



## What's New in PRIA 4?

- The Pesticide Registration Improvement Extension Act of 2018 (PRIA 4) was signed into law on March 8, 2019;
- PRIA 4:
  - extends prohibition on collection of other fees under FIFRA with the exception of pesticide registration service fees;
  - Extends prohibition on levying tolerance fees under FFDCA authority;
  - Updates FIFRA Section 5 (experimental use permits) to be consistent with PRIA 4 timeframes.



# What's New in PRIA 4 - Pesticide Registration Service Fees

- Extends PRIA registration service fee collection authority for 5 years from FY' 19 thru FY' 23;
- Increases the number of covered fee categories from 189 to 212;
- Category changes include but are not limited to:
  - R292 expanded to include harmonization of existing tolerances with Codex MRLs;
  - New and amended categories for pests requiring efficacy data and review for new products and amendments (AD, RD);
  - R331 expanded to also allow repack of MUP to an EP;
  - New EUP categories for AD, BPPD and RD chemicals;
  - AD categories modified to be consistent with Part 158W;



## What's New in PRIA 4 – PRIA Fees (cont'd)

- Category changes (cont'd):
  - Unregistered source of a.i. category for BPPD;
  - New PIP categories;
  - New inert safener categories and lengthens certain inert category timeframes where warranted by their average completion times and the # of renegotiations under PRIA 3;
  - Non-FIFRA regulated determinations (e.g., minimum risk, treated articles);
  - Adds conditional ruling on pre-application substantial similarity submissions categories;
  - Adds DfE logo label amendment;
  - Gold Seal letter requests may not be made for distributor products.



## What's New in PRIA 4 – PRIA Fees (cont'd)

- Enhances incentives for reduced-risk submissions by raising fees for the corresponding non-reduced risk categories (new conventional AIs and new uses) by 20%;
- Eliminates small business waivers for Gold Seal letters;
- Allows for two 5% fee increases:
  - The first starting 10/1/19 and running through 9/30/21;
  - The second starting 10/1/21 and running through 9/30/23;
- Extends PRIA set-asides through 2023 for:
  - Worker protection activities (1/17<sup>th</sup> of fund, but not less than \$1M/yr);
  - Partnership grants (\$500K/yr);
  - Pesticide safety education program (\$500K/yr).



## Changes in Maintenance Fees under PRIA 4

- Extends maintenance fee collection authority for 5 years from FY'19 thru FY'23;
- Fees increased from \$27.8M to \$31.0M per year;
- Can average across years to correct for over or under collection in previous years during PRIA 4;
- Eliminates appropriations constraint ("1-to-1" provision) on spending maintenance fees;
- Raises annual fee caps for registrants, including small businesses;



## Changes in Maintenance Fees under PRIA 4 (cont'd)

- Fees can explicitly be used in registration review to offset costs for endangered species assessments;
- Extends the set-aside for review of inert ingredients and the expedited processing of substantially similar applications, amendments that do not require scientific review of data, and public health pesticide applications;
- Eliminates IT set-aside (\$800,000 per year) to improve (a) electronic tracking of registration submissions, (b) electronic tracking of conditional registrations, (c) electronic review of labels, (d) electronic CSFs and (e) ESA database enhancements;
  - reporting on the unspent balance of IT set-asides remains;



## Changes in Maintenance Fees under PRIA 4 (cont'd)

- IT set-aside is replaced with new \$500,000 per year set-aside to support efficacy guideline development and rulemaking for invertebrate pests of significant public health or economic importance with a mandatory schedule of deliverables;
- Creates new \$500,000 per year set-aside to support GLP inspections;
  - Preliminary summary of inspection observations to laboratory not later than 60 days from completion of inspection;
- GLP and efficacy guideline development set asides authorized for 6 years, FY 2018 through FY 2023.



## **PRIA 4 Reporting Requirements- Registration Review**

- Additional Registration Review (RR) Decision Capture Requirements:
  - Number of RR cases canceled;
  - Number of RR cases with risk mitigation;
  - Number of RR cases with mitigation rolled-back;
  - Number of RR cases that need no mitigation;
  - Number of RR cases fully implemented;
- Decision Capture database development has been completed (to address PRIA 4 requirements above and document risks of concern and mitigations addressing those risks within and across registration review cases), training and implementation is ongoing, and report development is underway.





## **PRIA 4 Reporting Requirements- PRIA Set-asides**

- Description of the amount and use of PRIA set-aside funds:
  - To carry out activities related to worker protection;
  - To award partnership grants; and
  - To carry out pesticide safety education program.
- Evaluation of the appropriateness and effectiveness of the activities, grants, and program;
- Description of how stakeholders are engaged in the decision to fund such activities, grants, and program; and
- With respect to worker protection activities, a summary of the analyses provided by stakeholders, including from worker community-based organizations, on the appropriateness and effectiveness of such activities.



## **PRIA 4 Reporting Requirements- Other New Requirements**

- IT set-aside requirements;
- Identify reforms to streamline new AI and new use processes and provide prompt feedback to applicants during the process;
- Progress in meeting mandatory schedule in developing efficacy guidelines for invertebrate pests of significant public health and/or economic importance;
- # of GLP inspections/audits conducted;
- Progress in priority review and approval of new pesticides to control vector borne pests in the U.S. including territories and military bases globally; and
- Approvals associated with Design for the Environment program.



## WPS and C&T Final Rules

Section 7 of PRIA 4 stipulates that EPA:

- Shall, during the period beginning on the date of enactment of this Act and ending not later than 10/1/2021, carry out:
  - The Agricultural Worker Protection Standard Revisions final rule published November 2, 2015; and
  - The Certification of Pesticide Applicators final rule published January 4, 2017;
- Shall not revise or develop revisions to these rules.
- Exception: EPA may propose, and after a notice and public comment period of not less than 90 days, promulgate revisions to the WPS rule relating to application exclusion zones.



## WPS and C&T Final Rules (cont'd)

PRIA 4 directs GAO to:

- Conduct a study on the use of the designated representative, including the effect of that use on the availability of pesticide application and hazard information and worker health and safety; and
- Not later than 10/1/21, make publicly available a report describing the study, including any recommendations to prevent the misuse of pesticide application and hazard information, if that misuse is identified.



## PRIA 4 Resources

- PRIA web pages are currently being updated;
- PRIA Fee Tables, the Fee Determination Decision Tree, and the PRIA Interpretations pages have been updated to be reflective of PRIA 4 category descriptions and fees;
  - Fee Tables:
    - <https://www.epa.gov/pria-fees/fy-2019-fee-schedule-registration-applications>
  - Decision Tree
    - <https://www.epa.gov/pria-fees/pria-4-fee-determination-decision-tree>
- If you have any PRIA 4-related questions and can't find the answer on the PRIA web pages, please contact your division-level PRIA ombudsman mailbox or the OPP PRIA Coordinator.



# PRIA Points of Contact

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