

The Association of American Pesticide Control Officials

**Ed Messina, Director
Office of Pesticide Programs
U.S. Environmental Protection Agency**

March 4, 2024



Priorities

- PRIA 5 Implementation
- Registration and Registration Review
- ESA Efficiencies and Progress on our ESA Obligations
- Implementation of Agency Priorities
 - Environmental Justice
 - Climate Change
- Advancing State of the Art Science
 - PFAS - EDSP – Nano - NAMs
- Rule-Making, Guidance, Litigation, OIG, and Petition Responses
- Increasing Resources and IT Improvements
- Employee Experience/Organizational Development /Process (GP2W) (People, Processes, and Technology)

OPP FY23 Registration Highlights

- Over **10,000** submissions via Portal
- Over **8,000** PRIA and non-PRIA actions completed
- Registered **20** new active ingredients
- **23** Section 18 emergency exemption decisions (e.g., Wolbachia to control avian malaria, invasive coconut rhinoceros beetle, etc.)
- Reviewed labels and website materials for more than **40** products submitted by EPA regional offices and state partners to ensure compliance with device regulations
- **96** Pesticide News Stories Announced
- Center for Integrated Pest Management hosted **8** IPM webinars (over **10,400** attendees), responded to over **2,800** calls/emails, and increased IPM email distribution list to over **38,000** subscribers.



Office of Pesticide Programs

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Leo Gueriguian, Acting Deputy Director, Management
Michael Goodis, Deputy Director, Programs
Monique Perron, Senior Science Advisor
Catherine Aubee, Senior Advisor (EDSP)
Susan Jennings, Senior Advisor for Public Health

Endocrine Disruptor
Screening Program

Antimicrobials Division

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Kristen Willis, Deputy Director
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Dana Vogel, Director
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Greg Akerman, Associate Director

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Environmental Fate and Effects Division

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Amy Blankinship, Deputy Dir.
Brian Anderson, Assoc. Director

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Biological and Economic Analysis Division

Anne Overstreet, Director
Neil Anderson, Deputy Director

Pesticide Re-evaluation Division

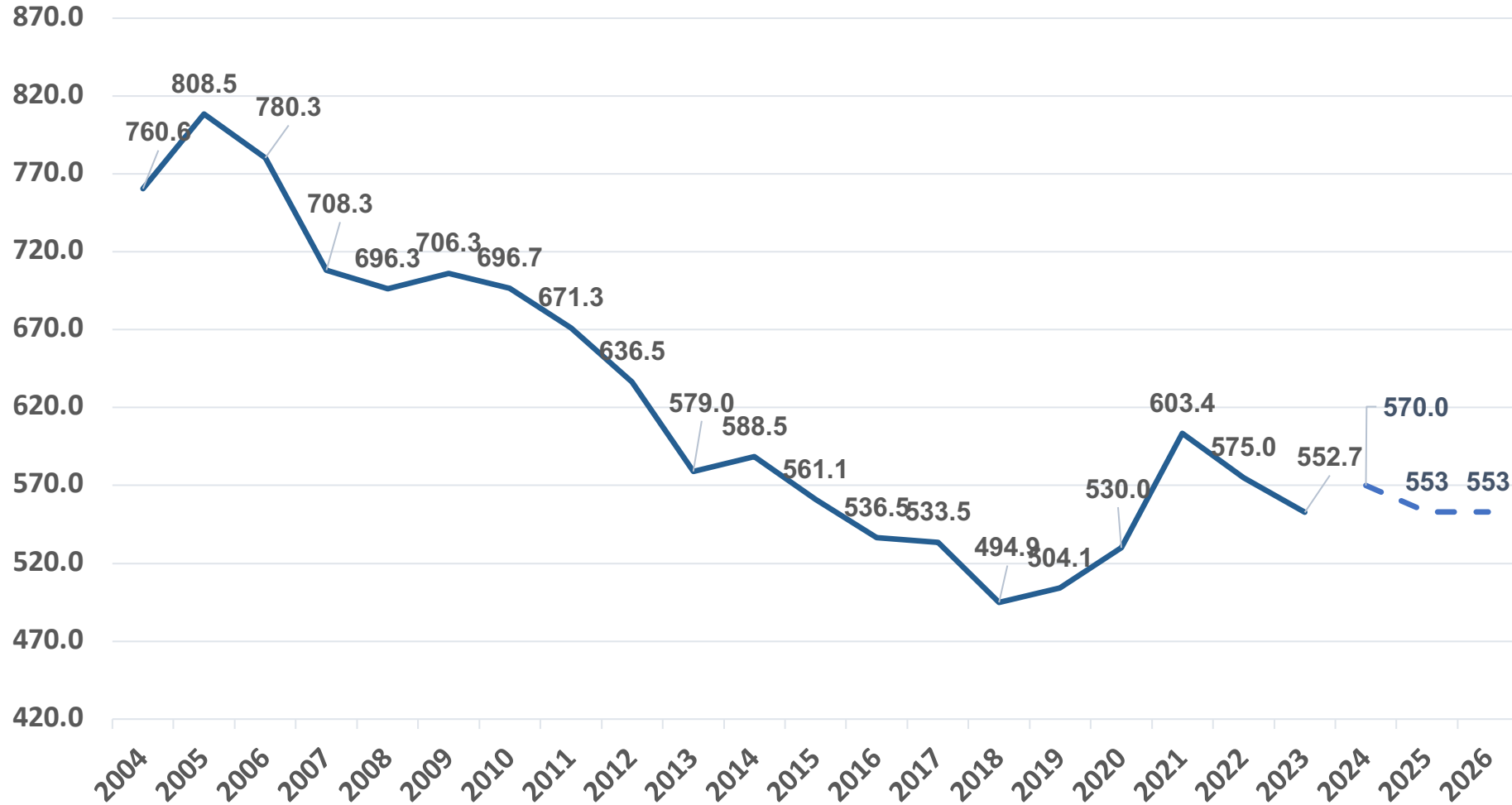
Tim Kiely (Acting), Director
Tim Kiely, Deputy Director

Hiring Update

- Overall, in FY 2023 EPA brought on 50 staff and 53 staff left OPP (this includes detail assignments to/from OPP);
- Status of new hiring activity (excludes details):
 - OPP hired 30 new people in fiscal year 2023;
 - OPP experienced a loss of 40 people in FY23;
- In the calendar year since passage of PRIA 5 (January through December 2023) OPP hired 35 new people and 34 departed.

EOY Total FTE Usage for OPP

FY 2004 - FY 2026



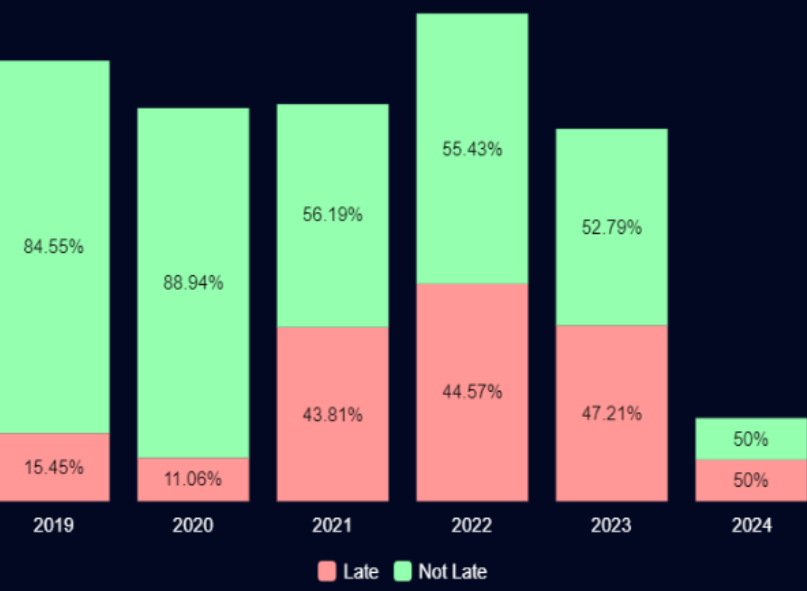
95 FTE deducted from the OCSP Program funding levels to normalize the data to reflect OCSP Reorganization and those FTE being moved to OPS.

IT Update

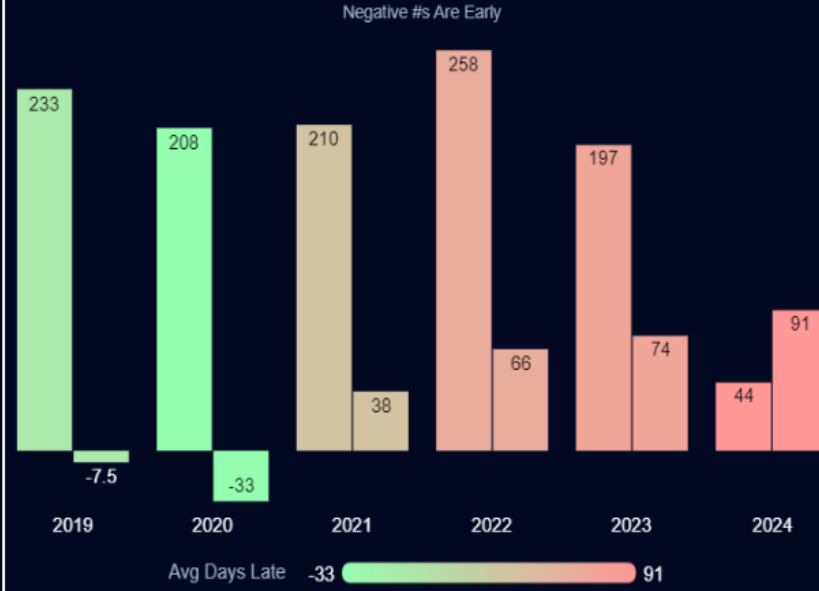
- In FY 2023, EPA successfully migrated all divisions within OPP into the new IT system for electronic submission and application tracking;
 - Conventional registration
 - Registration Review for PRD, AD, and BEAD
 - DCI generation module
- Both registration and reevaluation workflows are now fully in the new IT system;
- In FY 2024, EPA will:
 - Continue to enhance workflows in the internal IT systems for receipt and review of applications;
 - Initiate outreach to pesticide registrants with regard to development of a customer portal to allow applicants to view EPA progress of review of their applications.

Completed PRIA Last 5 FY

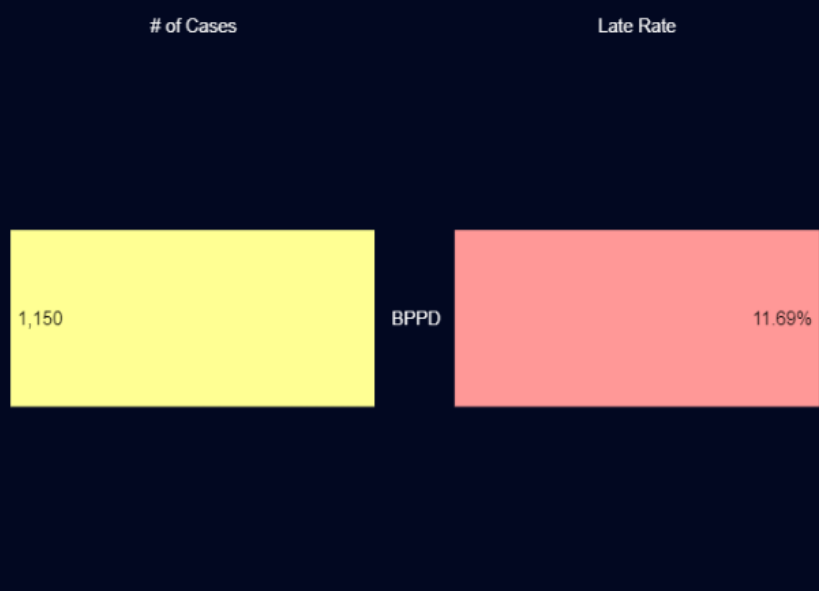
Late or Not by FY



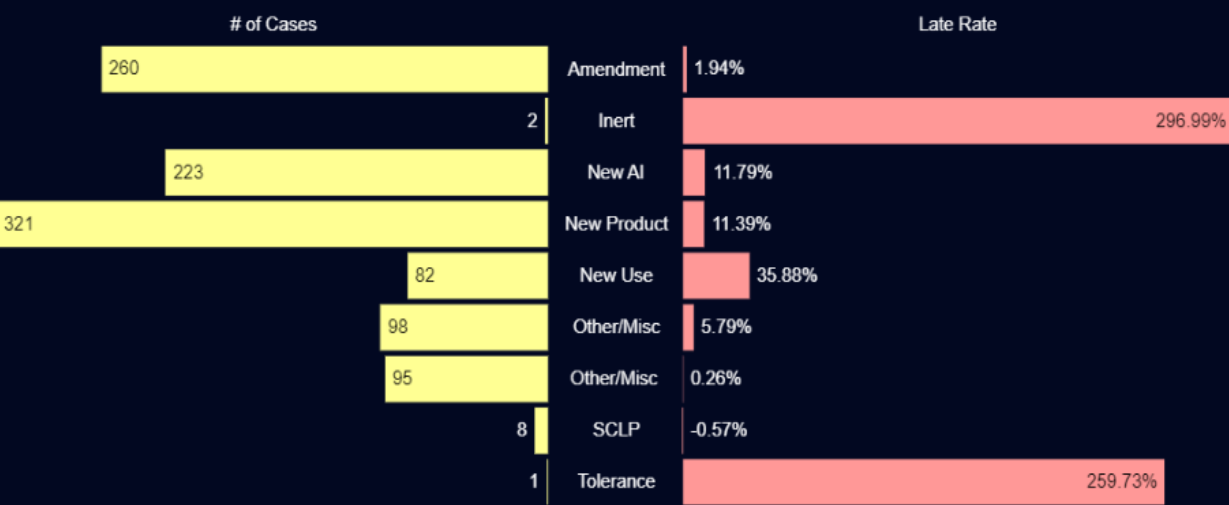
Avg Days Late by FY



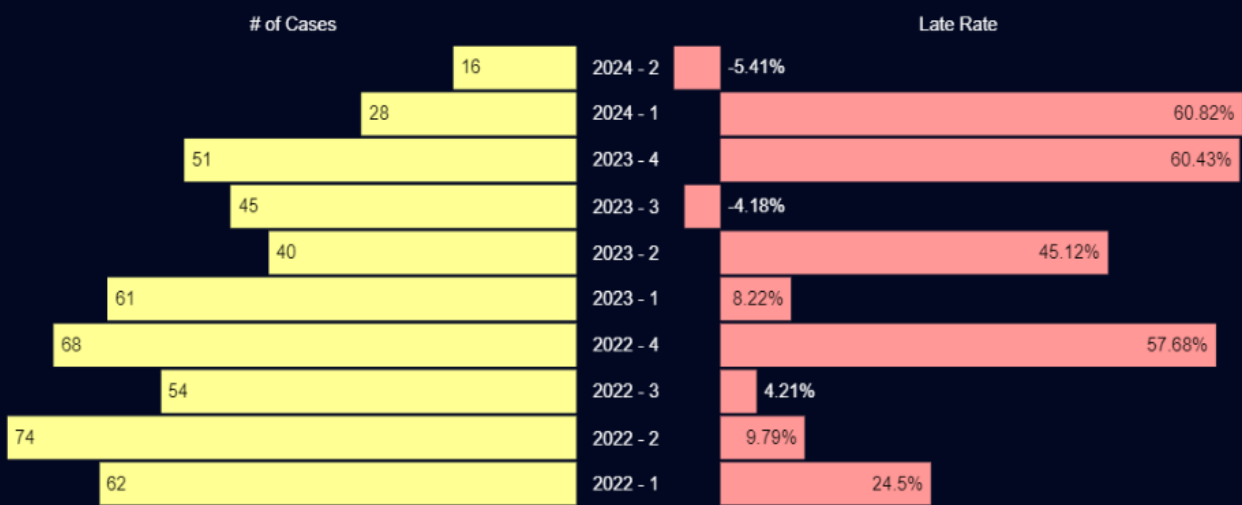
Late Rate by Division



Late Rate by PRIA Category



Late Rate by FQ Completed

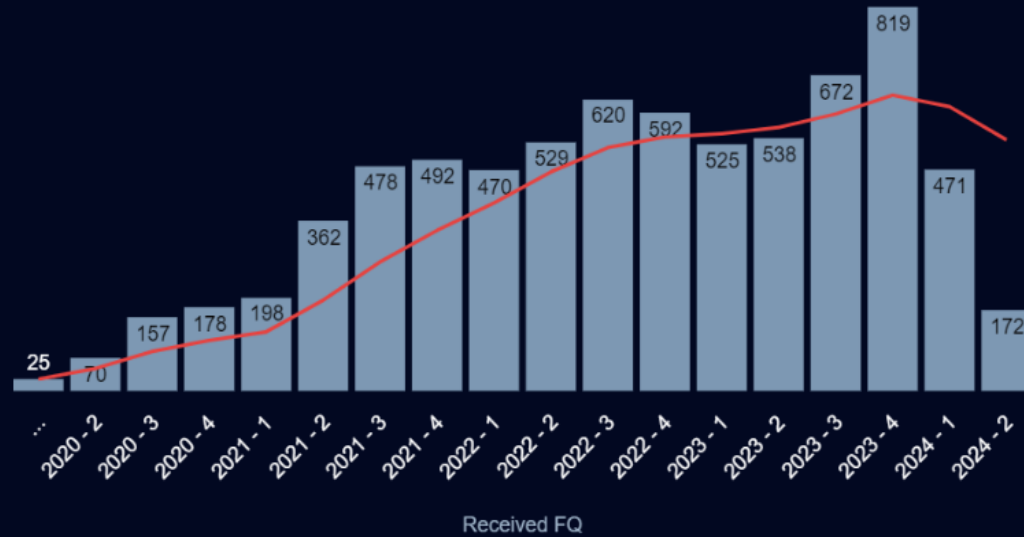


Coalition Non-PRIA Metrics

FY20-Now

Other

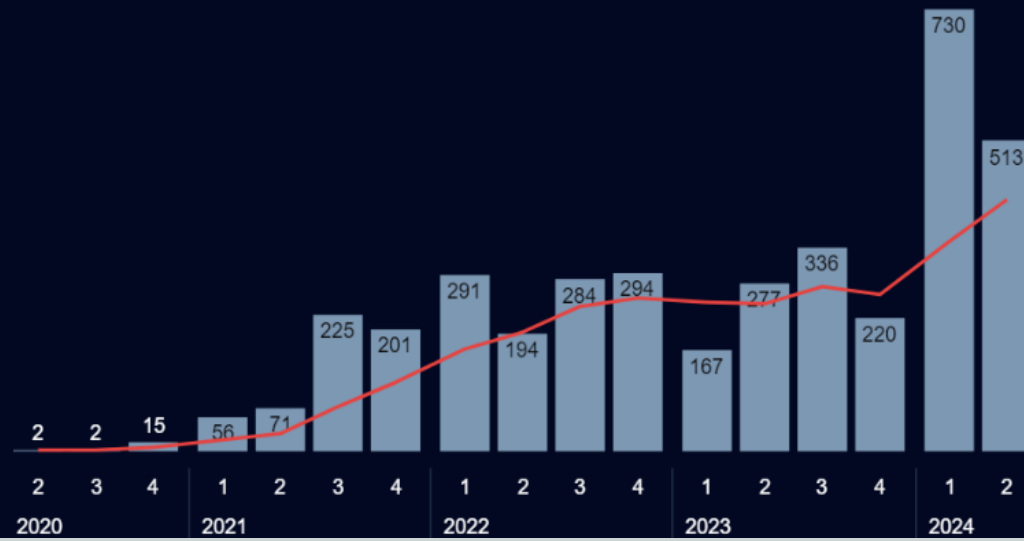
Notifications & Amendments Received



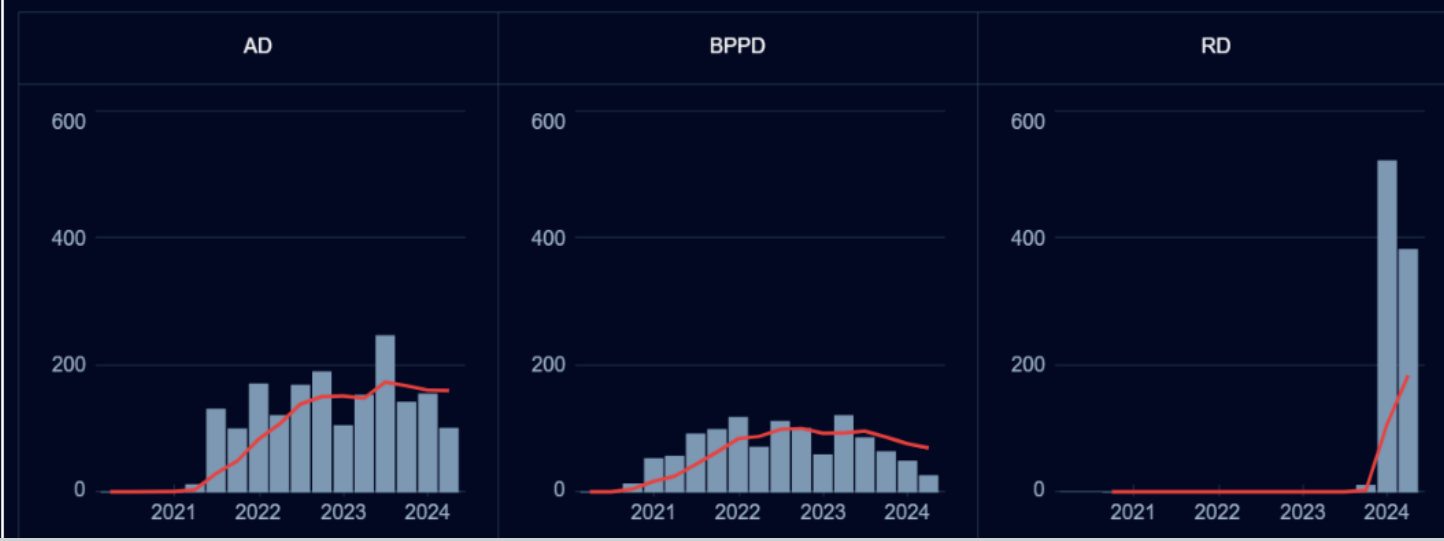
Notifications & Amendments Received



Notifications & Amendments Completed

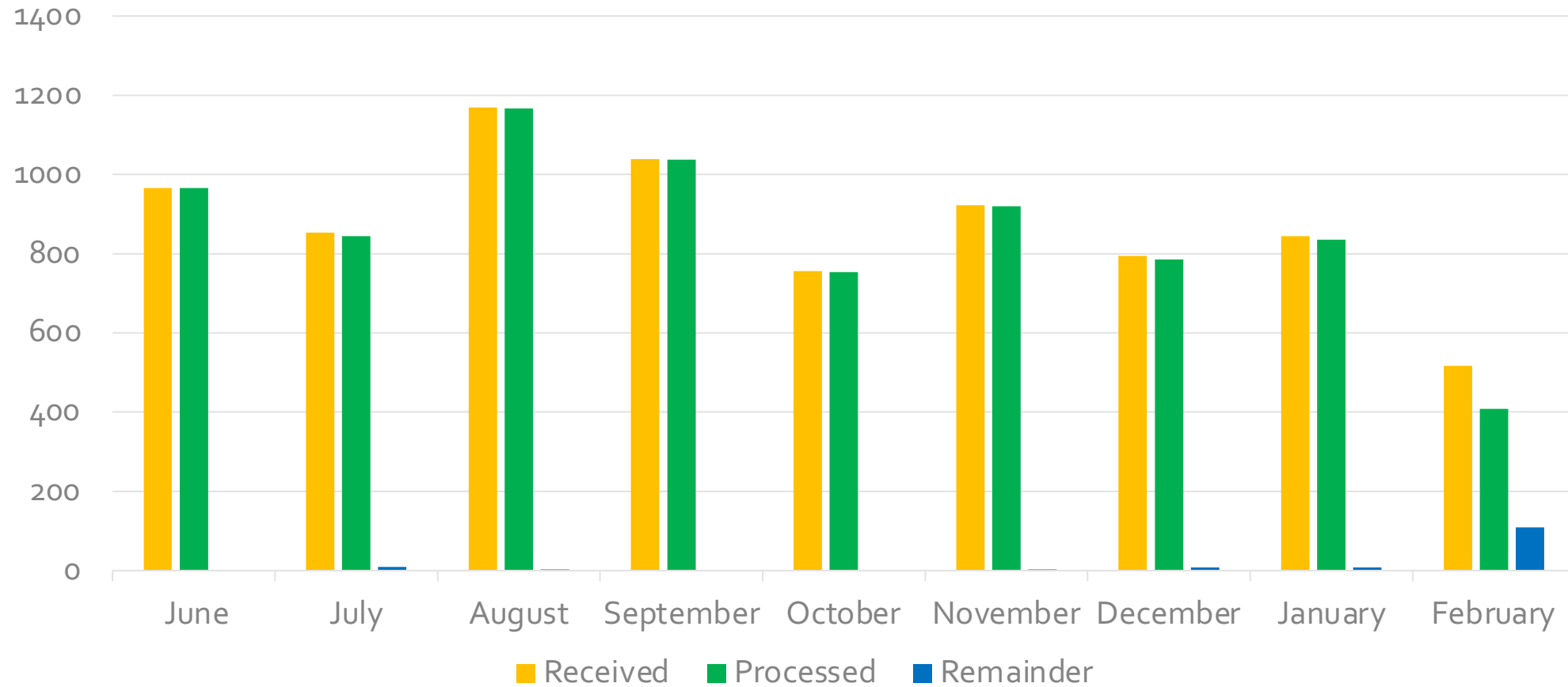


Notifications & Amendments Completed



Front End Processing Update

June 2023-February 15,2024 Monthly Front End Processing



<https://www.epa.gov/pesticide-registration/electronic-submissions-pesticide-applications>

Registration Review

- The FY 2023 omnibus set a new deadline of October 1, 2026, for completing the first round of registration review;
- There are 789 registration review cases due by October 1, 2026- 726 cases carried forward and 63 new active ingredients registered after FY 2007 with registration review due dates that fall before October 2026;
- Of the 789, as of the end of FY23 there were
 - 717 cases (or 91%) for which draft risk assessments are completed (71 remain)
 - 614 cases (or 78%) for which final or interim decisions are completed (175 remain)



Chlorpyrifos Update

- On November 2, 2023, the Eighth Circuit court vacated the Final Rule revoking chlorpyrifos tolerances, remanding the rule back to the EPA to reconsider the record on chlorpyrifos and determine whether any food uses can be retained.
- EPA had issued the August 2021 final rule in response to the Ninth Circuit Court's order directing the Agency to issue a final rule revoking all chlorpyrifos tolerances or making a safety finding on some uses without engaging in additional factfinding, within 60 days, in response to Pesticide Action Network North America and Natural Resources Defense Council's 2007 petition.

Chlorpyrifos Update

- On December 28, 2023, the court's mandate issued, finalizing the court's judgment, and effectuating the vacatur of the Agency's rule revoking chlorpyrifos tolerances.
- On February 5, 2024, EPA issued a final rule that amends the Code of Federal Regulations to reflect the current legal status of the chlorpyrifos tolerances following the court order vacating the Agency's revocation of those tolerances.
- EPA issued this as a final action to reflect the current legal status of the tolerances for chlorpyrifos.

Chlorpyrifos Update

- Since the Final Rule revoking chlorpyrifos tolerances has been vacated (and the tolerances are again in effect), growers can use currently registered chlorpyrifos products on crops consistent with label directions without a concern for adulterated food crops.
- Retailers, distributors, and suppliers may sell current registered products containing chlorpyrifos.

Chlorpyrifos Update

- EPA is also engaged in discussions with registrants of chlorpyrifos products to further reduce exposures associated with the 11 uses of chlorpyrifos identified in the PID.
- EPA will finalize cancellation requests to remove all food uses but the 11 and issue a proposed rule for public comment revoking all tolerances but for those associated with the 11 uses.
- EPA intends to issue a final rule shortly after considering public comments.
- EPA is working towards updating the human health risk assessment in preparation for issuing an amended proposed interim registration review decision in early 2025.

Atrazine Update

Final report from the August 2023 SAP was released in November 2023:

- Based on discussions at the 2023 SAP, as well as the Agency's reevaluation of the 11 cosm studies identified by the 2012 SAP as warranting further review, EPA expects the CE-LOC will ultimately increase from the current 3.4 micrograms/L.
- EPA's response to the SAP will be released in early March 2024.
- Based on public comments, the Agency will be reevaluating two cosm studies that were included in the cosm database for the 2016 ecological risk assessment, but were not presented during the 2012 SAP.
- The Agency will re-run the WARP-MP (Watershed Regression for Pesticides for Multiple Pesticides) model to address public comments and errors noted.
- The Agency will also be evaluating newly available atrazine monitoring data and reviewing public comments on the mitigation strategies proposed in the revised ID.

All input from public comments on the proposed revisions to the ID as well as the feedback from the August 2023 SAP, will be considered before a final decision is made.

- EPA anticipates completion of that decision in 2024.

Paraquat Update

- Current Litigation Proceedings
 - In September 2021, several NGOs, including the Michael J. Fox Foundation and Earthjustice, filed a Petition for Review in the Ninth Circuit Court of Appeals challenging the 2021 Interim Decision.
 - In November 2022, EPA and the Petitioners agreed to hold the case in abeyance while EPA considered the issues raised by the Petitioners.
 - EPA released an initial draft of its reconsiderations on February 1, 2024, and opened a 60-day public comment that will close on April 1, 2024.
 - EPA intends to address any additional information that has been submitted along with any significant information it receives during the public comment period and incorporate its consideration of those materials into a final document(s) that will be issued by January 17, 2025.
- EPA is committed to transparency and continues to monitor the best available science on paraquat to remain informed on adverse health outcomes, including Parkinson's Disease.
 - Recent data received from NGOs Michael J. Fox Foundation and Earthjustice is under review

Glyphosate Update

- As part of registration review, a Glyphosate Interim Decision (ID) was published in February 2020.
- The ID was challenged in the Ninth Circuit which resulted in:
 - Vacating the human health portion of the ID
 - Granting EPA's request for voluntary remand of the ecological portion of the ID but with an October 2022 deadline for a new ecological portion of the ID
 - Court held that the ID triggered ESA Obligations
 - In response, EPA withdrew the ID as it was unable to meet the October 2022 deadline
 - EPA's underlying scientific findings regarding glyphosate, including its finding that glyphosate is not likely to be carcinogenic to humans, remains the same
- In 2026 EPA plans to complete a Proposed Final Decision, which will:
 - Revisit and better explain the carcinogenic potential of glyphosate
 - Revisit risk analysis related to in-field effects on the monarch butterfly and revisit the ecological risks versus benefits balancing in light of recent court decisions for other herbicides
 - Complete ESA consultation and respond to an administrative petition before issuing a final decision for glyphosate

Dicamba

- On February 6, 2024, the U.S. District Court of Arizona vacated the 2020 registrations for over-the-top (OTT) dicamba products.
- On February 14, 2024, EPA issued an Existing Stocks Order for Dicamba Products Previously Registered for Over-the-Top Use on Dicamba-Tolerant Cotton and Soybean.
- EPA issued the Existing Stocks Order to allow for limited sale and distribution of dicamba OTT products that were already in the possession of growers or in the channels of trade and outside the control of pesticide companies as of February 6, 2024.

Dicamba

- The order also prohibits the use of these dicamba products except where the use is consistent with the previously approved labeling, which included measures intended to reduce environmental damage caused by offsite movement of the pesticide.
- This Existing Stocks Order is limited in time and scope, allowing for certain sale, distribution, and use of existing stocks of these formerly-registered dicamba products for the 2024 growing season.
- EPA has received ample evidence that millions of gallons of OTT dicamba had already entered the channels of trade prior to February 6, 2024.

Dicamba

- Under this order, end users of existing stocks may only use the formerly-registered products consistent with the previously approved labeling for the products and must stop use of these products by the relevant dates laid out in the Order.
- Additional details regarding restrictions on the sale, distribution, and use of these formerly-registered products can be found in [EPA's Existing Stocks Order for Dicamba Products Previously Registered for Over-the-Top Use on Dicamba-Tolerant Cotton and Soybean](#).
- Next Steps, EPA will continue to update the public and the states as it evaluates and takes any actions related to dicamba use.

Streptomycin

- On February 5, 2024, the U.S. Court of Appeals for the Ninth Circuit vacated the streptomycin use on citrus crop group 10-10 that was added to these registrations in the 2021.
- EPA is reviewing the court's decision and is considering next steps.

Beekeeper Advisory

- EPA has recently learned that beekeepers may be using products containing pesticide active ingredients (e.g., oxalic acid, formic acid, amitraz, and thymol) that are not registered pesticides to control Varroa mites in bee colonies.

On January 8th, EPA issued an advisory to affirm that the use of registered pesticides:

- must comply with labeling requirements under FIFRA, that pesticide residues in or on food derived from beehives (e.g., honey, comb, wax, propolis, royal jelly, pollen)
 - must comply with any federal tolerances under FFDCA, that use of unregistered pesticides to control varroa mites cannot extend beyond personal use; and,
 - there may be more restrictive state requirements that must also be followed
- EPA remains committed to supporting the compliance and enforcement efforts by states with primary enforcement authority to ensure compliance with FIFRA requirements.

Additional Efforts to Support the Beekeeping Community

- Registered two new Varroa mite control products (i.e., Varroxsan™ and Ex-Ox™ tablets) containing oxalic acid as the active ingredient.
 - each product allows for easier application of oxalic acid, and in the case of Varroxsan™, a slower release and longer acting application of oxalic acid in the honey bee colony
- Will continue to prioritize the registration of pesticides that target Varroa mites and continue to provide helpful information about these products.
- Will continue to partner with the Interregional Project Number 4 (IR-4) to support the registration of new products to control Varroa mites and to provide guidance to beekeepers.
 - exploring additional opportunities with IR-4 to further support the beekeeper community to combat Varroa mites and emerging pests of concern.
- In collaboration with USDA and federal, tribal, and state partners, have been coordinating on several other efforts to help address this nationwide threat.

Endocrine Disruptor Screening Program

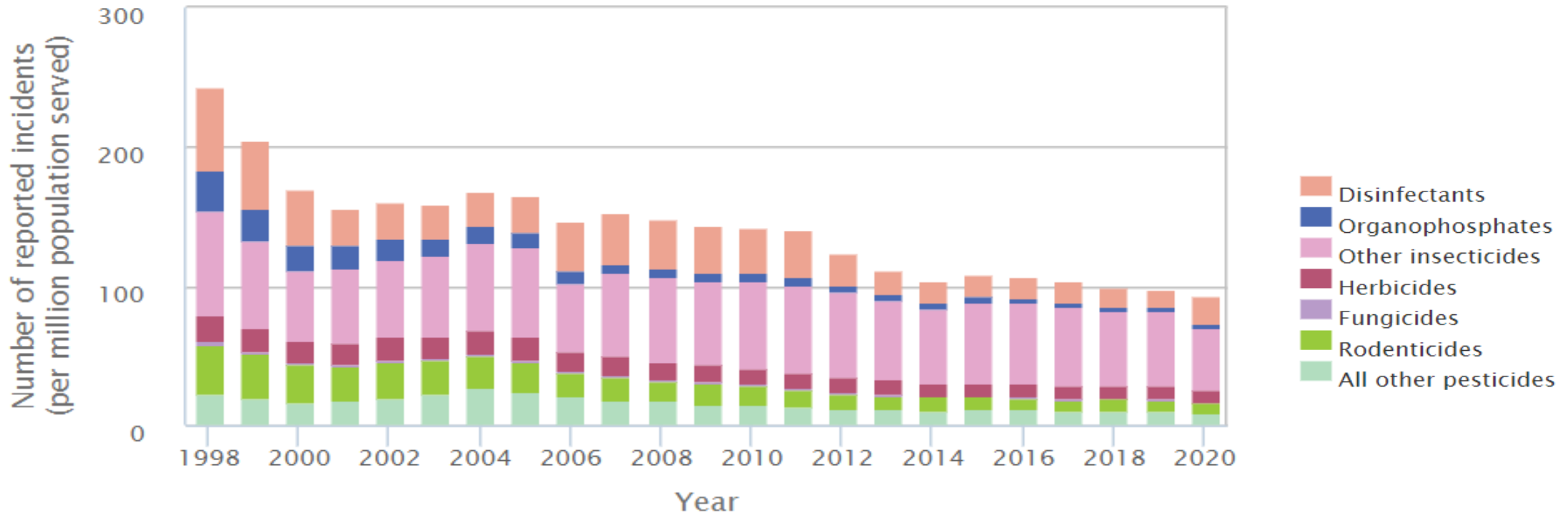
- On October 26, 2023, EPA released a strategic plan to ensure that its assessments of conventional pesticides more closely, quickly, and effectively evaluate the potential for endocrine effects in humans.
- These strategies will also improve EPA's ability to protect against those effects as part of its pesticide decisions under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and to implement the Endocrine Disruptor Screening Program (EDSP) under section 408(p) of the Federal Food, Drug, and Cosmetic Act (FFDCA).
- EPA will use its FIFRA process to obtain endocrine data and make endocrine decisions for human health.
- EPA will make endocrine decisions related to human health more expeditiously by using existing data when possible.
- In the near-term, EPA will require additional endocrine data for human health for 30 pesticides.
- EPA published a white paper on the Availability of New Approach Methodologies (NAMs) in EDSP and held public webinar on proposed use of NAMs in EDSP

EPA's PFAS Work - BEAD's Analytical Chemistry Branch (ACB)

Testing of Fluorinated Containers

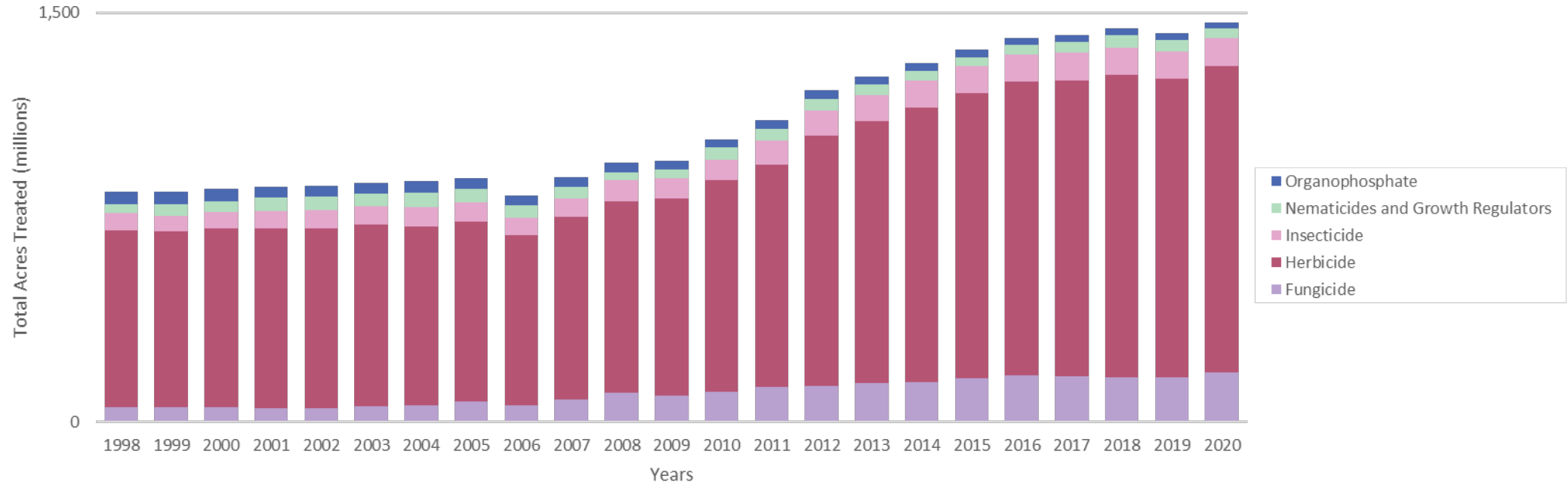
- In late 2022, EPA released results of testing various containers purchased on the open market as well as some obtained from pesticide manufacturers:
(<https://www.epa.gov/pesticides/epa-releases-data-leaching-pfas-fluorinated-packaging>)
 - Based on these results, EPA determined that liquid products packaged in high-density polyethylene (HDPE) containers treated with fluorination technology could leach certain PFAS into products from the container walls, even with water-based products
 - The total amount of PFAS leached into the products could increase over storage time and cause undisclosed levels of PFAS in a pesticide (or other) products
- In February 2024, EPA released a quantitative method (known as the coupon method) for testing PFAS from fluorinated containers.
- ACB will continue testing product containers manufactured using differing methods of fluorination.
- EPA considers any level of PFAS to be potentially toxicologically significant.
- We continue to ask companies using fluorinated containers and entities providing container fluorination services to examine their distribution chains to identify potential sources of contamination.

Reported Incidents per Million US Population by Pesticide Type, 1998-2020



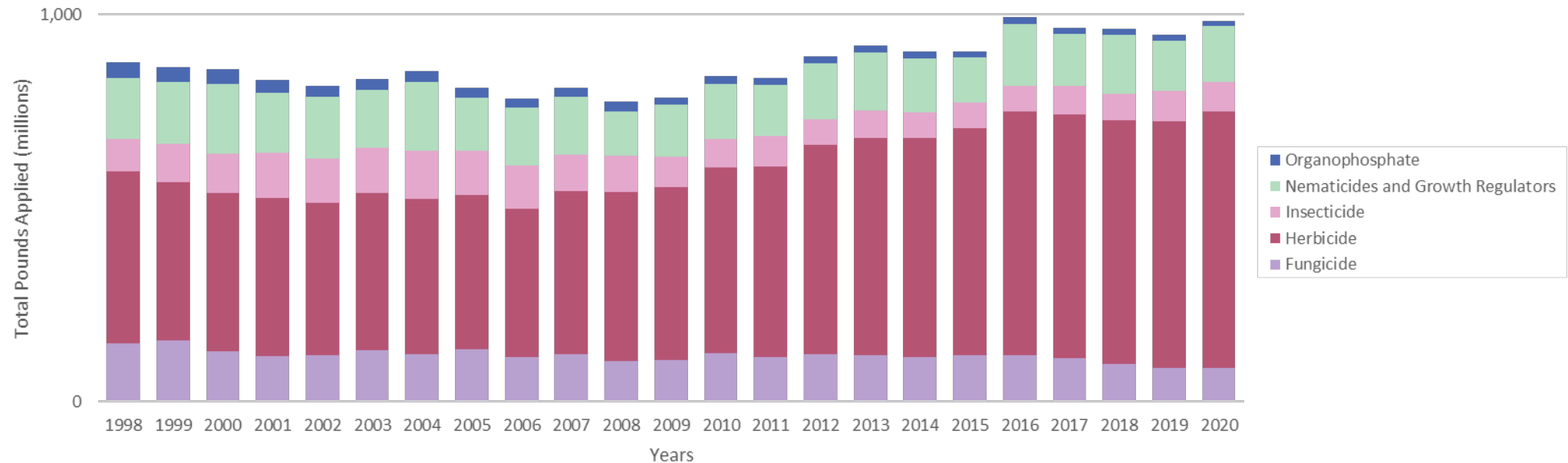
- In July 2023, EPA released publicly available database of all incidents submitted for the past ten years
 - Dramatically increases transparency and accessibility of data
 - Previously, these data were only available by submitting a FOIA request
- Data indicates incidents are down 61% since 1998, with the largest drop for the category of organophosphates, which has decreased by 91%

Total Acres Treated Reported for Surveyed Agricultural Crops by Pesticide Type, 1998-2020



- In the most recent published analysis available, agricultural pesticide usage represents approximately 90% of total pesticide usage in the US. (EPA 2017. Pesticides Industry Sales and Usage: 2008-2012 Market Estimates)
 - Annual pesticide usage statistics are available for approximately 60 agricultural crops that represent more than 80% of crop acreage grown in the US.
- New Draft Analysis: Comparisons of the oldest five-year period (1998-2002) and most recent five-year period (2016-2020) of available data:
 - The average total agricultural crop acreage treated with any pesticide increased by about 68% from 1998-2002 to 2016-2020.
 - The average number of agricultural acres treated with an organophosphate decreased by approximately 44% annually between those periods.
 - On average, approximately 5% of total agricultural acreage was treated with OP pesticides between 1998-2002. This decreased to less than 2% between 2016-2020.

Total Pounds Applied Reported for Surveyed Agricultural Crops by Pesticide Type, 1998-2020



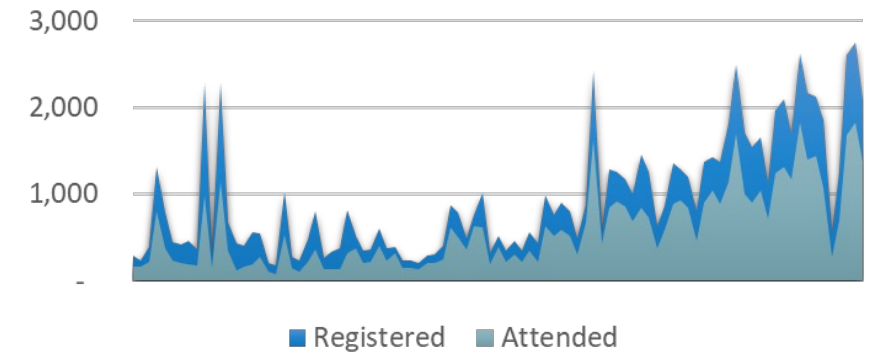
- Pounds of pesticide applied across multiple active ingredients are difficult to interpret because different pesticides have different application rates. For example, one pesticide may be applied at 10 pounds active ingredient per acre, while another is applied at 1/10th pound per acre.
 - Individual pesticide AI usage may be compared over time, as the application rate will remain relatively constant.
 - Multiple pesticides usage over time in terms of volume should be avoided, unless the proportion of all pesticides used remains the same.
- New Draft Analysis: Comparisons of the oldest five-year period (1998-2002) and most recent five-year period (2016-2020) of available data:
 - The average total pounds applied to agricultural crops treated with any pesticide increased by about 14% annually from 1998-2002 to 2016-2020.
 - The average total pounds applied to agricultural crops treated with any organophosphate decreased by approximately -59% annually between those periods.
 - On average, approximately 4.2% of total pounds of pesticide applied to agricultural crops was treated with OP pesticides between 1998-2002. This decreased to less than 2% between 2016-2020.

Integrated Pest Management Activities

Webinar Series

- Steady growth since 2014
 - Most monthly webinars draw **>1,000 participants**
 - Announcements reaching **23,000+ IPM subscribers**
- Most states and several professional organizations offering continuing education credits to licensees for their attendance
- Register for upcoming webinars using QR code
- View recordings at epa.gov/ipm

IPM Webinar Participation
(2014-Present)



Upcoming webinars



Other IPM Efforts

- **Bed Bug Teleclass Reaches Worldwide Audience**
 - January 2024 Webber Teleclass - *Encountering Bed Bugs While Traveling*
 - **8,600 participants** in live event
 - **29,000+ views** of online recording
- **Center for IPM**
 - Provides IPM program support and responds to pest-specific inquiries
 - Supports EPA Regional IPM activities
- **IPM Grants**
 - Six agricultural IPM grants (\$750k) concluding by early 2025
- **Educational Field Experiences**
 - Provide opportunities for senior OCSPP/OPP leaders to see IPM in action
 - IPM for schools, mosquitoes, rodents in AZ, CA, FL, IN, LA, TX

2023 Crop Tours



- **24** Grower Groups/Registrants communicated an interest in field tours/site visits with OPP staff
- **19** Actual invitations were received, but because of limited funding we were not able to participate in all of them
- **15** Crop Tours were arranged with the generosity of grower groups gifting the majority of expenses
- **197** EPA staff (DAAs, ODs, DDs, DDDs, BCs, Staff and OGC partners) were able to participate this year

Sign-up for OPP Pesticide Updates

Get pesticide news story updates by email:

- Go to epa.gov/pesticides
- Go to the “Recent Highlights and Pesticide News” box in the right corner
- Click on “View more pesticide news” at the top
- Go to the “Other Resources” box at the right
- Under, “Get pesticide updates by email,” enter your email address and click “Sign up”

Pesticide News Story Updates

