

FIFRA Enforcement: A year in Review

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Gregory Sullivan

Waste and Chemical Enforcement Division

Office of Civil Enforcement

Office of Enforcement and Compliance Assurance

sullivan.greg@epa.gov, (202) 564-1298



EPA Enforcement Goal

Effectively implement the Federal Insecticide, Fungicide, and Rodenticide Act to ensure pesticides are reviewed for their potential risks to human health and the environment **and enforcement actions are taken when necessary.**



Scope of the Regulated Universe Under FIFRA

- >18,900 Registered Pesticide Products
- >19,000 Active Registered Producing Establishments
- Unknown/Constantly Expanding Universe of Devices
- >261,100 Notices of Arrival (NOA) for Pesticide Product Imports from 2020-23*

*Total includes paper NOAs processed through December 31, 2023



EPA's Enforcement and Compliance Assurance Priority Setting

- EPA develops *National Program Guidance* that describes multi-year priorities
- The NPG for '23-'24 Outlines Overall Key Programmatic Priorities
 - Advance Environmental Justice
 - Address Climate Change
 - National Enforcement and Compliance Initiatives
 - Tribal Government Collaboration and Consultation/Compliance and Enforcement



EPA's FIFRA Enforcement and Compliance Assurance Priority Setting (continued)

- Implementing Core Work (all programs)
 - Inspections and Off-site Compliance Monitoring Activities
 - Compliance Monitoring Strategies
 - Data Reporting
 - Tips and Complaints
 - ***State and Direct Implementation Program Oversight and Improvement (outlines EPA's Direct Implementation activities, and EPA and Authorized State, Territory and/or Local Government program activities)***
 - Field Activities: Inspector Credentials, Field Procedures and Inspection Report Timeliness and Standardization
- **FIFRA Enforcement and Compliance Assurance High Priority Focus Areas**
 - **eCommerce**
 - **Product Integrity**
 - **Import Compliance**



General FIFRA Enforcement Trends

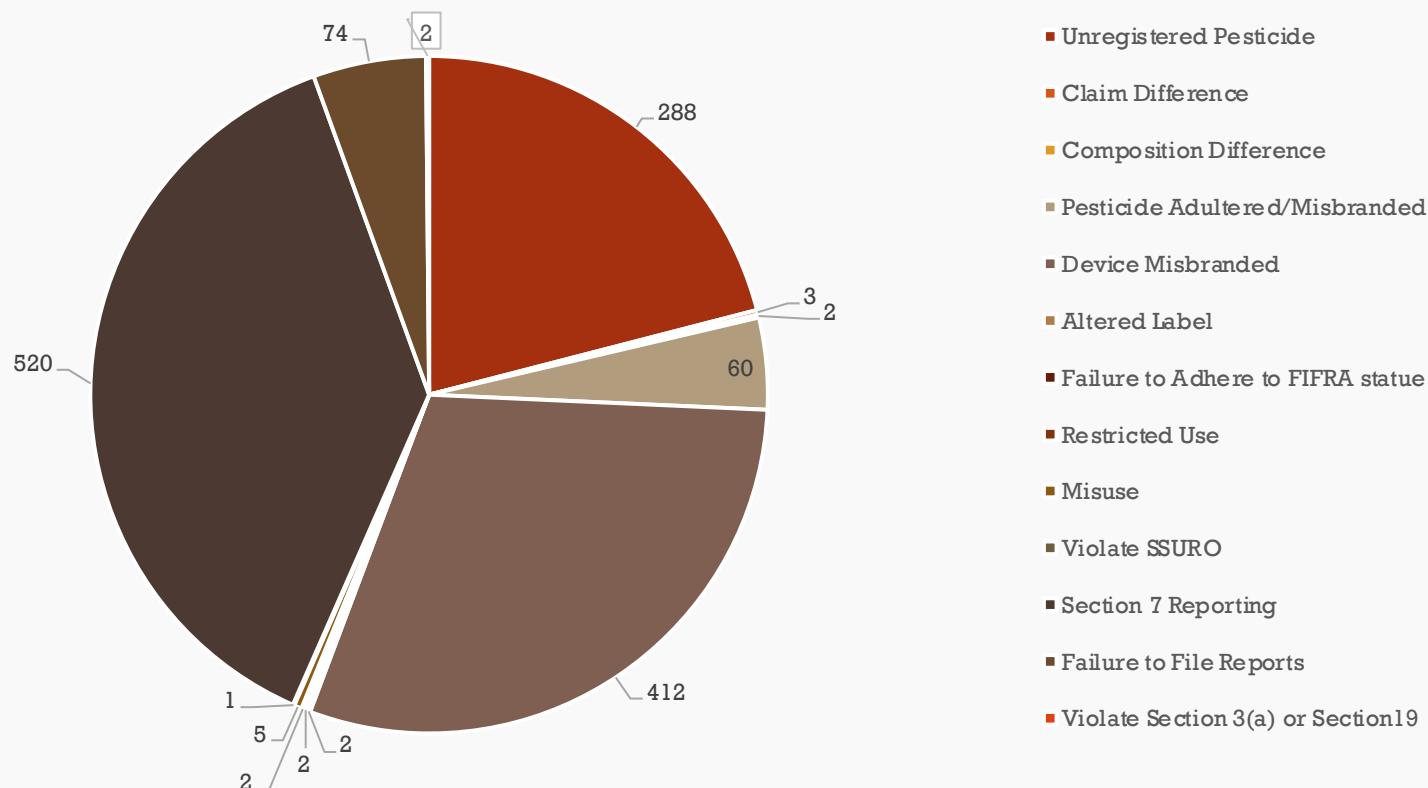
Enforcement Tools	FY 23	FY 22	FY 21	FY20	FY19
Stop Sale, Use and Removal Orders (SSUROs)	38	20	43	29	29
Notice of Refusal of Admission (NORAs)	684	590	933	671	200
Notice of Warning (NOW)	560	345	297	392	322
Consent Agreement and Final Order (CAFO)	70	54	66	63	53
Expedited Settlement Agreements (ESAs)	21	20	27	52	69
Total Penalties	\$7,024,612	\$6,685,691	\$12,301,503	\$5,027,249	\$3,753,451
Environmental Benefits (lbs non-compliant products)*	6,655,187 lbs	21,020,465 lbs	15,528,077 lbs	8,332,339 lbs	4,853,964 lbs

* Non-CBI information



FIFRA Section 12 Unlawful Acts Violated FY2023

Unlawful Acts Violated





Challenges of a Public Health Emergency

- Transitioning to a Remote Workforce
 - Enhancing Connectivity
 - Field Work Challenges
 - Signature Processes/Document Handling
- Workload Shifts/Increases
 - Tips/Complaints
 - Imports
 - eCommerce



Opportunities in a Public Health Emergency

Increased:

- Interagency Coordination
- Intra-Agency Coordination
- Consumer Education
- Compliance Assistance
- Improvements to Off-site compliance monitoring
- Enforcement



EPA Enforcement in the News

Example Recent Press Releases	
EPA Fines Grocery Outlet \$392,000 for Sale of Products Claiming to Be "Sterilizing" But Not Tested or Registered	https://www.epa.gov/newsreleases/epa-fines-grocery-outlet-392000-sale-products-claiming-be-sterilizing-not-tested-or August 31, 2023
EPA penalizes Idaho company for spraying pesticide near burial service	https://www.epa.gov/newsreleases/epa-penalizes-idaho-company-spraying-pesticide-near-burial-service October 11, 2023
The EPA and Seal Shield, LLC reach a settlement for alleged violations of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)	https://www.epa.gov/newsreleases/epa-and-seal-shield-llc-reach-settlement-alleged-violations-federal-insecticide April 6, 2023
EPA and Justice Department File Complaint Alleging Environmental Violations by eBay Lawsuit Alleges that eBay Unlawfully Sold Pesticides, Banned Chemical Products and Devices that Defeat Pollution Controls on Motor Vehicles	https://www.epa.gov/newsreleases/epa-and-justice-department-file-complaint-alleging-environmental-violations-ebay September 27, 2023
EPA Urges Consumers to Beware of Misbranded Antimicrobial Household Products Rush to Market without Complying with Applicable Federal Law During the COVID-19 Pandemic Results in \$1.5 Million Penalty	https://www.epa.gov/newsreleases/epa-urges-consumers-beware-misbranded-antimicrobial-household-products October 11, 2023



SLA/EPA Collaboration Opportunities

- **Inspections**
 - Marketplace
 - PEI
 - Imports
 - Use
- **Product Review**
 - eCommerce
- **Education/Outreach**
- **Enforcement Correspondence**
- **Existing/New Meeting Platforms**



Questions...?

