

# **State FIFRA Issues Research & Evaluation Group Meeting**

**Ed Messina, Director**

**Office of Pesticide Programs**

**U.S. Environmental Protection Agency**

**June 3, 2024**



## Office of Pesticide Programs

Edward Messina, Director

Leo Gueriguian, Deputy Director, Management  
(Vacant), 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

Anita Pease, Director

Kristen Willis, Deputy Director

Elizabeth Donovan,  
Associate Director

### Health Effects Division

Dana Vogel, Director

Donald Wilbur, Deputy Director

Greg Akerman, Associate Director

### Biopesticides and Pollution Prevention Division

Madison Le, Director

Shannon Borges, Deputy Director

### Environmental Fate and Effects Division

Jan Matuszko, Director

Amy Blankinship, Deputy Dir.

Brian Anderson, Assoc. Director

### Registration Division

Charles "Billy" Smith, Director

Daniel Rosenblatt, Deputy Director

Jennifer Saunders, (Acting) Assoc.  
Director

### Biological and Economic Analysis Division

Neil Anderson, (Acting) Director

Neil Anderson, Deputy Director

### Pesticide Re-evaluation Division

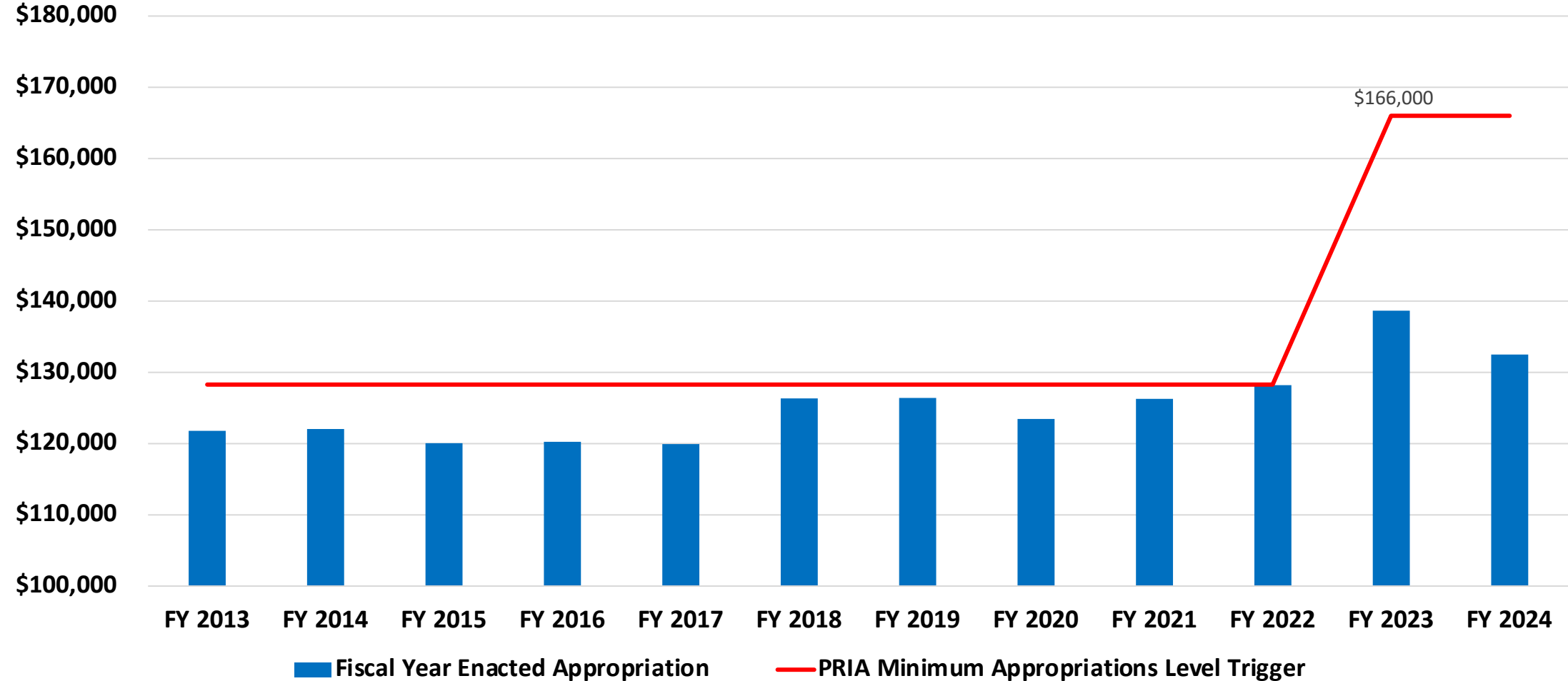
Anne Overstreet, Director

Tim Kiely, Deputy Director

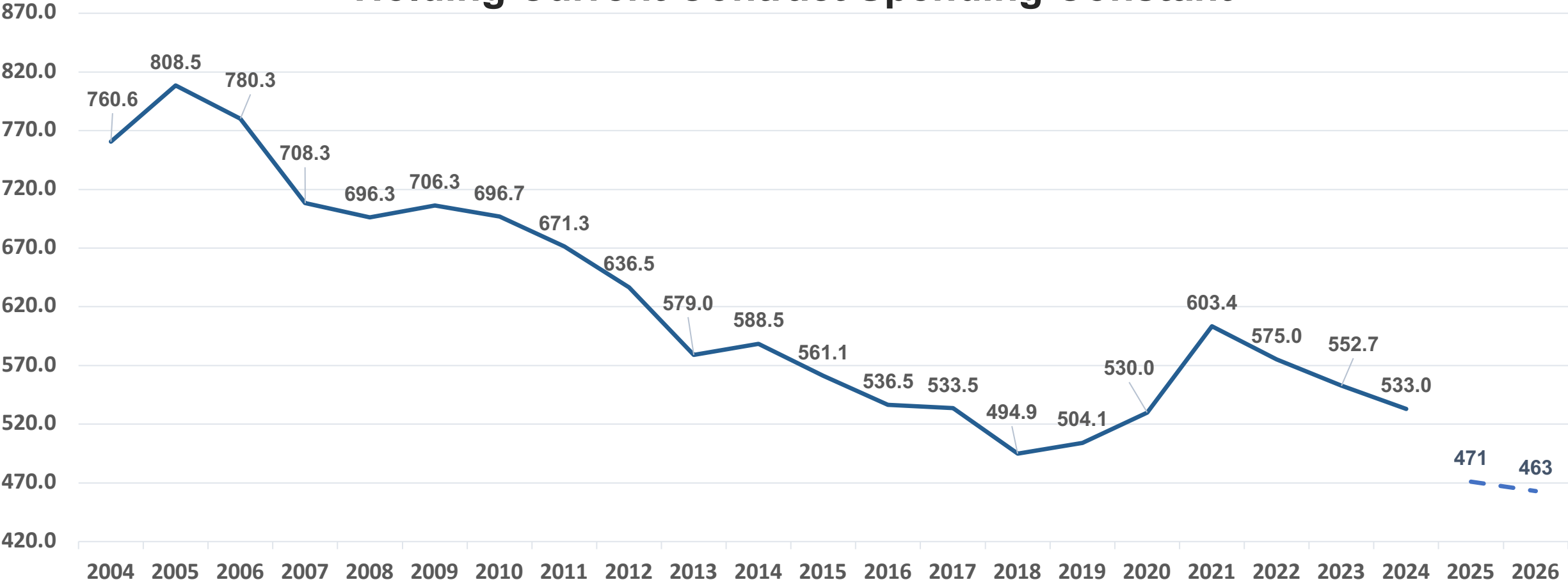
# Appropriations

- PRIA minimum appropriations level: **\$166,000,000**
- FY 2023 Final budget: **\$138,646,000**
- FY 2024 Final budget (projection): **\$132,464,000**
- FY 2025 President's budget: **\$175,027,000**
  - STAG: \$14,027,000
  - EPM: \$150,000,000
  - S&T: \$11,000,000

# Pesticides Enacted Appropriations by Fiscal Year, FY 2012-2024 (Dollars in Thousands)

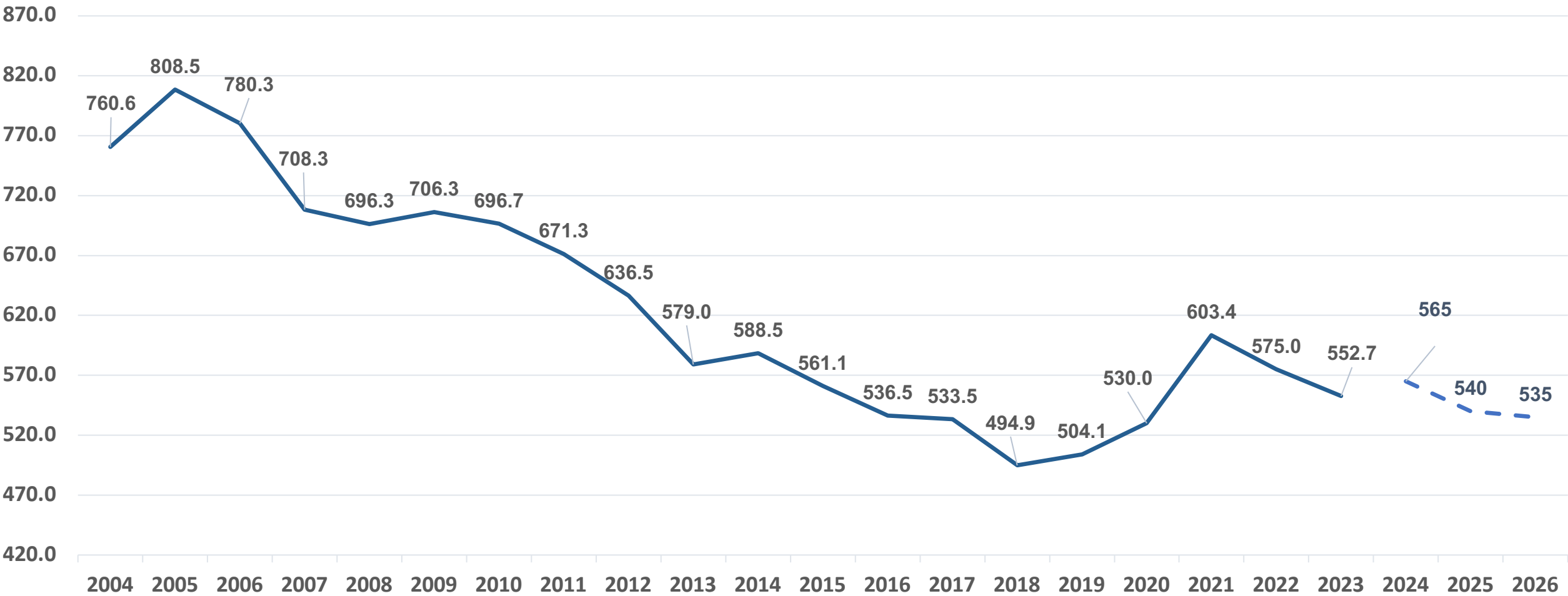


# EOY Total FTE Usage Assuming FTE Cuts and Holding Current Contract Spending Constant



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

# EOY Total FTE Usage Assuming FTE Cuts and \$34M Contract Reduction (40%) from FY24-FY26



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

# Immediate FY 24 Budget Impacts

- Virtual PPDC
- Virtual SAPs
- Crop Tours
- IT Development Timing
- Significant Impacts to Hiring/Backfilling Staff
- Significant Cuts to Contracts
- Significant Delays to Registrations (upwards of 6 mo to 1 yr)
- Delays to other PRIA and Non-PRIA Actions

# 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 – NAMs
- Rule-Making, Guidance, Litigation, OIG, and Petition Responses
- Advancing Digital Transformation
- Employee Experience/Organizational Development /Process (GP2W) (People, Processes, and Technology)



# OPP FY24 Highlights to Date

- Over 7,000 submissions via Portal
- PRIA
  - 1,019 applications received
  - 772 applications completed
- Non-PRIA (notifications, fast track amendments)
  - 1,835 applications received
  - 3,583 applications completed

# PRIA 5 Implementation- FY 24 Activities

- FY 2023 PRIA Annual Report issued
- Training Set-aside:
  - Utilizing an existing Office of Water grant to inventory and consolidate existing training
  - Establish grant program with the third-party entities identified in PRIA 5 to develop training curricula
- Workforce and Process Assessment Contracts
  - Utilizing an existing OMS contract for both activities
- Non-PRIA backlog reduction and review timeframes for new actions
- Farmworker and Health Clinician Cooperative Agreements
  - Technical Assistance to support applicants/grantees
- Bi-lingual labeling implementation- FAQs, implementation plan, outreach
- DER process implementation
- IT Modernization Efforts
- EPA webpage on PRIA 5 Implementation: <https://www.epa.gov/pria-fees/pria-5-implementation>

# PRIA 5 Implementation

- EPA continues to make progress implementing requirements of PRIA 5 - for example, OPP:
  - Continues outreach to a broad array of stakeholders regarding bilingual labeling implementation, including accessibility of labels to farmworkers; stakeholders include farmworkers and farmworker advocacy groups, industry, EPA environmental justice and pesticide federal advisory committees, states, and EPA regions;
  - Has made progress reducing the backlog of non-PRIA actions and implementing process changes to review these types of actions according to their timeframes;
  - Continues development of IT system for electronic registration submission and application tracking;

# PRIA 5 Implementation

- In December, established the Vector Expedited Review Voucher (VERV) program to incentivize registration of new insecticides to control the spread of vector-borne diseases;
- Developed and is implementing a process for sharing of EPA data evaluation records with the applicant at the time of the regulatory decision;
- Is supporting farmworker training and education through continuation of existing cooperative agreements, awarding of new Pesticide Safety Education Program cooperative agreement, and announcement of funding opportunity for Partnership Grants; and
- Requested stakeholder input on program design for health care provider training cooperative agreement.

# Dicamba Update

- EPA received an application from Bayer CropScience LP for a new product containing dicamba. The proposed product includes use of dicamba on dicamba-tolerant soybeans and cotton.
- Because the application involves a new use pattern for dicamba, the Agency is required to provide a 30-day public comment period on the registration applications consistent with FIFRA. EPA is also seeking comment on the associated draft labeling that was submitted by Bayer, which is available in the docket. The comment period for this action concludes today.
- The proposed labels would allow application to dicamba-tolerant soybeans made before, during, or immediately after planting until emergence of the seedling, but no later than June 12 of each year.
- Application to dicamba-tolerant cotton in this proposal would be allowed before, during, immediately after planting, or 'over the top' of the cotton plant, but no later than July 30 of each year.
- Should EPA determine that this or any other registrant-submitted application including over-the-top dicamba meets the standard for registration of a new use under FIFRA, EPA will provide a separate opportunity for public comment on the proposed decision at a future time.

# Pesticide Registration Review

- The FY 2023 omnibus set a new deadline of October 1, 2026, for completing the first phase of registration review.
- There are 789 registration review cases due by October 1, 2026 - 726 cases registered prior to FY 2007 that 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 FY 2023 there were
  - 718 cases (or 91%) for which draft risk assessments are completed (71 remain).
  - 616 cases (or 78%) for which final or interim decisions are completed (173 remain).



# Chlorpyrifos Update

- On December 28, 2023, the U.S. Court of Appeals for the Eighth Circuit vacated EPA's August 2021 rule revoking all tolerances.
- On February 5, 2024, EPA issued a Federal Register notice to amend the Code of Federal Regulations to reflect the court's reinstatement of those tolerances.
- At this time, all the chlorpyrifos tolerances have been reinstated and are currently in effect.
- On March 15, 2024, EPA issued an amendment to revise the existing stocks provisions for three Adama chlorpyrifos pesticide products at the request of the registrant following the reinstatement of the tolerances.

# Chlorpyrifos Update

- In June 2024, EPA is amending the existing stocks provisions in the May 4, 2023 and August 31, 2022 cancellation orders for three chlorpyrifos products from Winfield Solutions and two chlorpyrifos products from Liberty Crop Protection.
- In June 2024, EPA is issuing a final cancellation order on the voluntary cancellation of the chlorpyrifos product “Dursban 50W in Water Soluble Packets,” and all but 11 food uses in certain geographical areas for Gharda’s chlorpyrifos technical and two chlorpyrifos end use products.
- In June 2024, the updated chlorpyrifos FAQ will be posted to the Agency’s website.
- EPA expects to implement the NMFS Biological Opinion for all remaining labels, which contain food uses, by August 30, 2024.
- EPA expects to issue a new proposed rule later this year to revoke the tolerances associated with all but the 11 food uses for which EPA could make a safety finding in the 2020 PID.



# Organophosphates Registration Review Update

- 18 Organophosphates Currently in Registration Review.
- Decisions scheduled to be completed by 2026.
- Upcoming Actions
  - Acephate Proposed Interim Decision (PID) – Completed April 2024.
  - Dicrotophos Proposed Interim Decision (PID) – June 2024.
  - Dimethoate Proposed Interim Decision (PID) – June 2024.
  - Malathion Proposed Interim Decision (PID) – July 2024.
  - TCVP (Tetrachlorvinphos) Interim Decision (ID) – June 2024.

# Acephate Update

- On April 30, 2024, EPA released a proposed interim decision (PID) to cancel all but one use of the pesticide acephate.
- This decision is based on EPA's updated human health draft risk assessment (HH DRA) and drinking water assessment (DWA) that were released last year, which showed significant dietary risks from drinking water for currently registered uses of acephate.
- EPA also identified worker, homeowner, and ecological risks that would be mitigated by the proposed cancellations.
- The Agency is proposing to maintain the use of acephate for tree injection because it does not contribute to drinking water exposure, there are no risks for workers, and, with label changes, would not pose risks to the environment.
- The revised HH DRA and DWA were released in August 2023.
- The PID released in April 2024 is available for public comment until July 1, 2024.

# DCPA Update

- On April 1, 2024, EPA announced its next steps to protect people from the herbicide dimethyl tetrachloroterephthalate (DCPA, or Dacthal).
- EPA warned people of the significant health risks to pregnant individuals and their developing babies exposed to DCPA and will be pursuing action to address the serious, permanent, and irreversible health risks associated with the pesticide as quickly as possible.
- EPA has also issued a letter to AMVAC, the sole manufacturer of DCPA, restating the risks the agency found and stating that due to the serious risks posed by DCPA, the agency is pursuing further action to protect workers and others who could be exposed.
- EPA took this rare step of warning farmworkers about these concerns while it works on actions to protect workers because of the significant risks the agency has identified.

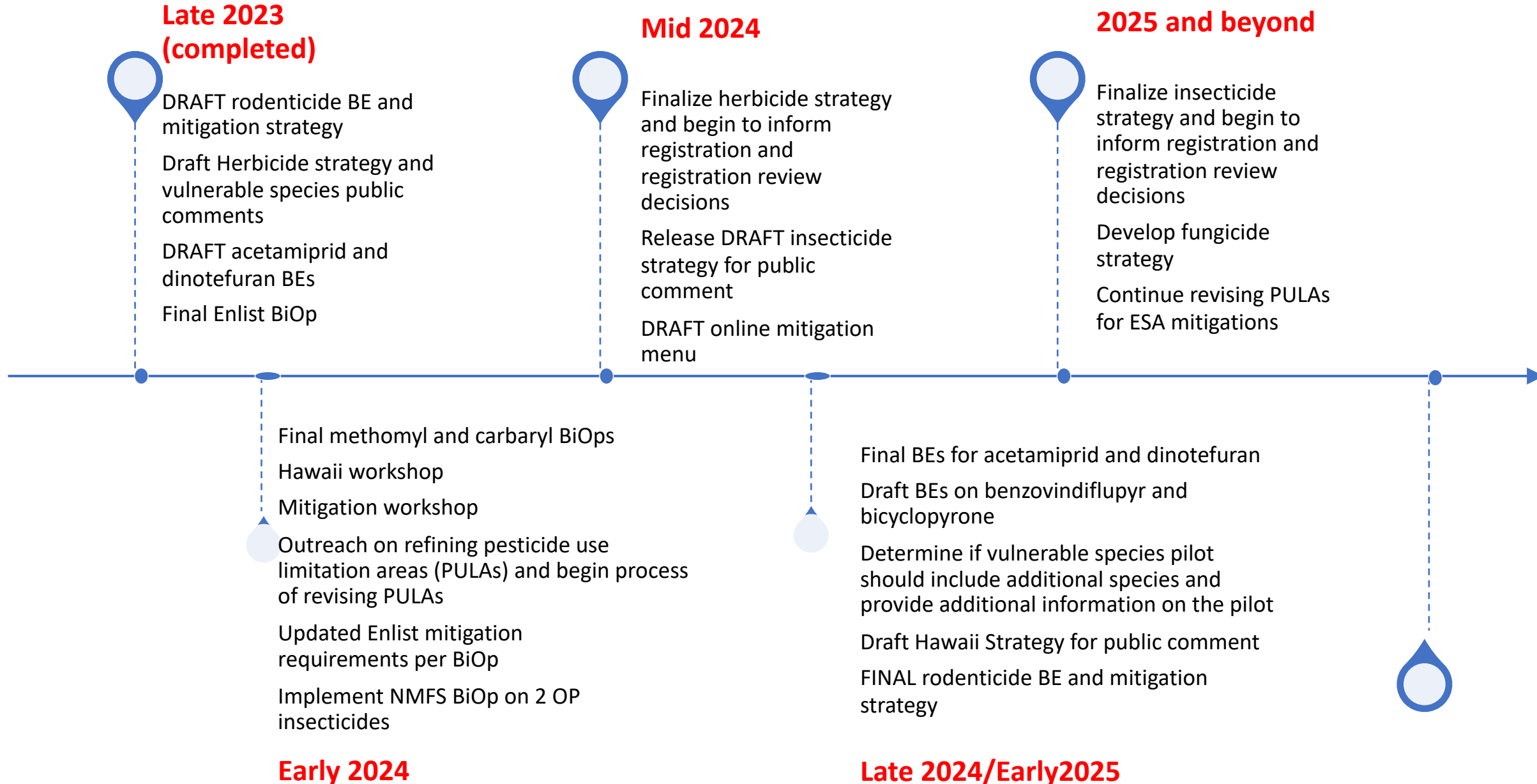
# Sulfuryl Fluoride Update

- In June 2023, the Agency issued the *Revised Mitigation and Response to Comments on the Sulfuryl Fluoride Draft Interim Mitigation Measures Memorandum*.
  - This early mitigation decision, which was amended in May 2024, required sulfuryl fluoride labels to include language to address the 2016 Office of Inspector General (OIG) audit to increase safety and compliance during residential fumigations.
  - The final label requirements include increased warning sign specifications; standardized elements for fumigation logs; removal of all product references of clearance devices; and listing the EPA website for effective clearance devices, registrant stewardship plans, and enhanced aeration requirements.
- The Agency has received the revised labels and is in the process of reviewing them, which is expected to be completed by the end of June 2024. Once the labels are "accepted," the registrants will have 12 months to sell existing stocks of products containing the old labels.
- The Registration Review of all the uses of sulfuryl fluoride is underway with risk assessments anticipated to publish for public comment by the end of the year.

# ESA Priorities

- **Steady progress**, with a recognition we can't solve this problem all at once
- **Increasing efficiency** of BE development and consultation
- **Transparency**
- **Opportunities for Stakeholders** to be part of the solution
- **Refined Maps** to narrow geographic restrictions to only those areas needed to protect listed species
- **Early proactive mitigations** to protect listed species from pesticide exposure
- **Flexible and Implementable** Mitigations for pesticide users
- **Off-sets** as another tool to minimize impact on pesticide users and protect species

# Select Ongoing and Upcoming ESA Activities



# ESA Mitigation Menu Webinar

- EPA will hold a public webinar on June 18, 2024, from 1-2 p.m. ET to provide an overview of its mitigation menu website that will describe mitigation options for reducing pesticide exposure to nontarget species from agricultural crop uses.
- This webinar will provide a description and walkthrough of the draft website where EPA plans to provide this menu of mitigations that pesticide users can select from to meet any requirements to reduce runoff/erosion.

# Antifungal and Antibacterial Resistance

- EPA, HHS, and USDA are working to strengthen assessments where certain antifungal or antibacterial pesticides could potentially cause resistance to medical drugs
- Federal government issued a concept note last September asking specific charge questions to help resolve uncertainties and data gaps
- Intended as the first step towards strengthened resistance assessments
  - Over 5,200 comments submitted from a diverse range of stakeholders
    - Most were part of a coordinated effort to promote stricter regulatory oversight, with an emphasis on One Health
    - Approximately 25 comments were submitted that contained more details
- EPA Draft Framework is coming in June.
  - The framework will lay out EPA's intentions for a collaborative interagency process to support EPA's assessments of potential resistance in pathogenic bacteria or fungi for antibacterial or antifungal pesticides.

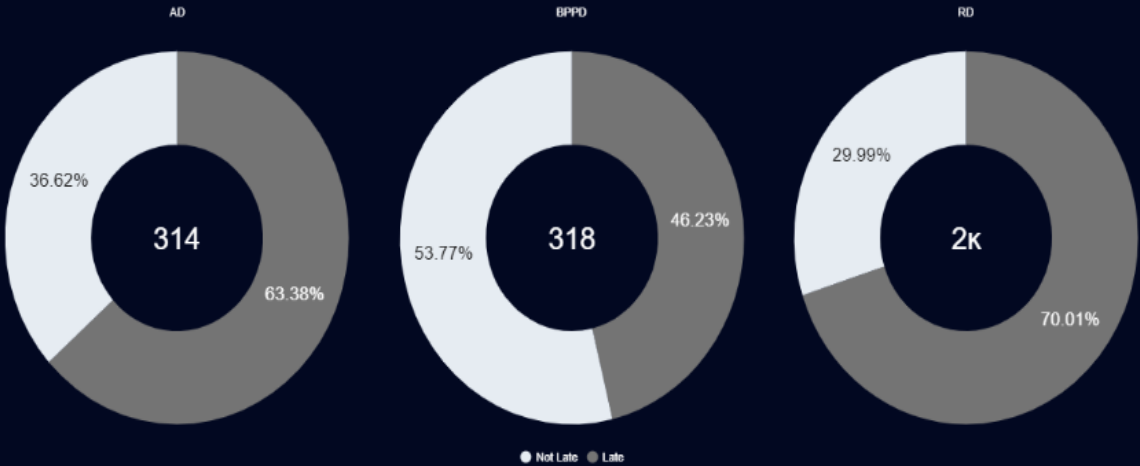


# CY2024 ROADMAP

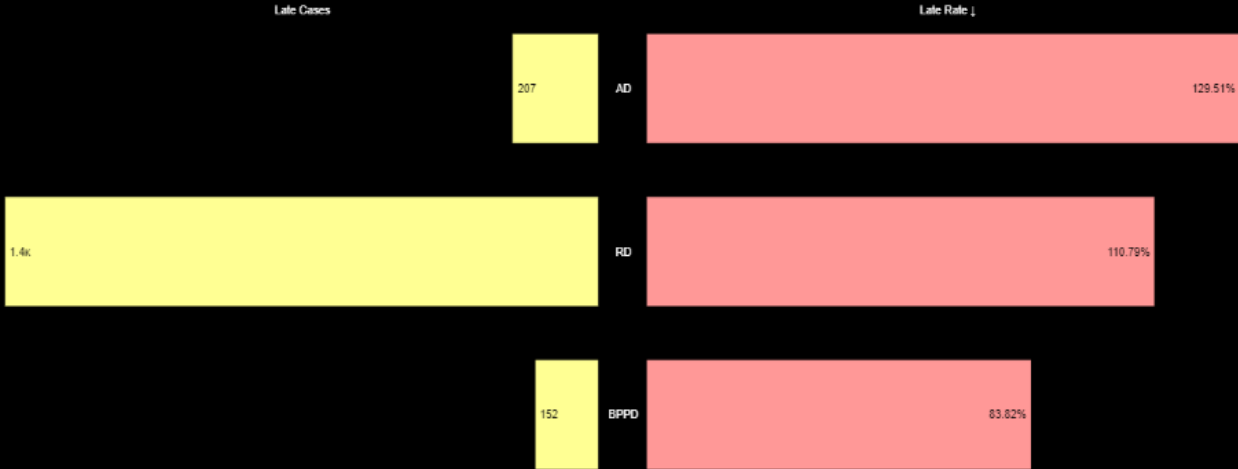
DCI OVERHAUL	MIGRATION 2	INFRASTRUCTURE	PORTAL	CONTINUOUS IMPROVEMENT
DCI Form DCI Communication DCI Tracking	Completed Cases from 2016-Date of Migration  Close non-migrated cases up to DOM	Underlying physical and information technology devices  Outdated and malfunctioning, causes severe disruption	Initial design session held December '23  Design sessions with internal and external Q1  Requirements Gathering Q2/Q3  Initial deployment Q3/Q4... project completion mid '25	Internal work on People and Process – what can we improve on, streamline, make life easier?  Minor enhancements to UI/UX to make navigation easier, reduce errors, enhance engagement

# OPP Stakeholder Viewpoints

Open PRIA: What Percentage Are Late?



Late PRIA Cases and The Late Rate



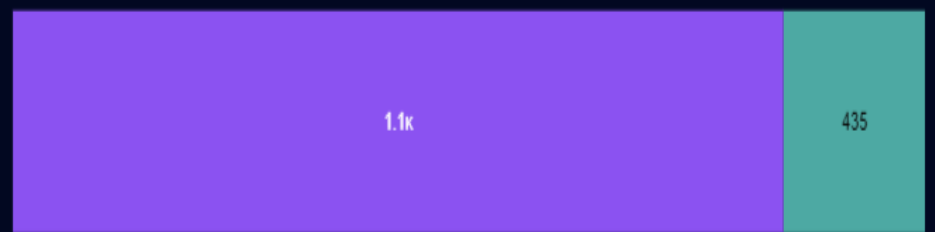
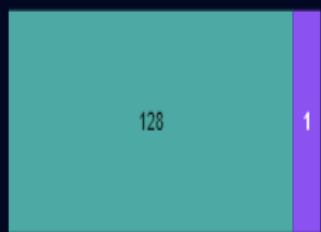
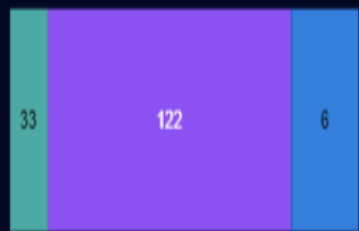
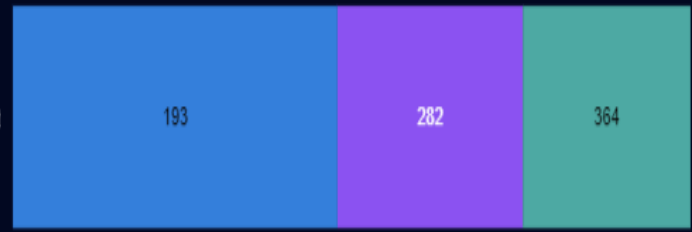
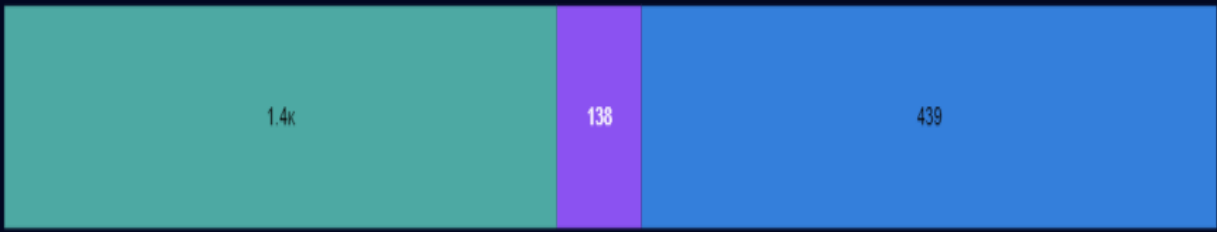
Late Rate for Late PRIA Cases by PRIA Category and Division



# Median Days to Complete by Division and PRIA Category FY 22-24

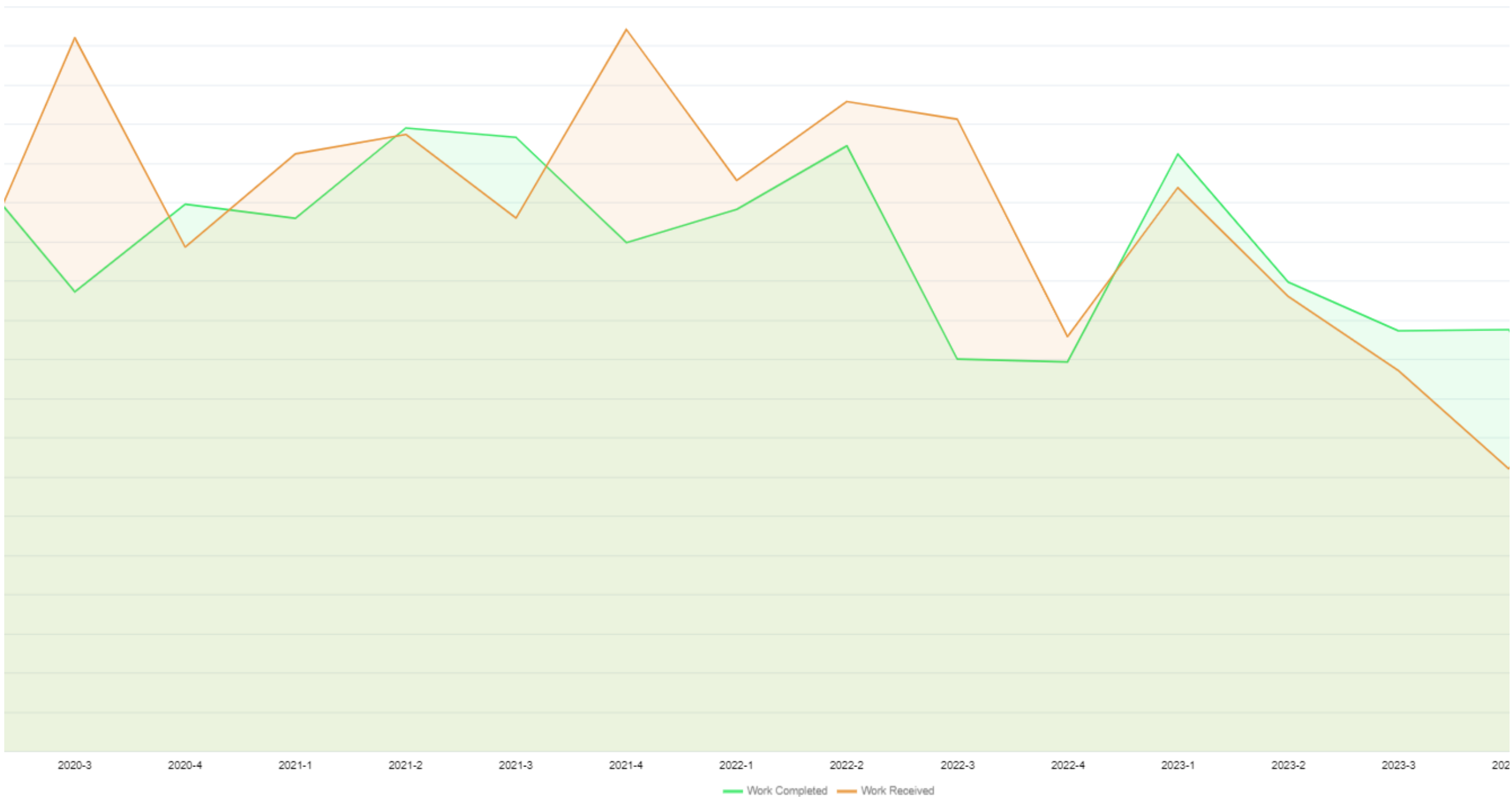
Number of Cases ↓

Median Days to Complete

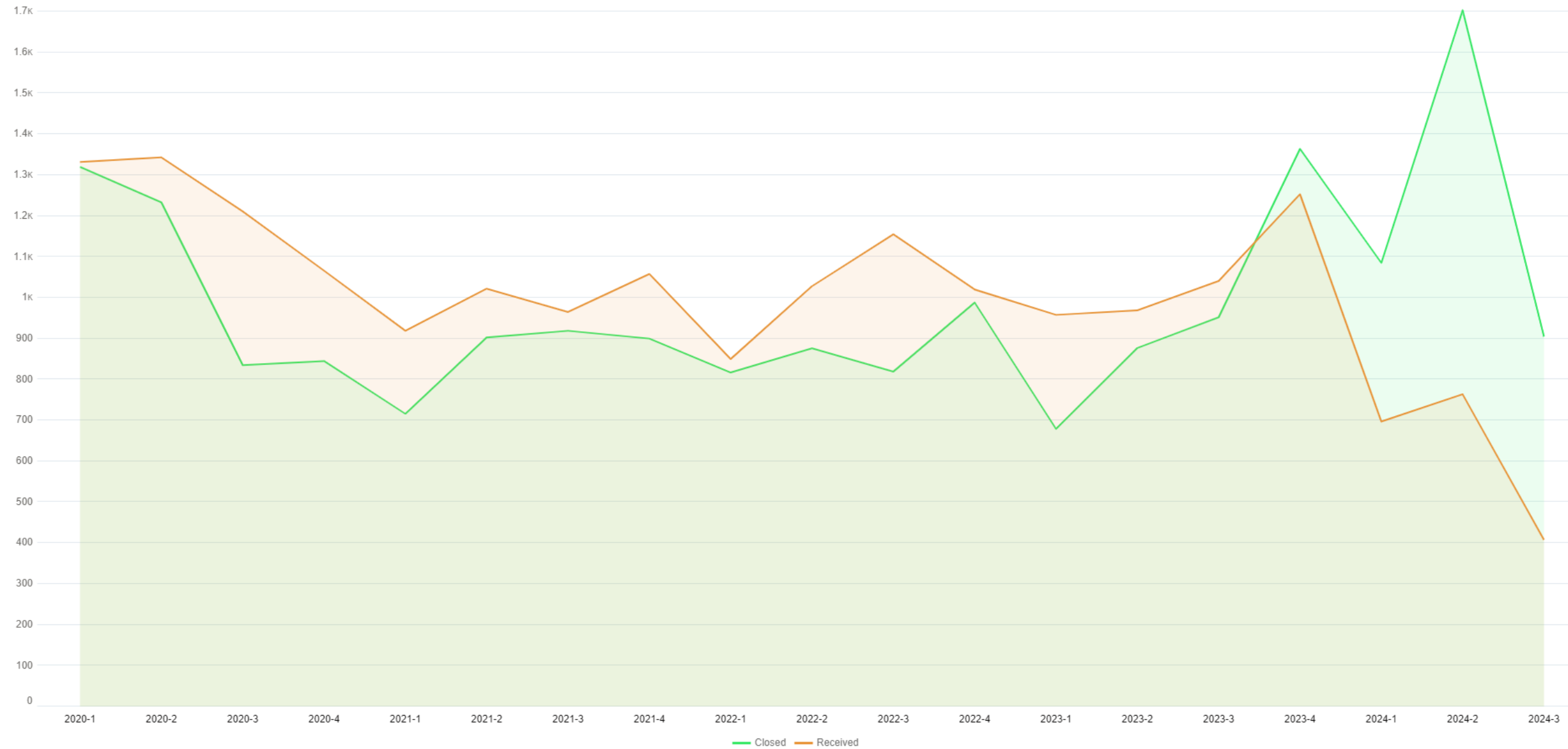


AD BPPD RD

# PRIA Work Completed vs Work Received by FQ



Non-PRIA Notifications and Amendments Closed vs Received by FQ



# 2024 Crop Tours



Meeting with  
Farmworker  
Association of Florida  
at the Florida Fruits  
and Vegetable  
Association crop tour,  
March 2024

Local rodenticide  
tour hosted by  
National Pest  
Management  
Association

April 2024



Rodenticide Tour  
hosted by Colorado  
and Wyoming  
Departments of Ag,  
February 2024



MD and NC Potato Tour, May 2024  
With Ag Commissioner, Rod Snyder

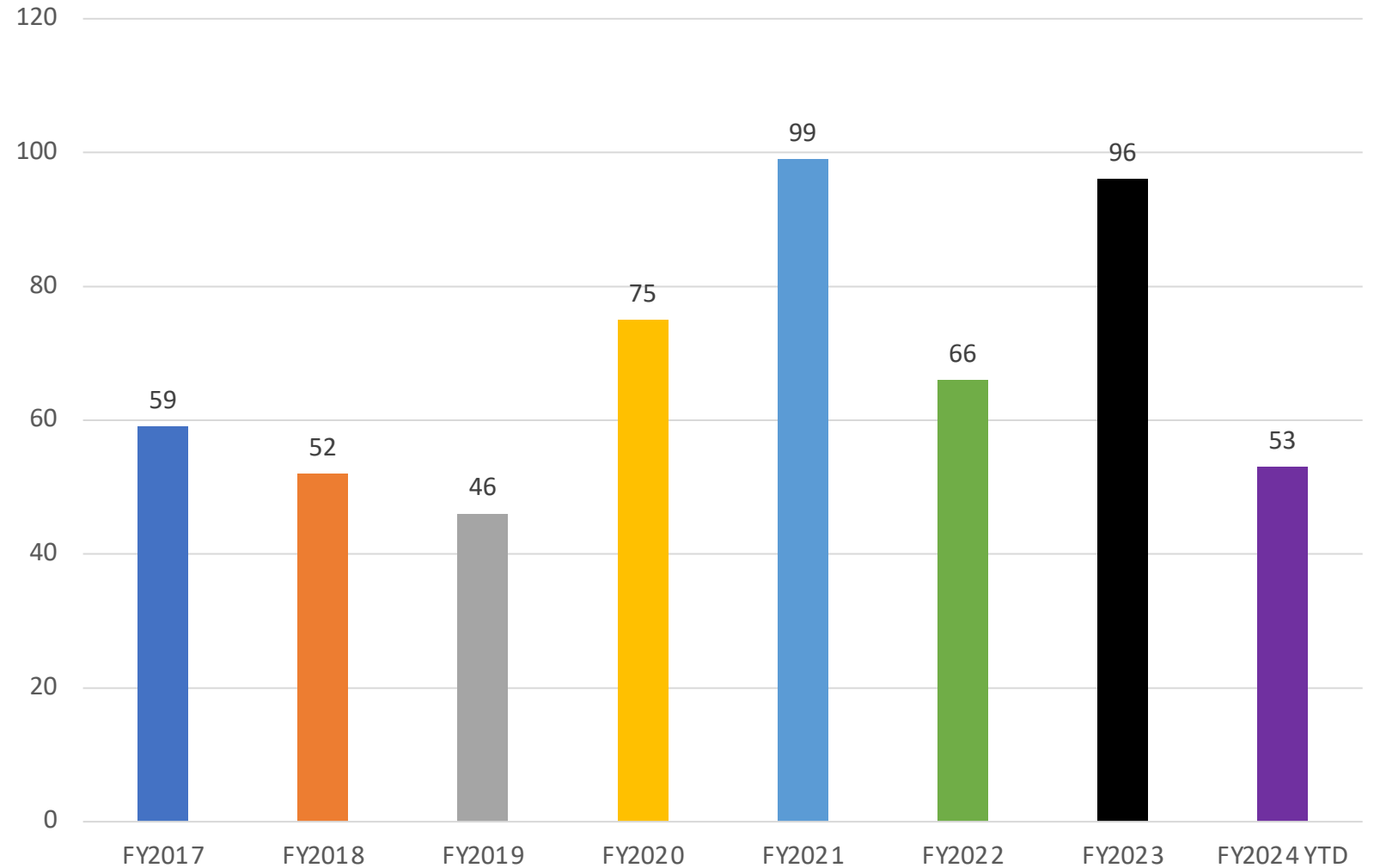


# 2024 Crop Tours – Still to Come

- Aquatic Ecosystem Restoration Foundation: June 5-7, 2024; West Palm Beach and Orlando, Florida
- Michigan IPM Alliance: June 24-26, 2024; Southwest Michigan
- North Dakota Grain Growers Association: June 24-26, 2024; Bismarck, ND
- The IR-4 Project: June 26, 2024; Adams County, PA
- USA Rice: August 5-8, 2024; Memphis TN
- California Specialty Crops Council: August 5-9, 2024; Visalia and Sacramento, CA
- National Association of Landscape Professionals: August 20, 2024; Richmond, VA
- National Cotton Council of American: August 26-30, 2024; Memphis, TN

# Yearly OPP Updates Published

- **FY2017: 59**
- **FY2018: 52**
- **FY2019: 46**
- **FY2020: 75**
- **FY2022: 66**
- **FY2023: 96**
- **FY2024 YTD: 53**





# Sign-up for OPP Pesticide Updates

Get pesticide news story updates by email:

- Go to [epa.gov/pesticides](https://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



# **OPP Updates Since December 4-5, 2023**

## **Full SFIREG Meeting**

# OPP Updates

## December 6, 2023: EPA Approves Additional Use of Biopesticide to Help Suppress Mosquito Populations that Spread Diseases

- EPA approved an amendment to expand use of the mosquito control product ZAP Males®, allowing use of the product in all U.S. states and territories.
- ZAP Males® is a biopesticide that can suppress invasive local populations of *Aedes albopictus* or Asian Tiger Mosquitoes, which can spread numerous diseases of significant human health concern, including dengue, Zika, and chikungunya.
- The amended registration is term-limited and will expire on December 31, 2028, five years from the date of the amended registration, which will provide an opportunity for EPA to re-evaluate the use and effectiveness of this product.

# OPP Updates

## December 14, 2023: EPA Releases Final Guidance for Pesticide Submissions for New Outdoor Uses that Require Endangered Species Act Reviews

- EPA released final guidance to pesticide registrants to improve the efficiency of EPA's Endangered Species Act (ESA) analyses for new outdoor uses of existing conventional pesticides and biopesticide active ingredients.
- This guidance 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 recommendations focus on actions that applicants can voluntarily pursue to inform their proposed mitigation measures for listed species.
- These actions include identifying where a pesticide will be used, how species may be exposed to the pesticide, and how to select mitigation to reduce the exposure.

# OPP Updates

## December 19, 2023: EPA Update on Next Steps for Chlorpyrifos

- On November 2, 2023, the Eighth Circuit issued a ruling vacating EPA's final rule and remanding the matter to EPA for further proceedings.
- The ruling did not include a timeframe or specific instructions for EPA to take a final action on the use of chlorpyrifos in food or feed crops without public comment.
- Upon issuance of the Eighth Circuit's mandate, all chlorpyrifos tolerances would automatically be in effect once again.
- The Eighth Circuit's decision stated that EPA should have considered modification of tolerances in addition to complete revocation and noted that the Agency had "identified 11 specific candidates" of food and feed crop uses whose tolerances could be so modified in a Preliminary Interim Decision EPA issued in 2020.
- Consequently, the Agency expects to expeditiously propose a new rule to revoke the tolerances associated with all but the 11 uses referenced by the court.
- In conformance with the Eighth Circuit's ruling and after issuance of the mandate, EPA intends to issue a notice correcting the Code of Federal Regulations to reflect the court's reinstatement of chlorpyrifos tolerances.

# OPP Updates

## December 21, 2024: EPA Launches New Program to Incentivize the Development of Novel Mosquito Control Product

- EPA is launched the Vector Expedited Review Voucher (VERV) Program, to incentivize companies to develop novel or unique mosquito control products to help prevent the spread of mosquito-borne diseases like malaria, dengue, and Zika.
- The Agency is required to implement this program under the Pesticide Registration Improvement Act of 2022 (known as “PRIA 5”).
- Under the VERV Program, EPA will issue a voucher to the registrant of a new, qualifying pesticide product for mosquito control when it is successfully registered.
- An applicant may then redeem this voucher when submitting a future application for a different product under one of the specified PRIA codes. EPA will then expedite its review of the application, potentially allowing a shorter time to market for the product involved. Once issued, vouchers may be sold or transferred to other registrants.

# OPP Updates

## December 22, 2023: EPA Registers Novel Pesticide Technology for Potato Crops

- EPA registered biopesticide products containing the new active ingredient Ledprona for three years, a timeframe that is consistent with EPA's approach to other novel biopesticide products.
- Ledprona is a new type of pesticide that relies on a natural mechanism--called RNA interference (RNAi)--used by plants and animals to protect against disease.
- Ledprona is a sprayable double-stranded ribonucleic acid (dsRNA) product that targets the Colorado potato beetle (CPB), a major pest of potato crops grown in the United States, including in the potato-growing states of Colorado, Idaho, Maine, Michigan, Minnesota, North Dakota, Oregon, Washington, and Wisconsin.

# OPP Updates

## January 8, 2024: EPA Issues Advisory on Pesticides Used to Control Varroa Mites in Beehives, Including Coordinated Efforts to Support the Beekeeping Community

- EPA issued an advisory to clarify what pesticide products and active ingredients are registered to control Varroa mites (*Varroa destructor*) in beehives, what tolerances or exemptions under the FFDCA apply to those products, and how the Agency views the use of unregistered products to treat beehives for one's own personal use.
- EPA 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.
- In the advisory, EPA affirmed 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 that there may be more restrictive state requirements that must also be followed.



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# OPP Updates

## January 10, 2024: Update on EPA's Progress for Implementing the Pesticide Registration Improvement Act of 2022

- EPA announced the Agency's first year progress on deliverables under the Pesticide Registration Improvement Act of 2022 (PRIA 5).
- Registration service fees authorized by PRIA fund approximately one third of EPA's pesticide program activities.
- In recent years, EPA received an increased number of applications requiring the Agency to review more scientifically complex topics, including implementation of Endangered Species Act (ESA) compliance as part of its regulatory determinations.
- Fee increases and revised decision review timeframes authorized by PRIA 5 help improve EPA's performance in its review of new applications and reevaluation of older registered pesticides.
- In addition to revised fees and decision timeframes, PRIA 5 included new provisions, such as implementation of farmworker protections and health clinician training, bilingual pesticide labeling, targeted funding to address the backlog of non-fee related applications, and development of ESA guidance to registrants.

# OPP Updates

## January 25, 2024: EPA Requests Input on Pesticide Safety Education Program for Farmworkers

- EPA sought public input on the design of a new National Farmworker Training and Education Program (NFTEP) on pesticide safety.
- The NFTEP is a grant program funded through the Pesticide Registration Improvement Act of 2022 (PRIA 5) and will support activities such as pesticide safety training, materials development, and outreach to farmworkers.
- EPA released a Request for Information (RFI) on potential program design elements and activities to be funded under the NFTEP.
- The RFI also posed a series of questions to stakeholders about barriers to involvement in safety trainings and education programs and applying for grant funding.

# OPP Updates

## January 29, 2024: EPA Taking Public Comment on Draft Policy to Strengthen Scientific Integrity

- EPA released draft updates to its Scientific Integrity policy for public comment.
- The updates would include adopting a new Federal definition of scientific integrity and improving the culture of scientific integrity at the Agency.
- EPA developed the updated policy in response to the 2021 Presidential Memorandum on Restoring Trust in Government Through Scientific Integrity and Evidence-Based Policymaking.
- The draft policy is built on the Office of Science and Technology Policy A Framework for Federal Scientific Integrity Policy and Practice, the lessons EPA has learned from over 10 years of implementing its Scientific Integrity Program, and results from past EPA scientific integrity surveys.

# OPP Updates

## On February 1, 2024: EPA Issues Guidance on “Absence of an Ingredient” Claims for Pesticide Products

- EPA issued guidance to clarify how it will evaluate “absence of an ingredient” claims for pesticide products regulated under FIFRA. These claims appear on pesticide labeling and state that the product is free of a particular ingredient.
- EPA will consider “absence of ingredient” claims on a case-by-case basis and may allow those claims if there is information that ensures the claims are not false or misleading.
- In addition, in some instances, “absence of an ingredient” claims should include a qualifying statement that is prominently displayed and adjacent to the claim (e.g., “Not a safety claim”), so that the potential to mislead or confuse the public is limited.

# OPP Updates

## February 7, 2024: EPA Outlines Implementation Approaches for Endangered Species Act Pesticide Policies

- EPA announced its plans to address key concerns, expand its partnership with the USDA, and seek additional stakeholder engagement as it continues to address the challenge of protecting endangered species from pesticide exposure.
- The plan includes:
  - Improved Species Maps
  - Credit for using Voluntary USDA Conservation Practices
  - Online Mitigation Menu
  - Offsets for Endangered Species Protections

# OPP Updates

## February 14, 2024: EPA Awards \$10 Million to Oregon State University to Support Pesticide Safety Education

- EPA awarded a \$10 million cooperative agreement to Oregon State University to support the operations of the National Pesticide Information Center (NPIC), a resource that provides the public with objective, science-based information on pesticide-related subjects.
- Funding under this agreement supports the safe use of pesticides through information provided via the web, phone, and direct outreach.



# OPP Updates

## February 14, 2024: EPA Provides Update on Over-the-Top Uses of Dicamba

- In light of the February 6, 2024, ruling by the U.S. District Court of Arizona vacating the 2020 registrations for over-the-top (OTT) dicamba products, EPA provided the following update:
- 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.
- This Order addresses use of the formerly-registered dicamba products and authorizes limited sale and distribution of dicamba products that are already in the possession of growers or in the channels of trade and outside the control of the pesticide companies.

# OPP Updates

## February 15, 2024: EPA Releases New Methodology to Detect Low Levels of PFAS in Plastic Containers:

- EPA released a new methodology for detecting per- and polyfluoroalkyl substances (PFAS) in plastic containers, taking another step to protect the public from these harmful chemicals.
- The new method will provide an additional tool for EPA and for industries that use high-density polyethylene (HDPE) containers to identify PFAS contamination.
- This action also supports EPA's PFAS Strategic Roadmap, which renewed the Agency's commitment to using sound science and investing in research to proactively stop PFAS chemicals from entering the environment.

# OPP Updates

## February 26, 2024: EPA Launches New List of Disinfectants Effective Against HIV, Hepatitis B, and Hepatitis C Viruses

- EPA has combined and updated information from several disinfectant lists to create a new list titled “EPA-Registered Antimicrobial Products Effective Against Bloodborne Pathogens (HIV, Hepatitis B and Hepatitis C) [List S].” EPA launched this new disinfectant list to increase the accessibility, accuracy, and functionality of the information for all readers, including health care providers and hospital staff.
  - The new List S combines product information from the following former EPA disinfectant lists:
    - List C: EPA’s Registered Antimicrobial Products Effective Against Human HIV-1 Virus;
    - List D: EPA’s Registered Antimicrobial Products Effective Against Human HIV-1 and Hepatitis B Virus;
    - List E: EPA’s Registered Antimicrobial Products Effective Against Mycobacterium tuberculosis, Human HIV-1 and Hepatitis B Virus; and
    - List F: EPA’s Registered Disinfectants for use Against Hepatitis C.
- EPA Lists C, D, E and F are now retired and will be redirected to the new List S.
- This new list includes products that are effective against HIV, Hepatitis B and Hepatitis C viruses and specifies which products are not effective against one or more of these viruses.

# OPP Updates

## March 1, 2024: EPA Releases Updated Draft Risk Assessment for Pesticide Malathion

- EPA released an updated draft human health risk assessment (HH DRA) for the pesticide malathion.
- The updated HH DRA amends the 2016 malathion dietary, occupational, and residential risk assessments using updated information and techniques.
- The updated HH DRA finds no human health risks of concern for malathion when used in accordance with label instructions.
- EPA is also proposing several food tolerance changes, based on commodity definition revisions and to harmonize tolerance levels with those of other countries.

# OPP Updates

## March 3, 2024: EPA Provides Update on Streptomycin Uses on Citrus

- EPA provided an update in light of the Ninth Circuit's December 2023 decision that vacated the 2021 registration amendments for streptomycin because of the Agency's failure to comply with the Endangered Species Act.
- The 2021 amendments added a time-limited use on citrus crop group 10-10 for two streptomycin sulfate pesticide products. The Citrus crop group 10-10 includes orange, tangerine, lime, grapefruit commodities and varieties of these citrus fruits.
- On February 5, 2024, the Court's order vacating the 2021 amendments became effective, making it unlawful to sell or distribute AGRI-SEED™ 50 WP also branded as Firewall™ 50 WP (EPA Reg. No. 80990-3) and EACTM Streptomycin Manufacturing Use Product (EPA Reg. No. 91275-1) labeled for use on citrus. On March 4, 2024, EPA issued a Notice of Use Termination and an Existing Stocks Order for Time-Limited Use on Citrus Crop Group 10-10 for these products. The existing stocks order addresses use of these streptomycin products on citrus and authorizes limited sale and distribution of some of these products that are already in the possession of growers or in the channels of trade and outside the control of the pesticide companies.

# OPP Updates

## March 5, 2024: EPA to Host Webinar on Best Practices for Antimicrobial Product Registration

- EPA hosted a webinar on the pesticide registration process for antimicrobial products.
- Experts from EPA's Office of Pesticide Programs:
  - Provided an overview of the pesticide registration process under the Federal Insecticide, Fungicide, and Rodenticide Act;
  - Provided information on what to do before applying for antimicrobial product registration;
  - Discussed how to prepare Confidential Statements of Formula as well as various other documents and forms that need to be submitted to the Agency;
  - Discussed non-PRIA submissions (i.e., notifications and fast track amendments under PRN 98-10);
  - Shared examples of submission cover letters and common labeling issues as well as information on efficacy data, and registration review.

# OPP Updates

## March 14, 2024: EPA Update on Existing Stocks Provisions for Three Chlorpyrifos Products

- EPA issued an update on existing stocks provisions for three chlorpyrifos pesticide products made by the company Adama – Pyrinex Chlorpyrifos Insecticide, Chlorpyrifos 4E AG (alternate brand name Quali-Pro Chlorpyrifos 4E), and Vulcan.
- In a final rule issued in August 2021, EPA revoked all tolerances for chlorpyrifos.
- On May 4, 2023, EPA granted Adama's request to cancel food and tobacco use of its chlorpyrifos products.
- On November 6, 2023, EPA granted Adama's request to terminate the food processing and food manufacturing site uses on those same three chlorpyrifos products.
- On December 28, 2023, the U.S. Court of Appeals for the Eighth Circuit vacated EPA's August 2021 rule revoking all tolerances.
- On February 5, 2024, EPA issued a Federal Register notice to amend the Code of Federal Regulations to reflect the court's reinstatement of those tolerances.
- At this time, all the chlorpyrifos tolerances have been reinstated and are currently in effect.
- Adama has requested amendments to the cancellation orders governing disposition of their existing stocks to allow for sale, distribution, and use.
- At this time, EPA is amending the existing stocks provisions in the May 4 and November 6 cancellation orders.

# OPP Updates

## [April 1, 2024: EPA Warns Farmworkers about Risks of Dacthal](#)

- EPA announced its next steps to protect people from the herbicide dimethyl tetrachloroterephthalate (DCPA, or Dacthal).
- EPA is warning people of the significant health risks to pregnant individuals and their developing babies exposed to DCPA and will be pursuing action to address the serious, permanent, and irreversible health risks associated with the pesticide as quickly as possible.
- EPA has also issued a letter to AMVAC, the sole manufacturer of DCPA, restating the risks the agency found and stating that due to the serious risks posed by DCPA, the agency is pursuing further action to protect workers and others who could be exposed.
- EPA is taking this rare step of warning farmworkers about these concerns while it works on actions to protect workers because of the significant risks the agency has identified.



# OPP Updates

## [April 2, 2024: EPA Announces the Implementation of Mitigation Measures for Insecticides Chlorpyrifos, Diazinon, and Malathion to Protect Endangered Species](#)

- EPA is implementing measures to protect federally threatened or endangered (listed) species and their designated critical habitats from the effects of the insecticides chlorpyrifos, diazinon, and malathion.
- The measures include changes to pesticide labeling requirements and issuing of Endangered Species Protection Bulletins that set geographically specific limitations on pesticide use.
- Registrants have submitted these product labeling amendments to EPA, as well as amendments describing how to report ecological incidents associated with pesticide applications, should users observe any.
- Amended label guidance will be included on the next printing of product labels, with a 12-month existing stock provision included in the agreement.

# OPP Updates

## [April 16, 2024: EPA Publishes Update on Herbicide Strategy Progress](#)

- EPA released an update to its draft Herbicide Strategy, which is part of the Agency's plan to improve how it meets its ESA obligations. The purpose of this update was to describe some improvements that EPA plans to make as it continues finalizing the strategy to increase flexibility and improve ease of implementation while still protecting federally listed species.
- The draft strategy, which EPA released for public comments in July 2023, describes whether, how much, and where mitigations may be needed to protect listed species from agricultural uses of conventional herbicides.
- EPA received extensive comments on the draft strategy, with many reiterating the importance of protecting listed species from herbicides. Commenters also identified concerns with specific aspects of the draft strategy and suggested revisions. EPA plans to make a number of improvements to the draft based on this feedback, with the primary changes falling into three categories:
  - Making the strategy easier to understand;
  - Increasing flexibility for growers to implement the mitigation measures in the strategy; and
  - Reducing the amount of mitigation that may be needed when growers have already adopted voluntary practices to reduce pesticide runoff or where runoff potential is lower due to geography.
- EPA continues to consider the public comments, meet with stakeholders, and collaborate with FWS, USDA, and state agencies. EPA expects to publish the final strategy by August 30, 2024.

# OPP Updates

## April 19, 2024: EPA Issues Draft Risk Assessment for Use of Formaldehyde as a Pesticide under FIFRA

- EPA is released its draft risk assessment for formaldehyde and paraformaldehyde under FIFRA for public comment.
- Draft risk assessment identifies risks to human health and the environment from the pesticidal uses of formaldehyde and describes some of the sources of uncertainties in EPA's findings.
- EPA also evaluated formaldehyde's impact on the environment and found the potential for risk to terrestrial organisms from the registered pesticidal uses of formaldehyde and paraformaldehyde to fumigate various agricultural, commercial, and industrial areas.
- EPA is accepted public comments on the FIFRA draft risk assessment for 60 days via docket EPA-HQ-OPP-2015-0739 at [www.regulations.gov](https://www.regulations.gov).

# OPP Updates

## April 30, 2024: EPA Proposes to Cancel All but One Use of Pesticide Acephate to Protect Human Health

- EPA released a proposed interim decision (PID) to cancel all but one use of the pesticide acephate.
- This decision is based on EPA's updated human health draft risk assessment (HH DRA) and drinking water assessment (DWA) that were released last year, which showed significant dietary risks from drinking water for currently registered uses of acephate.
- EPA also identified worker, homeowner, and ecological risks that would be mitigated by the proposed cancellations.
- The Agency is proposing to maintain the use of acephate for tree injection because it does not contribute to drinking water exposure, there are no risks for workers, and, with label changes, would not pose risks to the environment.
- The revised HH DRA and DWA released in August 2023 and the PID released today are open for public comment for 60 days.

# OPP Updates

## May 3, 2024: EPA Opens Required Public Comment Period for Proposed Dicamba Herbicide from Bayer CropScience

- EPA received an application from Bayer CropScience LP for a new product containing the currently registered active ingredient dicamba.
- The proposed product includes use of dicamba on dicamba-tolerant soybeans and cotton.
- Because the application involves a new use pattern for dicamba, the Agency is required to provide a 30-day public comment period on the registration applications consistent with FIFRA 3(c)(4).
- EPA is also seeking comment on the associated draft labeling that was submitted by Bayer, which is available in the docket.
- The proposed labels would allow application to dicamba-tolerant soybeans made before, during, or immediately after planting until emergence of the seedling, but no later than June 12 of each year.
- Application to dicamba-tolerant cotton in this proposal would be allowed before, during, immediately after planting, or 'over the top' of the cotton plant, but no later than July 30 of each year.
- Should EPA determine that this or any other registrant-submitted application including over-the-top dicamba meets the standard for registration of a new use under FIFRA, EPA will provide a separate opportunity for public comment on the proposed decision at a future time.

# OPP Updates

## May 9, 2024: EPA Proposes to Register New Pesticide Active Ingredient, Glufosinate-P

- EPA released for public comment its proposed registration decision for pesticide products containing the new active ingredient glufosinate-P to control weeds in non-tolerant and glufosinate-resistant corn, sweet corn, soybean, cotton, and canola. In addition to its proposed registration decision, EPA has also released its draft biological evaluation for the pesticide under the Endangered Species Act (ESA).
- Based on the Agency's human health risk assessment, the proposed uses of glufosinate-P have no human health risks. EPA's ecological draft risk assessment identified risks for terrestrial and aquatic plants and chronic risk to mammals, bees, and non-bee terrestrial invertebrates that forage in treated fields and may be exposed to residues on food items exposed to off-site spray drift. EPA is proposing the following mitigation measures under FIFRA and ESA to address on- and off-field effects to non-target species.
- EPA is accepting comments on the proposed registration of glufosinate-P through June 8, 2024, via the public document at [EPA-HQ-OPP-2020-0250](#) at [www.regulations.gov](http://www.regulations.gov).

# OPP Updates

## [May 17, 2024: EPA Issues 2023 Annual Report for Pesticide Registration Improvement Act](#)

- EPA issued the Fiscal Year (FY) 2023 PRIA Annual Report, the first one published since PRIA 5 was authorized in 2022. This report describes EPA's implementation of PRIA 5 including: tracking and status for EPA's review of pesticide registration actions, registration review cases, process improvements relating to the review of PRIA submissions, and maintenance fee set-asides for farmworker and health care provider training, partnership grants, and the pesticide safety education program.
- Despite budget constraints, EPA continued to improve its regulatory processes in FY 2023. The following improvements, along with others described in the report, cannot make up for the resources constraints but will lessen the impacts of the budget shortfalls.
  - Began work to reduce the backlog of non-PRIA actions by directing resources and engaging in process improvements around those actions, such as closing out 3,000 notifications received under Pesticide Registration Notice 98-10 as minor label or product formulation changes.
  - Made significant and timely progress toward PRIA 5 milestones, including farmworker protection and health clinician training programs, bilingual pesticide labeling, and upgrades to information technology systems.

# OPP Updates

## May 24, 2024: EPA Halts Acceptance of Data for Pesticide Registration from a Non-compliant Laboratory

- The U.S. Environmental Protection Agency (EPA) has halted the acceptance of studies generated by Palamur Biosciences Lab (Palamur) in Telangana, India, due to the possible falsification of data following an inspection by the Indian National Good Laboratory Practice Compliance Monitoring Authority (NGCMA).
- In May 2023, EPA reviewed two suspicious studies conducted at Palamur, which led our reviewer to conclude there was possible falsification of data.
- In July 2023, NGCMA conducted an inspection of Palamur and confirmed that data were falsified for most of the 58 studies audited, which were conducted between January 2020 and July 2023. NGCMA issued a 'Not in Compliance' status for the laboratory, which the Agency received in September 2023.
- At this time, EPA is not accepting any studies from this lab, and registrants should not submit any new data from this lab.
- EPA has determined that only one registrant has pending registration actions that rely on Palamur-generated product chemistry or acute toxicity data and four companies have existing registrations that rely on product chemistry or acute toxicity data generated by Palamur lab during this time-frame. EPA will work with each affected registrant to obtain appropriate replacement data or take other appropriate action such as cancellation or suspension.