

FIFRA Enforcement: A year in Review

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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**



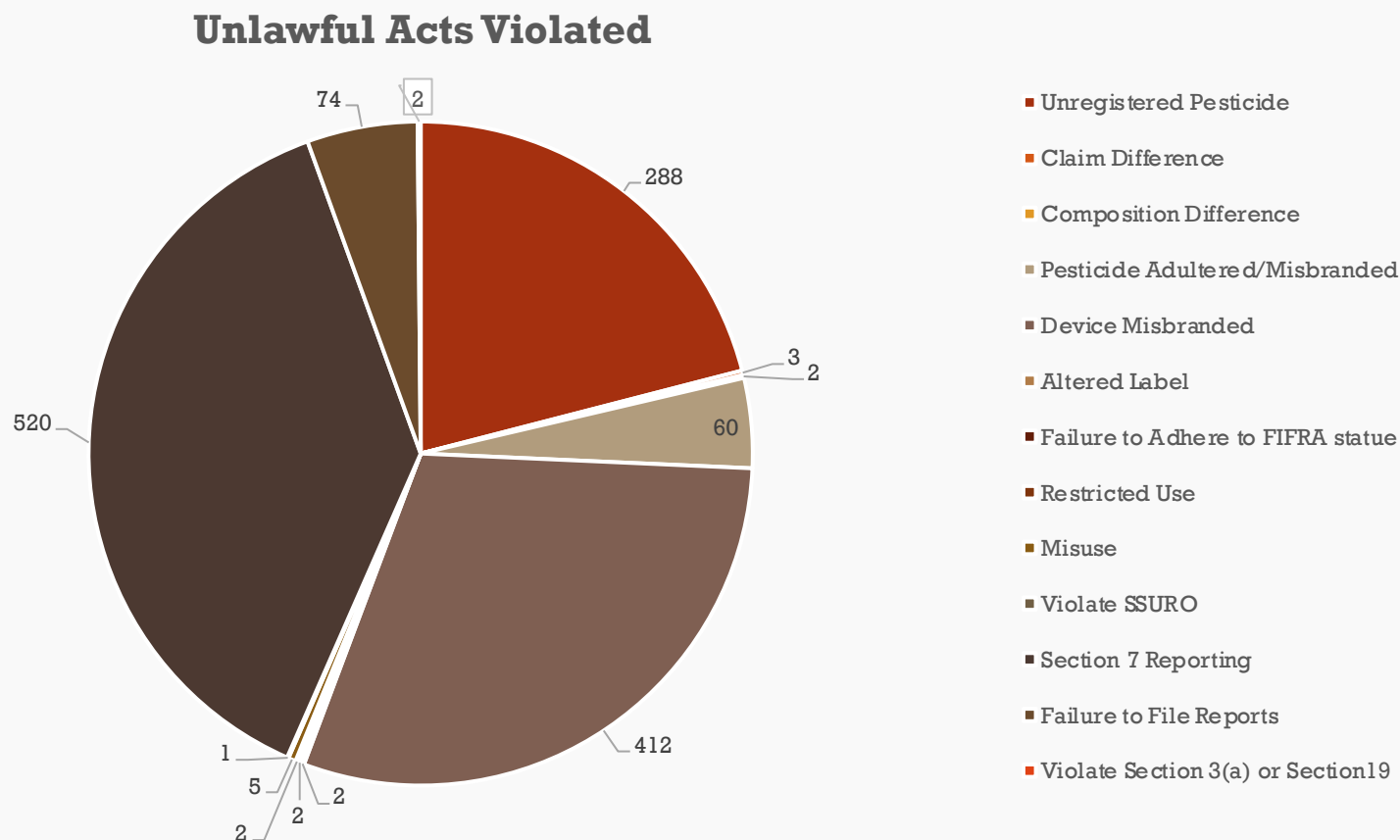
General FIFRA Enforcement Trends

| 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





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...?

