



August 21, 2023

Susan Bartow  
Pesticide Re-Evaluation Division  
Office of Chemical Safety and Pollution Prevention  
Environmental Protection Agency  
1200 Pennsylvania Ave. NW  
Washington, DC 20460-0001

*Submitted electronically via Regulations.gov*

RE: Implementation of PRIA 5 Bilingual Labeling Requirements To Make Bilingual Pesticide Labeling Accessible to Farmworkers – Docket No. EPA-HQ-OPP-2023-0270/FRL-10998-01-OCSP

Dear Ms. Bartow:

The Association of American Pesticide Control Officials (AAPCO) was formed in 1947, the same year Congress enacted the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). AAPCO is a professional association comprised of the officers charged by law with the execution of the state, territorial, provincial, and federal pesticide laws in the United States, including all its territories, and in Canada. The Environmental Protection Agency (EPA) and States are co-regulators in implementing and enforcing FIFRA. Our mission is to represent state pesticide control officials in developing, implementing, and communicating sound public policies and programs related to the sale, application, transport, storage, and disposal of pesticides.

AAPCO has long-supported pesticide safety measures and provisions that protect workers and handlers. As such, we are strongly interested in the implementation of the Pesticide Registration Improvement Act of 2022 (PRIA 5), which was signed into law as part of the Consolidated Appropriations Act, 2023, as it relates to bilingual labeling. The Docket mentions that the EPA is interested in feedback on ways to make bilingual pesticide labeling accessible to farm workers. We believe that an essential part of making Spanish-translated labels accessible is assuring the translation is accurate, uses consistent terminology, and factors in differences in dialect. While the Spanish translation guide is a starting point, it does not encompass the diversity of language found on pesticide labels. AAPCO members have identified the need for expanding the guide and request that EPA develop a process for reviewing and making revisions. Further, AAPCO members identified challenges with limited broadband or cellular signal access in their states. They expressed the need for offline or non-electronic ways to share bilingual labels with workers.

AAPCO letter submitted electronically: Implementation of PRIA 5 Bilingual Labeling Requirements To Make Bilingual Pesticide Labeling Accessible to Farmworkers – Docket No. EPA-HQ-OPP-2023-0270/FRL-10998-01-OCSP

AAPCO members appreciate EPA's engagement during the National call hosted on June 15, 2023, and the call with State Lead Agencies on July 6, 2023. EPA addressed many questions on these calls, but several questions posed by AAPCO members centered around enforcement remain unanswered.

Is the translation guide enforceable?

Do registrants have to use the language as provided in the translation guide?

As EPA updates the translation guide, would this automatically change the label language requirements, or would there be a timetable for phasing these in?

Who is responsible for ensuring the accuracy of the translation/labeling?

What do State Lead Agencies (SLAs) do if they find issues with the translation and scannable codes, or lack thereof?

AAPCO appreciates the opportunity to provide feedback on current issues. We ask that EPA fully consider all stakeholders who comment on PRIA 5 Bilingual label provisions.

PRIA 5 states, "In carrying out this paragraph, the Administrator shall cooperate and consult with State lead agencies for pesticide regulation for the purpose of implementing bilingual labeling as provided in this paragraph as expeditiously as possible." AAPCO is committed to helping states prepare for changes and working with EPA on implementation.

Sincerely,

A handwritten signature in cursive script that reads "Megan L. Patterson".

Megan Patterson, President

AAPCO