

PESTICIDE REGISTRATION IMPROVEMENT ACT OF 2022

H.R. ____	FIFRA Section	Current Law	Proposed Change
Sec. 1			Short title is Pesticide Registration Improvement Act of 2022
Sec. 2	Sec. 3(f)	Current law contains no similar provision.	Adds new requirements for Bilingual Labeling including requiring translation on the package or the use of scannable technology being added to the label and establishes deadlines based on use
Sec. 3(a)(1)(A)	Sec. 4(i)(1)(C)	Sets the total maintenance fee average for each year for FY 2019-2023 to \$31,000,000.	Increases the total maintenance fees annual average to \$42,000,000 for FY 2023-2027.
Sec. 3(a)(1)(B)(i)	Sec. 4(i)(1)(D)(i)	Sets maximum fee for registrants holding <50 registrations to \$129,400 per year for FY 2019-2023	Increases the maximum fee for registrants holding <50 registrations to \$172,000 per year for FY 2023-2027
Sec. 3(a)(1)(B)(ii)	Sec. 4(i)(1)(D)(ii)	Sets maximum fee for registrants holding >50 registrations to \$207,000 per year for FY 2019-2023	Increases the maximum fee for registrants holding >50 registrations to \$277,200 per year for FY 2023-2027
Sec. 3(a)(1)(C)(i)	Sec. 4(i)(1)(E)(i)(I)	Sets maximum annual fee for small business registrants holding <50 registrations to \$79,100 for FY 2019-2023	Increases the maximum annual fee for small business registrants holding <50 registrations to \$105,000 for FY 2023-2027
Sec. 3(a)(1)(C)(ii)	Sec. 4(i)(1)(E)(i)(II)	Sets maximum annual fee for small business registrants holding >50 registrations to \$136,800 for FY 2019-2023	Increases the maximum annual fee for small business registrants holding >50 registrations to \$184,800 for FY 2023-2027
Sec. 3(a)(1)(E)	Sec. 4(i)(1)	Similar provisions in current law in Sec. 33(c)(3).	Adds Farm Worker Training and Education Grants – Up to \$7,500,000 of collected maintenance fees for training and education related to farm worker rights, worker protection standards, and the development of new information/training modules/methods. Adds Health Care Provider Training – Up to \$2,500,000 for grants for technical assistance and training for health care providers related to pesticide-related injuries and illnesses. Adds Partnership Grants – Up to \$500,000 Adds Pesticide Safety Education Program – Up to \$500,000 Adds Technical Assistance to Grantees – Up to \$1,750,000 for technical assistance for Farm Worker Training and Education Grant and Health Care Provider Training grantees.
Sec. 3(a)(1)(F)	Sec. 4(i)(1)	Current subsection provides authority through FY 2023.	Makes conforming changes to extend the authority to collect maintenance fees through FY 2027.
Sec. 3(b)	Sec. 480(m)(3) – 21 U.S.C. 346a(m)(3)	Current section references the Pesticide Registration Improvement Renewal Act and ending on September 30, 2023.	Makes technical and conforming changes to extend of prohibition on tolerance fees in the Federal Food, Drug, and Cosmetic Act through FY 2027.

PESTICIDE REGISTRATION IMPROVEMENT ACT OF 2022

Sec. 4(1)	Sec. 4(k)(2)(A)	Current law contains no similar provision.	Adds language allowing user fees to be used for costs associated with registration review decisions during a government shutdown.
Sec. 4(2)	Sec. 4(k)	Authorizes the use of 1/9 – 1/8 of the maintenance fees collected for review of inert ingredients and expedited rulemaking and guidance development for certain product performance data requirements	Increases the approximate amount available in the Reregistration and Expedited Processing fund to approx. 1/8 for personnel and resources to process submissions not covered by Sec. 33(b)(3)(B). Adds a set-aside of up to \$500,000 per year for FY 2023-2027 to develop efficacy test methods for antimicrobial pesticide devices making public health claims.
Sec. 4(3)	Sec. 4(k)(5)(A)	Current law authorizes the use of up to \$500,000 each FY through FY 2023 for enhancements to the good laboratory practices standards compliance monitoring program.	Makes conforming changes to extend the good laboratory practices inspections set-aside through FY 2027.
Sec. 4(5)	Sec. 4(k)		Adds a set-aside of up to \$500,000 per year for FY 2023-2027 for EPA employee training programs to improve scientific, technical, and administrative skills for related regulatory responsibilities and cooperative agreements with institutions of higher education to develop such curricula and programs. Adds a set-side of up to \$500,000 per year for FY 2023-2027 for a Vector Expedited Review Voucher Program for new insecticides to control and prevent the spread of vector borne disease by decreasing decision review times provided in Sec. 33(b)(3)(B). Adds language directing the Administrator to use \$500,000 (of user fees) per year for FY 2023-2027 to support the Pesticide Surveillance Program
Sec. 5(a)(1)(A)	Sec. 33(b)(2)(E)(iii)	The Administrator can determine that a different registration service fee and decision review period apply to the application after review of the application.	Makes changes to applications subject to additional fees – the Administrator can determine a different registration service fee and decision review period upon completion of the initial screening or preliminary technical screening.
Sec. 5(a)(1)(C)	Sec. 33(b)(3)		Adds language directing the Administrator to complete data evaluation records for studies submitted in support of the application and release the evaluation records to the applicant at the decision review time.
Sec. 5(a)(1)(D)(i)	Sec. 33(b)(6)(A)	Covered applications received between October 1, 2019 and September 30, 2021, the Administrator shall increase by 5 percent the registration service fee	Makes conforming changes to fee adjustments to October 1, 2024 through September 1, 2026 and language delaying the 5% increase in the registration fee until implementation of the adoption of costs and accounting rules.

PESTICIDE REGISTRATION IMPROVEMENT ACT OF 2022

Sec. 5(a)(1)(D)(ii)	Sec. 33(b)(6)(B)	Covered applications received on or after October 1, 2021 shall be subject to an additional 5% increase of the registration service fee.	Makes conforming changes to fee adjustments to October 1, 2026 and adds language delaying an additional 5% increase in the registration fee until recommendations for process improvements have been implemented.
Sec. 5(a)(1)(E)	Sec. 33(b)(7)(A)	A waiver or fee reduction may not be provided in connection with a request for a letter of certification (commonly referred to as a Gold Seal letter).	Adds a Certificate of Establishment
Sec. 5(b)(1)	Sec. 33(c)(3)	Directs the Administrator to use approx. 1/7 of user fees (but not less than \$1,000,000) to enhance the scientific and regulatory activities related to worker protection, authorizes \$500,000 for partnership grants and to carry out the pesticide safety education program.	Removes Worker protection, partnership grants, and pesticide safety education. Also see Sec. 3(a)(1)(E). Adds language directing the Administrator to use funds for an endangered species review of outdoor use of pesticides. Adds independent third party assessments on EPA workforce and processes.
Sec. 5(b)(2)	Sec. 33(c)(4)	Current law contains no similar provision.	Makes fees deposited in the Fund available during a shutdown or emergency furlough.
Sec. 5(c)(2)	Sec. 33(d)(2)	Minimum appropriation is equal to or greater than the amount provided for covered costs for FY 2012 (\$128.3 million)	Increases the minimum appropriation to \$166,000,000.
Sec. 5(d)(1)	Sec. 33(e)	Current law contains no similar provision.	Adds language to prevent double payment of registration service fees.
Sec. 5(e)	Sec. 33(f)(1)	Current section requires the Administrator make a schedule of decision review periods publicly available no later than 30 days after the effective date of the Pesticide Registration Improvement Extension Act of 2018.	Makes conforming changes to reference this act.
Sec. 5(e)(2)(A)(i)	Sec. 33(f)(4)(B)(i)		Adds a final fee category that prevents a covered application or other actions from being changed after completion of the preliminary technical screening, without providing the information to the applicant.
Sec. 5(e)(2)(A)(ii)	Sec. 33(f)(4)(B)(iii)		Adds language requiring the Administrator to automate the process for determining if the registration fee has been paid (or 25% if it contains a waiver or refund request) and contains the necessary forms, data, and draft labeling during initial content screening.

PESTICIDE REGISTRATION IMPROVEMENT ACT OF 2022

Sec. 5(e)(2)(A)(iii)(IV)	Sec. 33(f)(4)(B)(iv)		Adds language directing the Administrator to determine whether an application qualifies for a reduced risk determination; grant/deny requested data waivers; ensure the accuracy of the fee category selected; and notify the applicant if a new/different category is required and calculate the new decision review time based on the original submission date.
Sec. 5(e)(2)(B)	Sec. 33(f)(4)(E)	The decision time review period for a covered pesticide registration application under 2003 work plan begins 30 days after the effective date of PRIA 2003.	Adds language requiring applications determined unqualified for a reduced risk new active ingredient or use pay the difference in the fee for the corresponding non-reduced risk application.
Sec. 5(e)(3)	Sec. 33(f)(5)	The Administrator and applicant can mutually agree to extend a decision time review period.	Adds language requiring the Administrator to notify the applicant of reasons why additional time is needed and the number of additional days required to make a decision. The Administrator and applicant may mutually agree to extend the decision review period if new/additional data or information is needed, or significant comments are generated in the public comment period. If a decision is missed/extended, the application becomes a priority.
Sec. 5(f)	Sec. 33(k)		Adds language requiring the Administrator to publish a detailed annual report with actions, registrant submissions, initial content and preliminary technical screenings required, and staffing related to PRIA implementation within 120 following each FY 2023 – 2027. Adds a requirement for the Administrator create an information technology system with real-time information applications. Adds a requirement for the Administrator to improve access by EPA employees to data used to fulfill registrations and public access to information about regulatory decision-making tools.
Sec. 5(g)(1)	Sec. 33(m)	Current authority terminates on September 30, 2023.	Conforming amendments related to termination of effectiveness, including decision review periods, inserting 2027.
Sec. 5(g)(2)(A)	Sec. 33(m)(2)(A)	For FY 2024, registration fees payable should be reduced by 40% of the effective rate on September 30, 2023.	Makes conforming amendments to extend the phase out for registration service fees paid/collected in FY 2028.
Sec. 5(g)(2)(B)(i)	Sec. 33(m)(2)(B) and (C)	For FY 2025, registration fees payable should be reduced by 40% of the effective rate on September 30, 2023.	Makes conforming amendments to extend the phase out for registration service fees paid/collected in FY 2029.
Sec. 5(g)(2)(B)(ii)	Sec. 33(m)(2)(B) and (C)	Current section terminates the requirement to pay and collect registration service fees on September 30, 2025.	Extends the deadline to September 30, 2029.

PESTICIDE REGISTRATION IMPROVEMENT ACT OF 2022

Sec. 6	Sec. 33(b)(3)		Updates tables regarding covered pesticide registration applications and other covered actions and their corresponding registration service fees.
Sec. 7		Current law contains no similar provision.	Requires EPA post, on their website, aggregated information on pesticide regulation under FIFRA.
Sec. 8(a)(1)			Provides that registration fee increases are effective 60 days after date of enactment.
Sec. 8(a)(2)			Provides that maintenance fee increases are effective retroactively to October 1, 2022.
Sec. 8(b)			Provides that funding set-asides are effective retroactively to October 1, 2022.