposes Registration of New Pesticide for Use on Rice

<https://www.epa.gov/pesticides/epa-proposes-registration-new-pesticide-use-rice>

EPA released for public comment its proposed registration decision for granular pesticide products containing the new active ingredient pyraclonil to control weeds in water-seeded rice in California. In addition to its proposed registration decision, EPA has also released its draft biological evaluation (BE) for this pesticide under the Endangered Species Act (ESA).

Pyraclonil is formulated as a dust free granule that would be applied aerially to flooded rice paddies. Currently, it is intended for pre- and early post-emergence control of grass, sedge and broadleaf weeds in water-seeded rice in California only.

After considering public comments on the proposed registration and the draft BE, EPA will determine whether the registration action meets the FIFRA standard and ESA obligations.

Public comments were accepted for 30 days. The comment period closed on May 17, 2023

April 21, 2023: EPA Holds Virtual Pesticide Program Dialogue Committee Meeting

<https://www.epa.gov/pesticides/epa-holds-virtual-pesticide-program-dialogue-committee-meeting>

EPA announced that it will hold a virtual public meeting of the Pesticide Program Dialogue Committee (PPDC) on May 31-June 1, 2023. The PPDC provides feedback to EPA on pesticide regulatory, policy and program issues and includes representatives from environmental groups, pesticide manufacturers, trade associations, academia, and federal and state agencies.

April 26, 2023: EPA Proposes to Register New Uses of Pesticide Chlormequat Chloride

<https://www.epa.gov/pesticides/epa-proposes-register-new-uses-pesticide-chlormequat-chloride>

EPA released for public comment its proposed decision to register the first food uses of the pesticide chlormequat chloride to provide farmers with an additional tool to help increase crop yield. Before registering these uses, EPA will need to establish tolerances in or on barley, oat, triticale, and wheat.

Chlormequat chloride is currently registered for use as a plant growth regulator (PGR) in ornamentals grown in greenhouses and nurseries. Compared to other PGRs with similar use patterns, chlormequat allows for more flexibility in application timing, resulting in greater ease of use for small grain producers.

Public comments are being accepted for 30 days. The comment period closes on May 26, 2023

April 27, 2023: EPA Approves Emergency Exemption for Wolbachia Mosquitoes to Protect Endangered Birds in Hawaii

<https://www.epa.gov/pesticides/epa-approves-emergency-exemption-wolbachia-mosquitoes-protect-endangered-birds-hawaii>

EPA issued an emergency exemption to the state of Hawai'i, allowing the use of Wolbachia mosquitoes to help control an invasive mosquito species that is a major spreader of avian malaria, which does not infect humans, and is contributing to endangered bird species decline in the state. This emergency exemption is limited to certain areas of Hawai'i for controlling *Culex quinquefasciatus* mosquitoes and is valid for one year.

April 27, 2023: EPA Reaches Agreement on Early Mitigation Measures Initiative for an Organophosphate Pesticide

<https://www.epa.gov/pesticides/epa-reaches-agreement-early-mitigation-measures-initiative-organophosphate-pesticide>

EPA announced new mitigation measures for the organophosphate pesticide diazinon. Diazinon is an insecticide used on a variety of fruit and vegetable crops, orchards, outdoor nurseries and cattle ear tags. After EPA released an updated occupational risk assessment that found diazinon posed potential risks of concern to workers, EPA worked with the registrants of this pesticide to develop these new measures early, several years ahead of the normal registration review process, to protect people that work with this pesticide.

Stakeholders will have an opportunity to comment when the case progresses through the next step of registration review with the proposed interim decision, which will include the full updated human health risk assessment. EPA expects to issue the proposed interim decision for diazinon in fiscal year 2026.

May 5, 2023: EPA Takes Next Step in the Endangered Species Act Review of Three Neonicotinoids

<https://www.epa.gov/pesticides/epa-takes-next-step-endangered-species-act-review-three-neonicotinoids>

EPA released new analyses identifying federally endangered or threatened (listed) species that it predicts face the greatest risks from clothianidin, imidacloprid and thiamethoxam, part of a group of insecticides known as neonicotinoids used on a variety of crops, turf and ornamentals, and for other residential and commercial indoor and outdoor uses.

While these types of analyses have not historically been part of EPA's Endangered Species Act (ESA) assessments, EPA has recently conducted some of these analyses to expedite ESA consultations with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service (the Services).

May 7, 2023: Upcoming Virtual Public Meeting on Formaldehyde Studies

<https://www.epa.gov/pesticides/upcoming-virtual-public-meeting-formaldehyde-studies>

EPA announced that it would hold a virtual public meeting on May 16-18, 2023, from 1:00 – 5:00 pm Eastern Time to consult the Human Studies Review Board (HSRB), an independent advisory committee, about the scientific and ethical conduct of two human health studies on formaldehyde, as well as a draft weight of evidence document on the use of human studies for evaluating formaldehyde's acute respiratory effects.

May 17, 2023: EPA Opens Public Comment on Draft Guidance for Pesticide Application Submissions that Require Endangered Species Act Reviews

<https://www.epa.gov/pesticides/epa-opens-public-comment-draft-guidance-pesticide-application-submissions-require>

EPA is seeking public comment on draft guidance to improve the efficiency of EPA's Endangered Species Act (ESA) analyses for new pesticide active ingredient applications and active ingredients undergoing registration review. This guidance, when finalized, fulfills requirements outlined in the Pesticide Registration Improvement Act of 2022 (PRIA 5) and furthers goals outlined in EPA's 2022 ESA Workplan to protect listed species from exposure to pesticides.

The draft guidance applies to:

- New conventional pesticides and biopesticides that are intended for outdoor use; and
- Existing conventional pesticides and biopesticides that are intended for outdoor use that are being reevaluated under registration review.

Public comments are being accepted for 30 days. The comment period closes on June 16, 2023

May 18, 2023: Register for EPA's Webinar on Bilingual Pesticide Labels

<https://www.epa.gov/pesticides/register-epas-webinar-bilingual-pesticide-labels>

EPA is hosting a public webinar on Thursday, June 15, 2023, from 5:00pm to 7:00pm EST to obtain input from the public on ways to make bilingual pesticide labeling accessible to farmworkers as required by the Pesticide Registration Improvement Act of 2022 (PRIA 5). Following the webinar, EPA will open a comment period for 60 days through a Federal Register Notice to obtain written input on ways to make bilingual pesticide labeling accessible to farmworkers.

May 19, 2023: EPA Marks Endangered Species Day by Publishing Maps to Help Pesticide Users Better Understand Risks to Endangered Species

<https://www.epa.gov/pesticides/epa-marks-endangered-species-day-publishing-maps-help-pesticide-users-better-understand>

EPA has published a group of StoryMaps to raise public awareness about protecting endangered species from pesticides. These StoryMaps use an interactive format to describe 11 endangered and threatened (listed) species, their habitats, and why they are at risk from pesticide exposure.

Through its Vulnerable Species Pilot, EPA has been identifying endangered species that are vulnerable to pesticides, developing mitigations to protect them from pesticide exposure, and will apply the mitigations to many types of pesticides.

- The species included in this pilot are:
- listed as endangered or threatened species by the U.S. Fish and Wildlife Service;
- located in areas where pesticides are likely to be applied; and
- have relatively small ranges (where they live, are suspected to live, and areas that impact the species' survival in some way).

As described in EPA's [Endangered Species Workplan](#), the pilot focuses on implementing protections for 27 vulnerable federally listed endangered and threatened (listed) species.

May 24, 2023: EPA Seeking Public Comment on Candidates to be ad hoc Reviewers for Analysis of Atrazine Ecological Risks

<https://www.epa.gov/pesticides/epa-seeking-public-comment-candidates-be-ad-hoc-reviewers-analysis-atrazine-ecological>

EPA is accepting public comments on candidates who are being considered as ad hoc reviewers to assist the Federal Insecticide, Fungicide, and Rodenticide Act Scientific Advisory Panel (FIFRA SAP) with the review of the Agency's analysis and assessment of ecological risk from atrazine use. This 15-day comment period follows a March 2023 call for nominations. Approximately 8-12 ad hoc reviewers will be selected to assist with the review. The review will take place during the August 22-24, 2023, public meeting from 10:00 a.m. to approximately 5:00 p.m. EDT. Registration information for the meeting will

be announced on the FIFRA SAP website in July. Public comments on the nominees should be submitted to docket [EPA-HQ-OPP-2023-0154](#) on www.regulations.gov.

The public comment period began on May 24, 2023, and will end on June 8, 2023. These comments will be used to assist the Agency in selecting the ad hoc reviewers.

May 24, 2023: EPA Posts Draft Endangered Species Act Biological Opinion for Enlist Herbicide Products for Public Comment

<https://www.epa.gov/pesticides/epa-posts-draft-endangered-species-act-biological-opinion-enlist-herbicide-products>

EPA is posting and seeking public comment on the U.S. Fish and Wildlife Service's (FWS) draft biological opinion (BiOp) for Enlist products. Enlist One and Enlist Duo are two herbicides used to control weeds in genetically-modified corn, cotton, and soybean crops.

After the 60-day public comment period, EPA will provide FWS with the comments for its consideration before it finalizes the BiOp. The issuance of the final BiOp is the last step in EPA's formal consultation process with FWS. Once FWS issues its final BiOp, EPA will work with the registrants to implement it.

[Click here to access the Enlist BiOp](#)

[Click here to submit a public comment to the docket](#)

May 25: EPA Reaches Agreements on Early Mitigation Measures for Three More Organophosphate Pesticides

<https://www.epa.gov/pesticides/epa-reaches-agreements-early-mitigation-measures-three-more-organophosphate-pesticides>

EPA is announcing new mitigation measures for three additional organophosphate pesticides: ethoprop, phosmet, and tribufos. The Agency worked with the registrants of these pesticides to develop mitigation measures several years ahead of the scheduled completion of EPA's registration review work on these chemicals, expediting protection for farmworkers and other people who work with these pesticides.

- The updated phosmet ORE assessment is available in the registration review docket [EPA-HQ-OPP-2009-0316](#) at www.regulations.gov.
- The updated tribufos ORE assessment is available in the registration review docket [EPA-HQ-OPP-2008-0883](#) at www.regulations.gov.
- The updated tribufos ORE assessment is available in the registration review docket [EPA-HQ-OPP-2008-0560](#) at www.regulations.gov.

Stakeholders will have an opportunity to comment on the registration review for these three organophosphates during the next step of the process, when the proposed interim decisions are published for comment along with full updated human health risk assessments.

May 25: EPA Finalizes Rule to Accelerate Use of Plant-Incorporated Biotechnologies to Protect Against Pests

<https://www.epa.gov/pesticides/epa-finalizes-rule-accelerate-use-plant-incorporated-biotechnologies-protect-against>

EPA released a final rule exempting a class of plant-incorporated protectants (PIPs) created using genetic engineering from registration requirements under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), and from the food or feed residue tolerance requirements under the Federal Food, Drug, and Cosmetic Act (FFDCA).

Specifically, the final rule includes:

- Exemptions from FIFRA registration and FFDCA tolerance requirements for:
- PIPs in which genetic engineering has been used to insert or modify a gene to match a gene found in a sexually compatible plant; and,
- Loss-of-function PIPs in which the genetically engineered modification reduces or eliminates the activity of a gene, which then helps makes the plant resistant to pests.
- A required notification process to increase transparency and public confidence in these products. Developers of PIPs in the first exempted category additionally require an EPA confirmation that their PIP is eligible for the exemption, whereas developers of PIPs in the second exempted category can determine on their own whether the exemption applies.

Upon publication of the federal register notice, the final rule and additional information, including EPA's response to comments will be available in docket [EPA-HQ-OPP-2019-0508](https://www.regulations.gov) at www.regulations.gov.

May 25: EPA Extends Comment Periods for Ethylene Oxide (EtO) Proposals

<https://www.epa.gov/pesticides/epa-finalizes-rule-accelerate-use-plant-incorporated-biotechnologies-protect-against>

EPA is announcing a 15-day extension of the comment period for the ethylene oxide (EtO) proposed interim decision and draft risk assessment addendum under the Federal Insecticide, Fungicide, and Rodenticide Act, as well as the proposed air toxics rule for EtO commercial sterilizers. These two proposals, issued on April 11, 2023, will provide a comprehensive approach to addressing EtO pollution concerns that will increase safety in communities and for workers. Several State, local and industry groups requested more time to review the proposals. Consequently, EPA is extending the comment deadline from June 12, 2023, to June 27, 2023.

May 25: EPA Completes Scientific Testing of Pesticide Products for PFAS

<https://www.epa.gov/pesticides/epa-completes-scientific-testing-pesticide-products-pfas>

EPA is taking another step in addressing concerns that per- and polyfluoroalkyl substances (PFAS) have been found in pesticide products by releasing a summary of the laboratory analysis of 10 pesticide products reported to contain PFAS residues. EPA did not find any PFAS in the tested pesticide products, differing from the results of a published study in the Journal of Hazardous Materials. EPA is also releasing its newly developed and validated analytical methodology used in the testing process alongside the summary of its findings. EPA is confident in the results of this newly released method, which is specifically targeted to detect the presence of PFAS in pesticide products formulated with surfactants.

May 30: EPA Releases Risk Assessment Showing Significant Risks to Human Health from the Herbicide DCPA

<https://www.epa.gov/pesticides/epa-releases-risk-assessment-showing-significant-risks-human-health-herbicide-dcpa>

EPA is taking an important step to determine whether the herbicide dimethyl tetrachloroterephthalate (DCPA) can continue to be used safely in light of significant health risks identified. The Agency is releasing and requesting public comment on an Occupational and Residential Exposure (ORE) assessment on pesticide products containing DCPA, showing risks to workers and others exposed to the pesticide, with the most serious of risks to the fetuses of pregnant individuals.

Additionally, EPA is releasing a companion document summarizing EPA's ongoing review of DCPA, the health risks the Agency has identified, and potential next steps for the Agency. Given the potential for serious, permanent, and irreversible health risks, EPA is considering whether feasible mitigation measures exist that would address these potential risks or whether canceling the registration of all products containing DCPA is necessary. Given the potential that cancellation of this pesticide could take several years to complete, EPA is releasing this assessment in order to provide the public with timely information about its risks.

Upon publication of the Federal Register notice, EPA will accept public comments on the ORE assessment and its anticipated regulatory approach for DCPA for 30 days—with no extension—in docket EPA-HQ-OPP-2011-0374 at www.regulations.gov.

[View the DCPA docket](#)