

Association of Structural Pest Control Regulatory Officials (ASPCRO) Annual Conference

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

August 21, 2024



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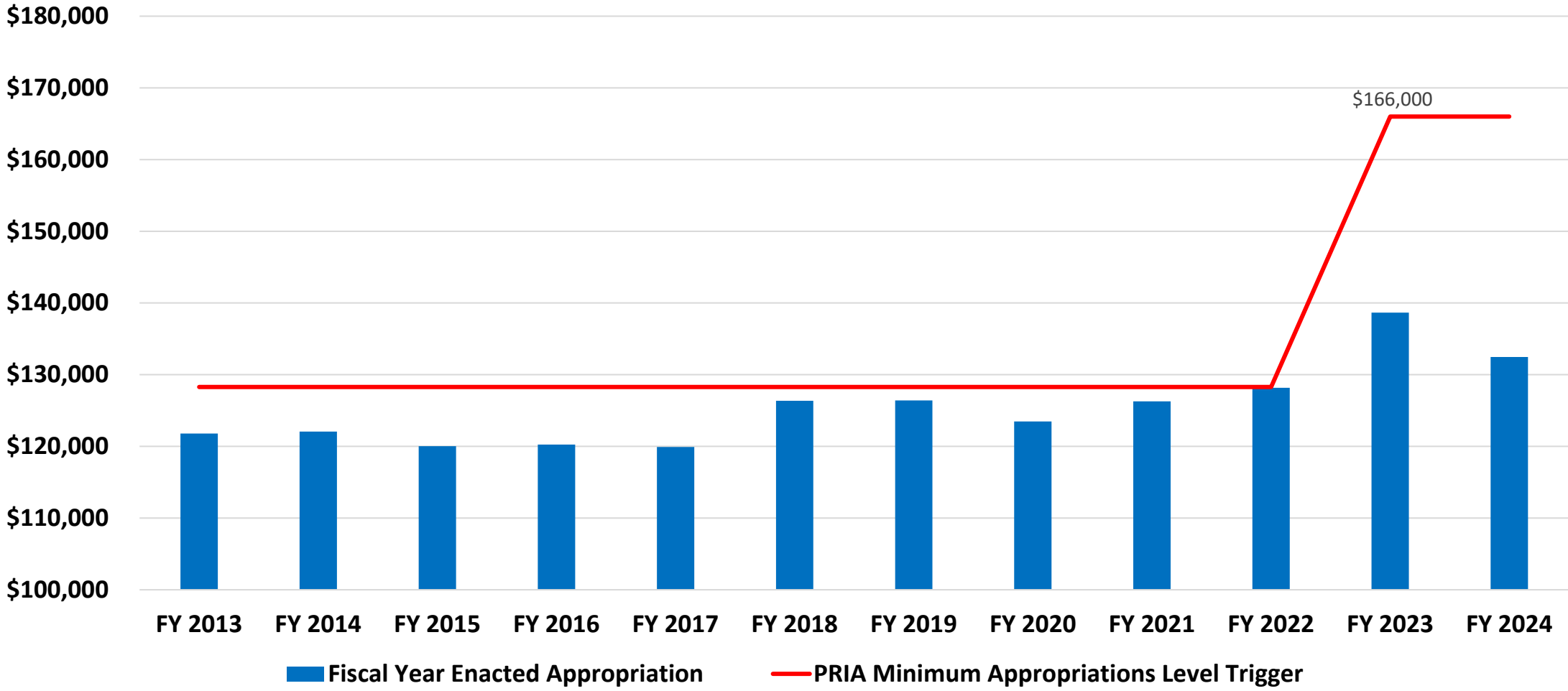
Anne Overstreet, Director

Tim Kiely, Deputy Director

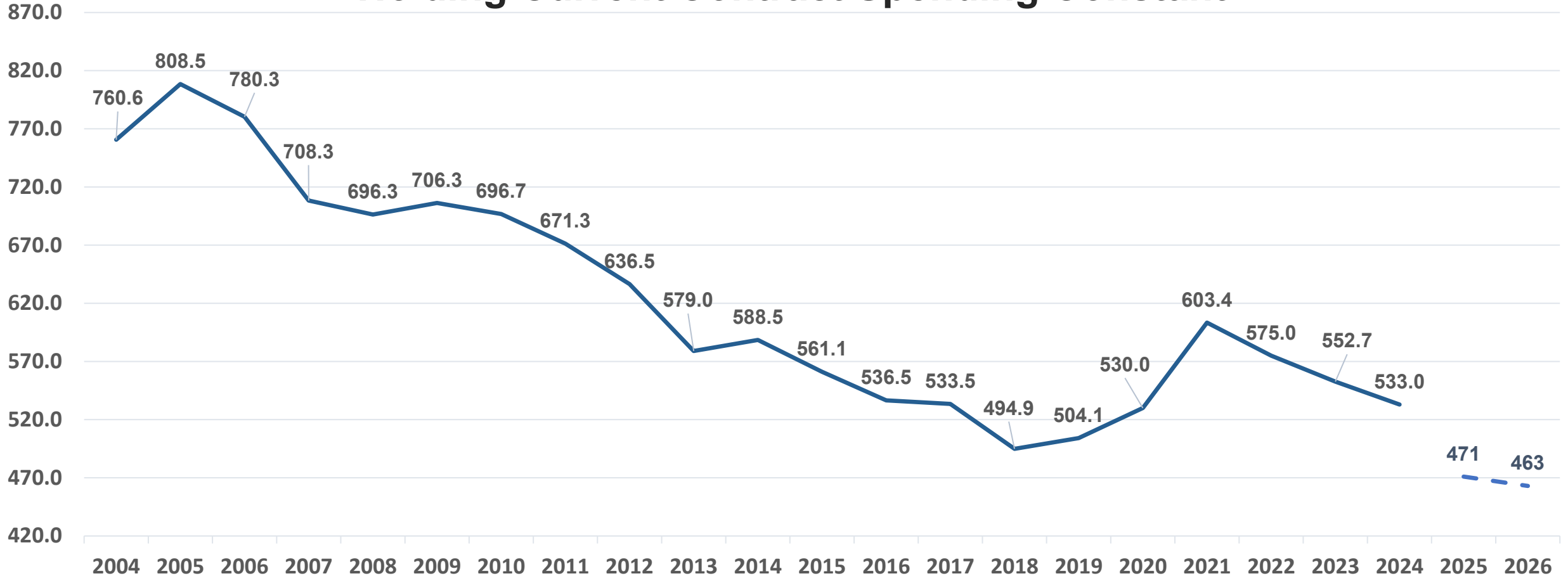
Appropriations

- 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)

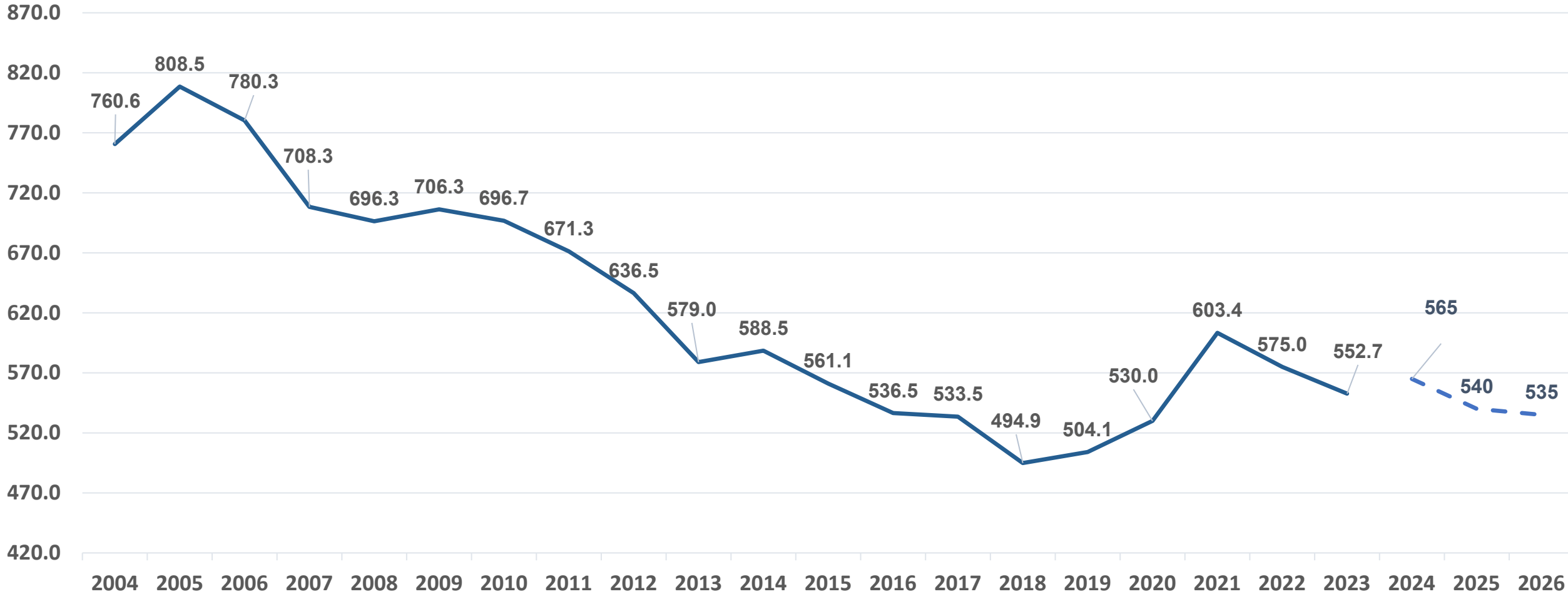


EOY Total FTE Usage Assuming FTE Cuts and Holding Current Contract Spending Constant



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)

PRIA 5 Implementation- FY 24 Activities

- FY 2023 PRIA Annual Report issued: <https://www.epa.gov/pria-fees/implementing-pesticide-registration-improvement-act-2022-pria-5-fiscal-year-2023>
- 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 Training Cooperative Agreements
 - Grant 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

- 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, awarded new Pesticide Safety Education Program cooperative agreement, and a new Partnership Grant for the National Pesticide Information Center; and
- Requested stakeholder input on program design for health care provider training cooperative agreement.

PRIA 5 Implementation

- In December 2023, EPA is launched the Vector Expedited Review Voucher (VERV) Program, as required by PRIA 5.
- The purpose of VERV is 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.
- 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.

PRIA 5 Bilingual Labeling Implementation

- PRIA 5 provides deadlines for bilingual labeling to appear on pesticide products.
 - Rolling schedule from December 2025 to 2030 with translations for the most hazardous and toxic pesticide products required first.
- Label changes to be through non-notification.
 - A change may be made to a pesticide label without notifying EPA.
- PRIA 5 also outlines that EPA will:
 - Cooperate and consult with State lead agencies for pesticide regulation to implement bilingual labeling;
 - Seek stakeholder input on ways to make bilingual labeling accessible to farmworkers – 180 days from enactment (by June 30, 2023);
 - Develop and implement, and make publicly available, a plan for tracking the adoption of the bilingual labeling – 2 years from enactment (by Dec 2024);
 - Implement a plan to ensure that farm workers have access to the bilingual labeling – 3 years from enactment (by Dec 2025).

Bilingual Labels - Translation Guide

- Sections of the Translation Guide
 - Keep out of reach of children
 - Restricted use pesticide (RUP)
 - Signal word
 - First aid
 - Precautionary statements
 - Personal protective equipment (PPE)
 - Misuse statement
 - Storage and disposal
- The Spanish Translation Guide is located at:
<https://www.epa.gov/pesticide-labels/spanish-translation-guide-pesticide-labeling>

Signal Word

English	Spanish
Caution	Precaución
Warning	Aviso
Danger	Peligro
Danger - Poison	Peligro - Veneno

First Aid

Ingestion

Ingestion treatment for acute oral toxicity categories 1, 2, and 3. Not required for category 4 – may use statements below.	
English	Spanish
First Aid	Primeros Auxilios
If swallowed:	Si se ingiere:
- Call a poison control center or doctor immediately for treatment advice.	- Llame de inmediato a un centro de control de envenenamientos o a un médico para consejo de tratamiento.
- Have person sip a glass of water if able to swallow.	- Si la persona puede tragar, haga que beba un vaso de agua lentamente.
- Do not induce vomiting unless told to by a poison control center or doctor.	- No induzca el vómito a menos que así se lo indique un centro de control de envenenamientos o un médico.
- Do not give anything to an unconscious person.	- No administre nada por boca a una persona que haya perdido el conocimiento.

Bilingual Labels - Deadlines

- Restricted Use Pesticides (RUPs) – 3 years (Dec 2025)
- Agricultural Non-RUPS:
 - Acute Toxicity Category I – 3 years (Dec 2025)
 - Acute Toxicity Category II – 5 years (Dec 2027)
- Antimicrobials and non-agricultural:
 - Acute Toxicity Category I – 4 years (Dec 2026)
 - Acute Toxicity Category II – 6 years (Dec 2028)
- All other products – 8 years (Dec 2030)
- Other label timing provisions for when the Spanish Translation Guide is updated.

Bilingual Labels - Exceptions

- Antimicrobial pesticide products and non-agricultural/non-RUP pesticide products may, in lieu of including a translation or a link to the label translation, provide a link to the safety data sheets (SDS) in Spanish via scannable technology or other electronic methods readily accessible on the product label.

Stakeholder Feedback on Accessibility

- Bilingual Pesticide Labeling National Webinar
 - June 15, 2023
 - More than 380 participants and 31 speakers
- Public docket (EPA-HQ-OPP-2023-0270)
 - Open from June 20, 2023, to August 21, 2023
 - 36 comment submissions
- National Environmental Justice Advisory Committee (NEJAC)
 - Presented charge questions to NEJAC on March 30, 2023
 - Received draft recommendations on April 25, 2024
- Focus groups with farmworkers in EPA Region 9
 - December 2023 to February 2024
 - 2 in California, 1 in Nevada and 1 in Arizona

Focus Groups Feedback on Accessibility

- Four focus groups held with farmworkers in EPA Region 9
- 9 to 15 participants in each group (pesticide handlers and farmworkers)
- Participants had a range of experience (<1 year to 50+ years)
- Recommendations include:
 - Use of colors and visuals on the label for risk and signal words
 - Make the information on the label easier to understand
 - Provide information in a central location for the agricultural community (both on the farm and off the farm)
 - Provide more and enhanced trainings
 - Use an app or website that links to reliable up-to-date information
 - Use videos to explain the label
 - Provide pesticide safety education to children in agricultural communities

NEJAC Feedback on Accessibility

- NEJAC charge questions regarding farmworker accessibility – draft recommendations received April 25, 2024.
 - Conduct additional outreach
 - Make the language of pesticide materials accessible
 - Share Spanish-language pesticide information in different locations
 - Share updated information immediately
 - Collaborate with other organizations to expand broadband internet connectivity
 - Improve annual WPS trainings for farmworkers
- Final recommendations – expected summer 2024
- Provide an update to NEJAC on how EPA is implementing the recommendations within 6 months and a full report in one year.

Bilingual Labels – Coordination at EPA/OPP

- OPP Interdivisional Spanish Labeling Workgroup
- Formed subgroups to address the various provisions of PRIA 5
 - Accessibility Subgroup – evaluating public feedback
 - Communications Subgroup – developing a website
 - Tracking Subgroup - investigating internal systems and processes to develop a plan for tracking
 - Spanish Translation Guide Subgroup - evaluating public feedback

FY24 Stakeholder Engagement and Outreach To Date

- NEJAC charge questions regarding farmworker accessibility – 4/25/24
- SFIREG Meetings – 12/5/23, 4/15/24, & 6/4/24
- Quarterly Farmworker Advocacy Stakeholder Calls – 2/22/24
- CLA RISE Conference – 4/17/24
- OCSPP Regional WPS Quarterly Calls – 10/31/23
- PPDC Meetings – 11/16/23 & 6/6/24
- U.S., Mexico and Canada Technical Working Group on Pesticides – 11/7/23
- Focus Groups with Farmworkers in R9 – 12/5/23, 1/17/24, 2/6/24, & 2/12/24
- Quarterly PRIA Coalition Calls – 1/18/24, 4/18/24, & 7/18/24

Upcoming Stakeholder Engagement and Outreach

- Update the PRIA 5 Website with bilingual labeling information and Q&As from various stakeholder engagements and webinars (August-Sept 2024)
- Coordinate with CLA and hold webinar on Q&As with registrants (Aug-Sept 2024)
 - Following the update of the PRIA 5 website, CLA will schedule a webinar.
 - The webinar is intended to answer registrants' questions about bilingual labeling.
- Plan to hold discussion with various stakeholders on the tracking of bilingual labeling (tracking plan due Dec 2024)
- Plan to hold discussion with various stakeholders on the accessibility plan throughout FY24 and FY25 (accessibility plan due Dec 2025)

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, through June 2024 there were
 - 718 cases (or 91%) for which draft risk assessments are completed (71 remain)
 - 624 cases (or 79%) for which final or interim decisions are completed (173 remain).



DCPA Update

- On August 2, EPA Administrator Michael Regan issued an emergency order of suspension for all registrations of the herbicide DCPA, or Dacthal under FIFRA Section 6, which took effect upon issuance.
- This means that no person in any state may distribute, sell, ship, or carry out other similar activities for any pesticide containing DCPA. The only exception is for returning existing stock to the registrant, AMVAC. It also means that no person can continue using existing stocks of those products.
- EPA has taken this emergency action to address the imminent hazard to unborn babies whose pregnant mothers are exposed to DCPA. EPA is concerned that unborn babies whose pregnant mothers are exposed to DCPA could experience changes to fetal thyroid hormone levels, and these changes are generally linked to low birth weight, impaired brain development, decreased IQ, and impaired motor skills later in life.
- EPA intends to issue a notice of intent to cancel the DCPA products within 90 days of the emergency order issuance date.

Organophosphates Registration Review Update

- 18 Organophosphates Currently in Registration Review.
- Decisions scheduled to be completed by 2027.
- Recent Actions
 - Acephate Proposed Interim Decision (PID) – 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.

Malathion Update

- In July, EPA released the Proposed Interim Decision for malathion, one of the top three mosquito adulticides used by mosquito control districts and other public health government agencies.
- The PID proposes mitigation measures to reduce potential ecological risks, including mandatory spray drift language for boomless ground applications and updated advisory spray drift language for all spray applications.
- The updated HH DRA finds no human health risks of concern for malathion when used in accordance with label instructions.
- The malathion PID—as well as the revised Human Health Draft Risk Assessment and Ecological Draft Risk Assessments (DRAs) released earlier this year—will be open for public comment through September 16, 2024.
- EPA plans to release an Interim Decision in late in 2024, early 2025

Mosquito Control Adulticides

- Completed actions
 - Permethrin, sumethrin (d-phenothrin), deltamethrin, prallethrin interim registration review decisions (IDs) completed in September 2020.
 - Etofenprox ID was completed in February 2024
 - Malathion proposed interim registration review decision (PID) completed July 2024. Docket Number: EPA-HQ-OPP-2009-0317.
- Upcoming Actions
 - Naled ID scheduled for 2026.
 - Pyrethrins ID scheduled for 2026.

Mosquito Adulticide Mist Blower Use in Residential Settings

- In September 2023, the State FIFRA Issues Research and Evaluation Group (SFIREG) submitted an issue paper to EPA detailing issues with non-target spray drift of residential mosquito control products.
- The paper requested that EPA evaluate regulations of mosquito mist blower applications; consider recommended updates to use directions and restrictions to product labels; and develop comprehensive messaging for enforcement.
- EPA responded in April 2024, highlighting that the quantitative human health residential post-application exposure and risk assessments conducted for these uses in residential areas are protective of any potential incidental exposures from spray drift into neighboring non-target residential areas.

Rodenticides Update – Upcoming Session

- The Proposed Interim Decisions (PIDs) for the rodenticides were published in November 2022 and the draft Biological Evaluation (BE) was published in November 2023.
- The final BE will be issued November 2024 and will include the rodenticide strategy.
- Amended PIDs will begin to be released in early 2025.
- EPA's comprehensive rodenticide update at the 8/21, 4pm ASPCRO session will cover:
 - Registration Review Status
 - Biological Evaluation Status
 - Schedules and Path Forward
 - External Engagement
 - FAQs and Additional Information

Fumigants Updates

- Sulfuryl Fluoride Interim Risk Mitigation
 - 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.
 - EPA stamped labels on July 11, 2024. Existing stocks of products with the old SF labels can be distributed and sold for 12 months from July 11, 2024
- Phosphine, Aluminum and Magnesium Phosphides
 - Interim registration review decisions (IDs) completed June 2024.
 - Risk mitigation for non-occupational bystanders includes buffer zones determined by the specific variables (e.g., aeration stack height, volume fumigated) of a given fumigation.

ESA Priorities - Upcoming Session

- **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

Consideration for New Technologies

- Pesticide Program Dialogue Committee (PPDC)
- Unmanned Aerial Systems (UAS)
 - Pesticide Education Resources Collaborative (PERC)
- Mitigations for Conventional Pesticides
- Gaps and opportunities for regulating emerging technologies

Pesticide Program Dialogue Committee

- Emerging Technology Workgroup
 - Provided EPA feedback on how to obtain a greater understanding of emerging agricultural technology; how it may reduce or increase risks that differ from those resulting from current methods; and what, if any, label changes might be needed
 - [2021 Final Report: Emerging Agricultural Technologies Workgroup Report and Recommendations for PPDC Review \(epa.gov\)](#)
 - Workgroup continued in 2022/23 with revised charge questions
 - One focus was on UAV: off-site movement (including benchmark UAV type & spray system), Best management practices/ use conditions
 - [2023 Final Report PPDC Emerging Technology Workgroup](#)

PPDC Emerging Technology Workgroup: List of Technologies

Hardware

- Unmanned Aerial Vehicles/Drones
- Spray/Nozzles
- Ground Robots
- Equipment Improvements to Existing Application Equipment

Data and Analytics

- Maps
- Statistical Analysis
- Prescriptive Agriculture
- Artificial Intelligence

PPDC Emerging Technology Workgroup: List of Technologies

Equipment Improvements

- Autonomous Spray Systems Aboard Current Manned Aircraft and Ground Sprayers
- Spot Farming
- Boundary Mapping
- Smart Guidance
- Boom Height Control
- Rate Control
- Section Control
- Equipment Mounted Weather Stations

Ground Based Robots

- Land care robot
- Robot for mechanical weed control
- Tool-carrying robot
- Bug vacuum
- Autonomous Tractor
- Autonomous Ground Sprayer

Spray/Nozzles

- Nozzles that dramatically reduce or eliminate small droplets prone to drift
- Direct Injection
- Stacked (Tiered) Nozzles
- Targeted Spray Technology
- Pulse with Modulation

OPP – Unmanned Aerial System (UAS) Considerations

- EPA does not have established policy regarding pesticide applications using UASs, data requirements, or implementation on pesticide labels.
- Currently, there is no established risk assessment framework or approved model to evaluate drift from emerging technology like UASs.
- Priority for EPA is to understand the exposure considerations from UASs and how it compares to existing application technology.
- EPA continues to work towards a standard policy and risk assessment method to evaluate potential risk from UASs applications.

OPP Considerations of UASs

- General areas OPP engaging on:
 - Exposure (Occupational, Bystander, and Wildlife)
 - Drift modeling
 - Crop Residues
 - Efficacy



UAS w/spray system. Source Dan Martin – ARS/USDA

- OPP is either a member of or in communication with several regulatory and non-regulatory groups working to address uncertainties related to these new technologies as data becomes available.

Pesticide Education Resources Collaborative (PERC) Unmanned Aerial Vehicle Task Force

- Just getting started this summer -
- Limited-duration **task force** to identify nationally-applicable regulations, risks-of-concern, and best practices related to the application of pesticides using UAS/UAV and/or drone technologies.
- The task force will determine what type of educational material(s) would be most widely adopted by states/tribes/territories with certification authority, and the essential content/training points that should be included.
- Broken out into two phases
 - Phase 1 – scoping the need and resource(s) recommendation; and
 - Phase 2 – creation/distribution of resources

Stakeholder Involvement on UAS

- Registrant drone task force (USPASTF)
 - Generation of Spray Drift Data – conducting field trial data to compare UAVs with ground application – plan to begin submission to agency this year
- Crop Life America (CLA) – Drone Workgroup
 - Best Management Practice document for applicators
 - Open literature review of off-site drift exposure and development of empirical drift curves – builds off OECD drone subgroup white paper

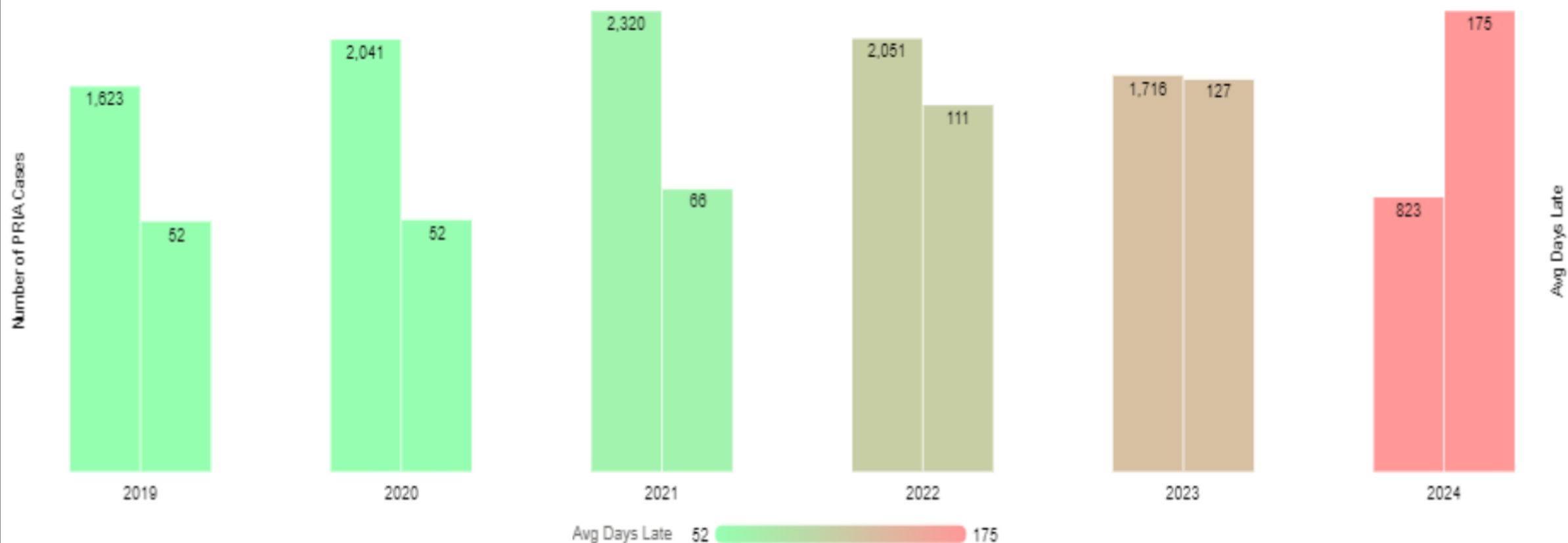
Digital Transformation Update

- Salesforce Workflow Continuous Enhancement
- New Portal and Customer Experience
 - Two-way interaction between OPP and external stakeholder
 - Modern submission and application tracking experience
- e-CSF and e-label Projects
 - e-label workshop with Caliper to build on previous projects
- DCI Modules; create, send, receive, track progress
 - Interact with the case via an automated workflow
 - Automated response pathways for registrants
- Analytics; Moved to Internal OPP Create and Edit
 - Modern performance metrics identifying needs and opportunities across OPP to both internal and external stakeholders

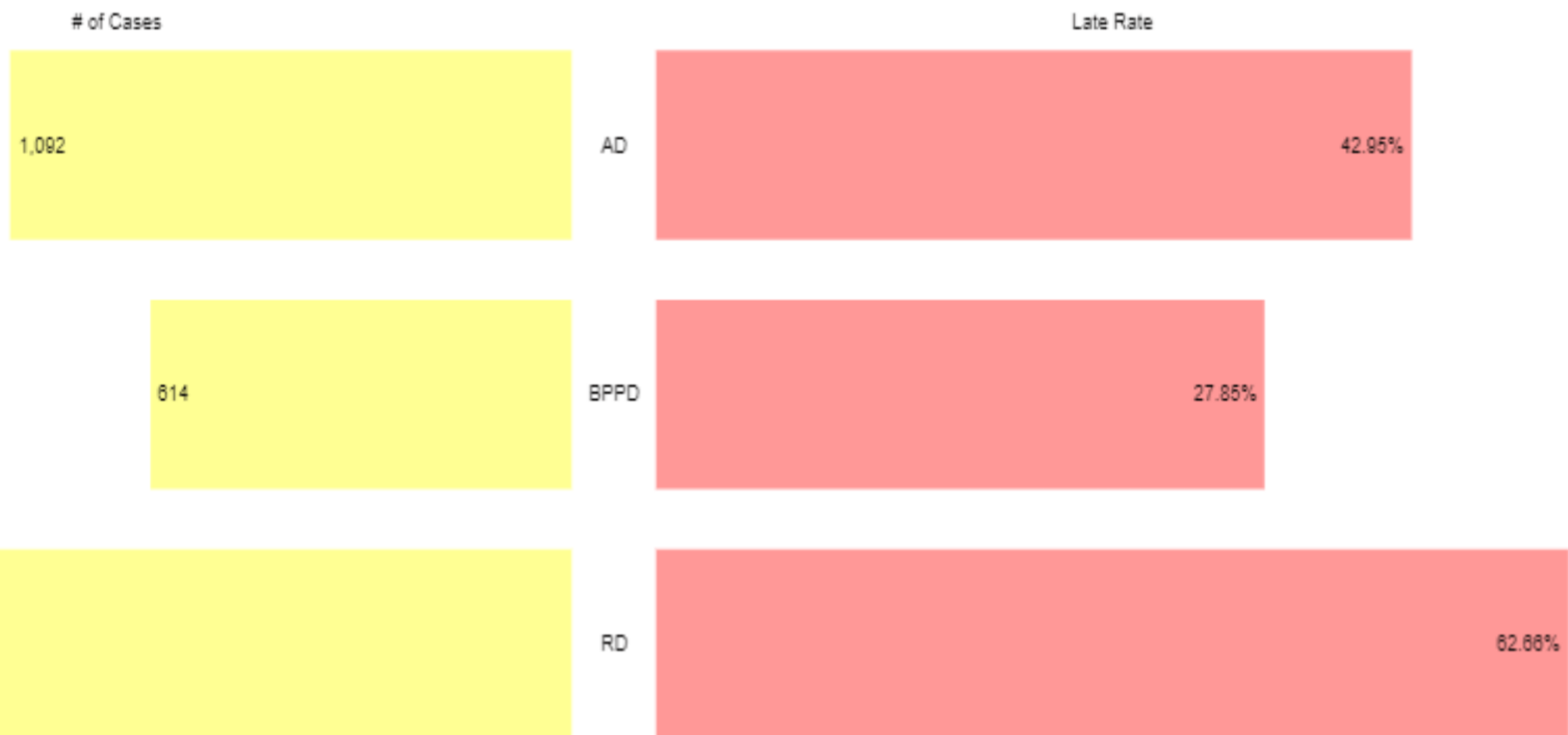
CY2024 ROADMAP

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

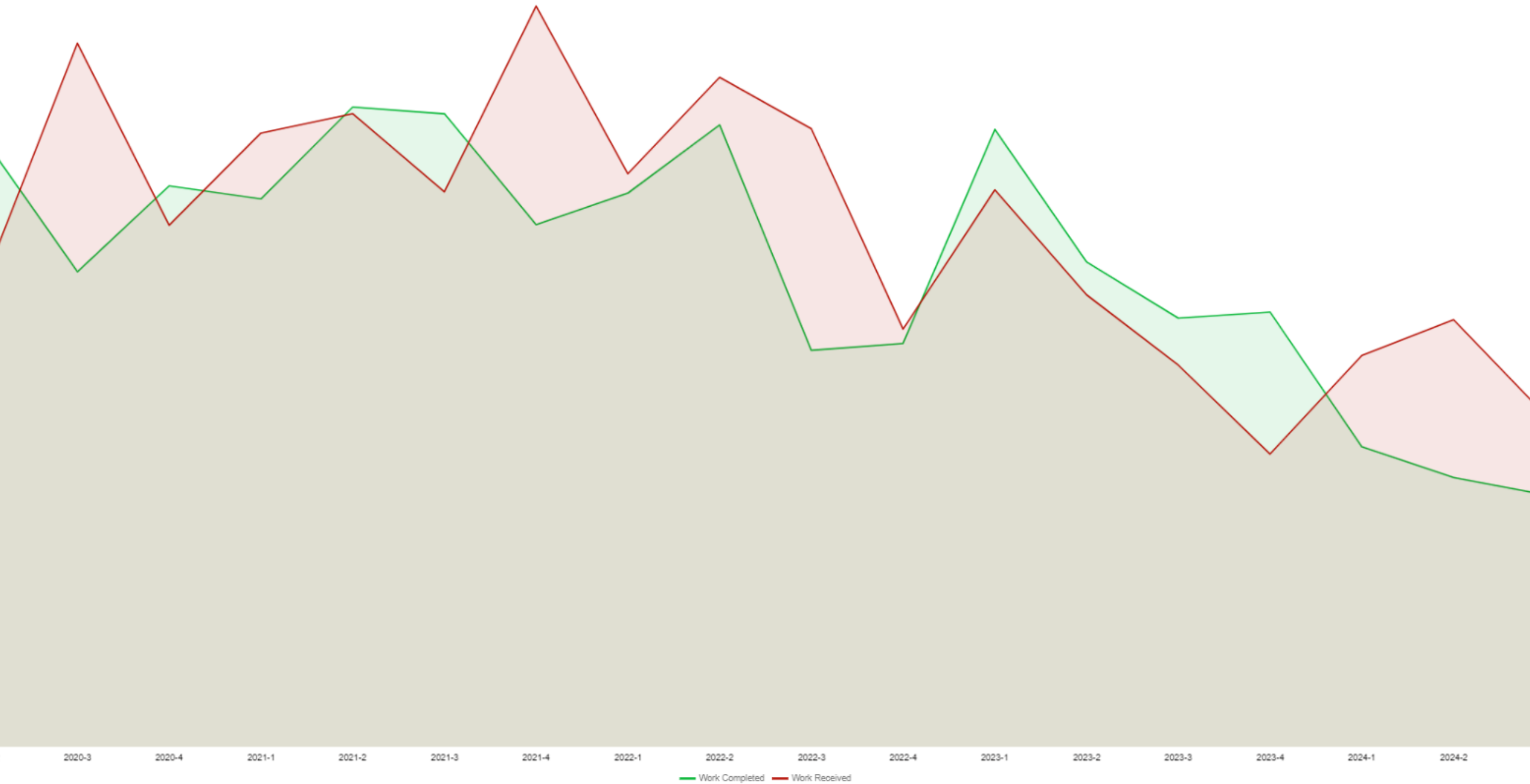
PRIA Completed Cases Last 5 FY and Average Days L...



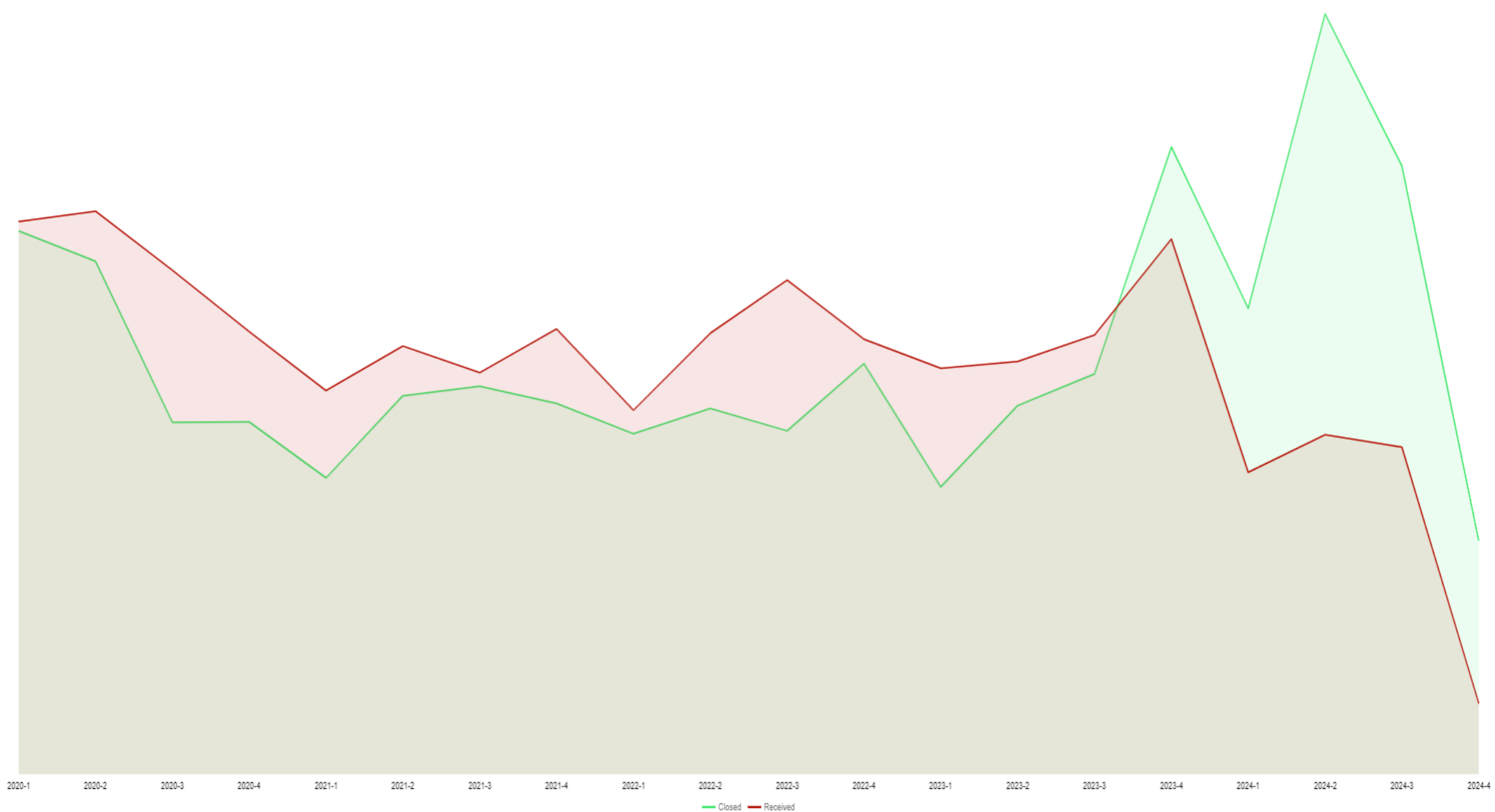
Late Rate by Division Last 2 Fiscal Years



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

Aquatic
Ecosystem
Restoration
Foundation: June
5-7, 2024; West
Palm Beach and
Orlando, Florida

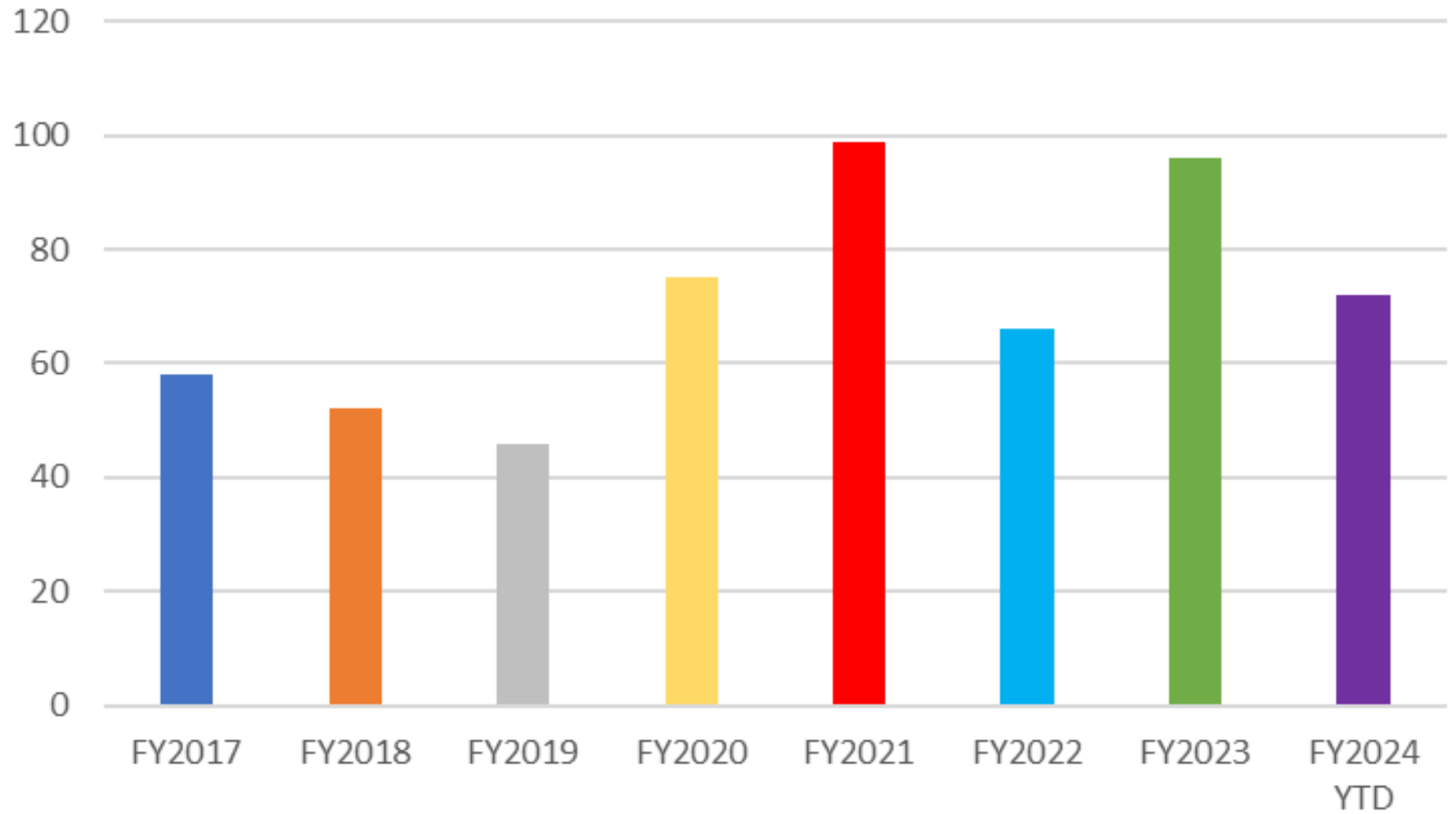


- Michigan IPM Alliance: June 24-26, 2024; Southwest Michigan
- The IR-4 Project: June 26, 2024; Adams County, PA
- USA Rice: August 5-8, 2024; Memphis TN
- California Specialty Crops Council: August 5-9, 2024; Visalia and Sacramento, CA
- Corteva Chesapeake Farms Tour, August 14, Chestertown, MD
- Snake River Sugarbeet Growers Association tour: August 12-15; Boise, Idaho
- National Association of Landscape Professionals: August 20, 2024; Richmond, VA
- National Cotton Council of American: August 26-30, 2024; Memphis, TN

North Dakota
Grain Growers
Association: June
24-26, 2024;
Bismarck, ND



Yearly OPP Updates Published



- **FY2017: 59**
- **FY2018: 52**
- **FY2019: 46**
- **FY2020: 75**
- **FY2021: 99**
- **FY2022: 66**
- **FY2023: 96**
- **FY2024 YTD: 72**

Sign-up for OPP Pesticide Updates

Get pesticide news story updates by email:

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

