

CPDA Regulatory Policy Conference

2018 FIFRA Regulatory Outlook March 13, 2018

Sheryl Lindros Dolan
Senior Regulatory Consultant
Bergeson & Campbell P.C.
Washington, D.C.
www.lawbc.com

2018 Pesticide Program Issues

- Pesticide Registration Improvement Act of 2003 (PRIA) Reauthorization
- Endangered Species Act (ESA) Implementation
- Regulatory Reform and Review
- Business as Usual

PRIA Reauthorization

- Pesticide Registration Improvement Act of 2003 (... and 2007 and 2012)
- H.R. 1029, Pesticide Registration Enhancement Act of 2017
- PRIA 3, September 30, 2017, sunset date extended with continuing resolutions
 - **March 23, 2018**, is next deadline

PRIA Reauthorization

■ Possible Outcomes?

- Lapse
- PRIA 3 continues
- PRIA 4

PRIA Reauthorization

■ PRIA 4 Key Features

- Increase in maintenance fees, projected increase in service fees
- Increase in fee categories from 189 to 212
- Removes constraint on spending maintenance fees for registration review
- New set asides for:
 - Public health pest product performance guidance/rulemaking
 - Good Laboratory Practice (GLP) compliance monitoring

ESA

- ESA litigation ongoing since 2001
- Litigation resulted in long list of promised consultations with Services (U.S. Fish and Wildlife Service (FWS)/National Marine Fisheries Service (NMFS))
- Species review by the U.S. Environmental Protection Agency (EPA) delaying registration decisions
- Consultation process unsustainable
- December 2017 Biological Opinions released by NMFS
- January 31, 2018, Memorandum of Agreement between EPA, U.S. Department of Interior (including FWS), and U.S. Department of Commerce (including NMFS) regarding process improvements

Regulatory Reform and Review

- **New Administration Priorities**
 - Review of regulations across federal agencies
 - Proposals for budget cuts, program reorganization
- **EPA Office of Pesticide Programs (OPP) Policy/Regulation Reviews**
 - Worker Protection Standard (WPS)
 - Certification and Training (C&T) requirements for pesticide applicators
- **Role of U.S. Department of Agriculture (USDA)**

Business as Usual

- Registration and Amendment Applications
- Registration Review Deadlines
- Pollinator Strategy
- Budget and Staffing Challenges



Thank You

Sheryl Lindros Dolan
Bergeson & Campbell, P.C.
2200 Pennsylvania Avenue, N.W.
Suite 100W
Washington, D.C. 20037
sdolan@lawbc.com
sdolan@actagroup.com
www.lawbc.com