

EPA PLANNING 2006 IMPLEMENTATION OF CONTINUING REGISTRATION REVIEW PROGRAM

EPA recently announced its goal to have a final regulation in place in 2006, implementing a provision in the 1996 amendments to FIFRA requiring the review of all pesticide registrations on a periodic basis. The law set the goal at a 15-year review cycle. To achieve this goal, EPA will have to review the registrations of approximately 80 active ingredients each year, along with all of the end use products containing those active ingredients. As currently outlined, the program would be flexible enough to conduct highly variable reviews, ranging from a finding that all aspects of the current registration are in order to a full-scale reassessment of risks involved with a registration, including the mandatory call-in of data in order to continue the registration. Particular consideration is being devoted to creating a highly efficient process that will enable the Agency to meet the 15-year statutory goal.

EPA has consulted with stakeholders on the registration review program. Stakeholders from public interest groups, registrants, growers and other users all encouraged EPA to design a program that recognizes the varying degree of risk posed by various pesticides and that does not impose one-size-fits-all administrative procedures. All stakeholders expressed concern that the program not become bogged down in delays similar to those experienced in reregistering pesticides since 1988. The program currently is based on a decision-tree approach that will enable regulators to systematically determine whether there are aspects of a registration that require additional information or data or a revision to a risk assessment. It is assumed that because older pesticides have undergone reregistration and tolerance reassessment and newer pesticides have undergone similar rigorous review, that few databases should require extensive reworking during the periodic review process.

An economic analysis of the impact of the regulation is being prepared this summer. The Agency also is getting a pilot project underway, during which it will select ten or more active ingredients registered since August 1984 for review using the process as currently outlined. Following the pilot project, EPA will finalize a draft regulation for internal review with plans to publish a proposed regulation in February 2005 for public comment and a final regulation by mid-2006, in time for implementation in August 2006. The regulation has been described as one that will not be highly detailed or specific, but rather will allow sufficient flexibility to make changes based on lessons learned as registration review unfolds. Even if the regulation is a bare-bones outline, the schedule as described is extremely ambitious for an Agency that takes 8 years on average to draft, publish, revise and finalize a regulation.