

ESA SME Liaison to EPA OPP Report for July 22, 2022 - September 14, 2022

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Activities Highlights

The last two months of summer have been quiet with no new activities to report with the EPA OPP staff scientist assigned to liaison with ESA. EPA did host through Region 3 a webinar on August 23, 2022 titled, "Protecting Our Honey Bee Pollinators: Integrated Pest Management for Varroa Mites". EPA will host another IPM webinar on September 22 at 2-3:30 p.m. EDT. This webinar theme is "Excluding Pests from Schools" presented by two faculty from Cornell University. The registration URL is <https://register.gotowebinar.com/register/8598303399863960847>.

EPA Announcements of Interest to ESA Members

September 12, 2022: EPA Renews Biotechnology Innovation Efforts Under New Executive Order (titled, "Advancing Biotechnology and Biomanufacturing Innovation for a Sustainable, Safe, and Secure American Bioeconomy...see URL <https://www.whitehouse.gov/briefing-room/presidential-actions/2022/09/12/executive-order-on-advancing-biotechnology-and-biomanufacturing-innovation-for-a-sustainable-safe-and-secure-american-bioeconomy/>)

EPA stated, "Under the new Executive Order, the U.S. Environmental Protection Agency (EPA), the U.S. Department of Agriculture (USDA) and the U.S. Food and Drug Administration (FDA) are renewing efforts to improve the clarity and efficiency of regulatory processes for biotechnology products." The information that may be most relevant to pest management interests in ESA is the mandate to the USDA Secretary. The Executive Order stated, "The Secretary of Agriculture, in consultation with the heads of appropriate agencies as determined by the Secretary, shall submit a report assessing how to use biotechnology and biomanufacturing for food and agriculture innovation, including by improving sustainability and land conservation; increasing food quality and nutrition; **increasing and protecting agricultural yields; protecting against plant and animal pests and diseases; and cultivating alternative food sources.**"

EPA referred readers to the The Unified Website for Biotechnology Regulation for further information about its cooperative efforts with USDA and the FDA (https://usbiotechnologyregulation.mrp.usda.gov/biotechnologygov/home/modernizing/modernizing_biotechnology_framework)

September 8, 2022: EPA Releases Data on Leaching of PFAS in Fluorinated Packaging

EPA has conducted studies on PFAS (per- and polyfluoroalkyl substances) from HDPE containers into pesticide formulations after learning about possible PFAS contamination of insecticide formulations used for mosquito control. EPA validated the potential for leaching and now is requesting that registrants report PFAS contamination, somewhat similarly to the extant requirements for reporting contaminants in formulations. More information is available at URL <https://www.epa.gov/pesticides/epa-releases-data-leaching-pfas-fluorinated-packaging>.

In a related PFAS issue, EPA proposed removing "12 chemicals identified as per- and polyfluoroalkyl substances (PFAS) from the current list of inert ingredients approved for use in pesticide products to better protect human health and the environment" (<https://www.epa.gov/newsreleases/epa-proposes-stop-authorized-use-certain-pfas-pesticide-products>).

September 7, 2022: EPA Provides Supply Chain Flexibility and Reduced Burden for Pesticide Registrants with Expanded List of Commodity Inert Ingredients for Pesticides

EPA databases all of its commodity inert ingredients (i.e., non-pesticidal inactive additives in formulations) that it has assessed regarding hazards and appropriate to use in formulations designated for food crops. EPA is reducing the reporting burden for information on the Confidential Statement of Formula. Concisely stated, registrants using inert ingredients from the Commodity Inert Ingredients List would no longer need to identify all the sources of the chemicals because many have similar properties. The Commodity Inert ingredients List can be accessed at URL <https://www.epa.gov/pesticide-registration/commodity-inert-ingredients> (noted that 420 inert ingredients are listed).

August 19, 2022: EPA Finalizes Extension of the Certification of Pesticide Applicators Rule Deadline

EPA extended the deadline for states, tribes, and federal agencies with existing certification plans to comply with the updated federal standards under the 2017 Certification of Pesticide Applicators rule. State, territory, tribal, and federal authorities can continue existing applicator certification programs until November 4, 2023. After that date, only authorities with EPA-approved modified certification plans can continue to certify applicators of restricted use pesticides (RUPs). The regulations regarding certification of pesticide applicators can be viewed at URL <https://www.federalregister.gov/documents/2017/01/04/2016-30332/pesticides-certification-of-pesticide-applicators>.

UPDATE on July 19, 2022 Announcement re EPA Releases Draft Assessment of Effects of Sulfoxaflor on Endangered Species for Public Comment:

The closing date for submitting comments on EPA's Biological Evaluation for sulfoxaflor insecticide relevant to meeting the mandates of the Endangered Species Act is 60 days after issue of the report. Thus, September 17 is the deadline for comment submission. The docket number for the sulfoxaflor BE is EPA-HQ-OPP-2010-0889, and comments can be submitted at [regulations.gov](https://www.regulations.gov) (<https://www.regulations.gov/document/EPA-HQ-OPP-2010-0889-0604>).