

## THE ISSUE

Over a half billion dollars of CPDA member products and important crop protection tools currently sit in regulatory limbo at EPA. Unfortunately, EPA has experienced declining resources for many years and has lost seasoned and experienced staff over the past 15 years. With its workload on the rise and with fewer resources to meet the demand, regulatory submissions are delayed, causing uncertainty.

CPDA is supporting efficiency improvements at EPA but also recognizes the need for additional funding for the Office of Pesticide Programs (OPP). CPDA supports annual funding for OPP of at least \$166 million to help mitigate the backlog that is preventing farmers from accessing the critical tools they need. Currently, OPP is only receiving about 80% (\$134 million) of the funding outlined in PRIA V. In addition, the federal government is operating under a continuing resolution at FY24 levels, bringing additional uncertainty regarding the agency's resources.

## BACKGROUND INFORMATION

Pesticides are a broad range of important products essential for crop protection, mosquito and pest control, disinfectants, water treatment chemicals, materials preservatives and more. Pesticides must be registered by OPP, which carefully reviews the risks and benefits of each product before it can be legally offered for sale in the United States. Pesticides are regulated within OPP under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA).

OPP's regulatory process is rigorous, taking up to 10 years before a new product is registered for sale and use. OPP's evaluation includes scientific reviews of product data, the potential impact on people, the environment, animals, and its effectiveness against pests and pathogens. The registration process begins with the submission of an application package by the pesticide registrant – a company that manufactures or formulates pesticides. OPP examines the ingredients of the pesticide; the ways and places the product will be used; the amount, frequency, and timing of its use; and storage and disposal practices. OPP also assesses the potential impacts to human health to ensure there is reasonable certainty of no harm to people and no unreasonable adverse effects to the environment, including non-target animals and endangered species.

In 2004, Congress enacted the Pesticide Registration Improvement Act (PRIA), modeled after user fee programs for prescription drugs and medical devices. The Act has been reauthorized on a bipartisan basis four times since then and prescribes a schedule of fees charged to registrants for pesticide registration actions under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA). PRIA also established a companion program of product maintenance fees which supports re-review of each product registration on a 15-year cycle. The fees support personnel and technology at OPP specifically dedicated to registration activities.

In exchange, the law establishes timelines for those registration actions. Pesticide products that benefit from PRIA include not only crop protection products, but antimicrobials, biopesticides, disinfectants, and other products that protect human health, animal health, communities, and the environment. Under the law, OPP must meet statutory decision deadlines that enable new products to come to market and research and development investments to be made with confidence of market access. And the legislation requires EPA to report to Congress on its progress for completing its reviews and other defined actions on established timelines.

PRIA 5, enacted on December 29, 2022, increased fees paid by the pesticide industry for registration services by 30 percent from levels enacted in 2018. PRIA 5 also includes funding for worker protection education programs, pesticide risk reduction programs, and partnership grants. Years of declining OPP staffing, outdated information technology systems, and process deficiencies are delaying performance innovations and availability of critical pest control solutions for growers, facilities managers, public health workers, pest control operators, lawn care professionals, and consumers.

## BUDGET & APPROPRIATIONS

Because PRIA fees paid by pesticide registrants are intended to supplement rather than supplant annual appropriations for the licensing of pesticides, PRIA has included a “minimum appropriation,” which is intended to sunset fee collections when annual appropriations fall below the minimum. This amount was commensurately increased by 30% to \$166 million in PRIA 5 to mirror the increase in fees paid by registrants. Total funding for the OPP under the Interior, Environment and Related Agencies funding bills (including PRIA activities) has fallen from a high of \$144 million in fiscal year 2004 (\$237 million current value<sup>1</sup>). Fiscal year 2024 and proposed fiscal year 2025 funding levels were far below both budget requests and the minimum appropriations level in statute, which will further degrade OPP’s ability to fulfill its statutory remit and adequately administer the pesticide program.

A well-resourced and transparent pesticide regulatory program is critical to a broad array of every U.S. business and citizen. Businesses need predictable review timelines to make critical short- and long-term planning decisions that keep the supply of new and existing pesticide products available in the marketplace for consumers, professionals, and growers. Industry needs the predictability of PRIA’s timelines to support new product research and development, delivering important pest solutions for known and emerging pests and pathogens.

## CPDA POLICY POSITION

A fully functional and efficient OPP is a business-critical licensing function for American manufacturers and their customers. In addition, the imbalance between user fees and appropriations has left pesticide registrants with a disproportionate increase in fees and commensurate decrease in efficiency.

CPDA strongly encourages additional funding necessary for EPA to review and approve pesticide registration actions on predictable timelines, so companies can bring innovative new products, and product uses to the marketplace.

## CPDA HEADQUARTERS

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## FOR MORE INFORMATION

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<sup>1</sup> [CPI Home : U.S. Bureau of Labor Statistics](#)

