

EPA TRANSPARENCY FOR AGRICULTURE PRODUCTS ACT

WHAT IT DOES:

This is a comprehensive bill to ensure transparency and accountability with regard to crop protection product review at the EPA. It will hold EPA accountable for their decisions and ensure Farmers, Ranchers, and Registrants have ample opportunity to engage with EPA and adjust to more restrictive label changes.

SUMMARY OF CONTENTS:

1. Forces the EPA, with the concurrence of USDA, to consider if there is any viable and affordable alternatives to a product if they are planning a non-voluntary cancellation or revocation of a label.
2. Applies the logical outgrowth rule to label decisions just like in other rulemakings.
3. Any non-voluntarily proposed decision that adjusts a label to become more restrictive for the user must go through OMB for interagency review.
4. Forces EPA to delay the effective date of any non-voluntary final decision that makes a label more restrictive for one year to allow users more time to adjust
 - a. The Q&A as well as any guidance must be completed within seven days.
5. Requires the EPA to perform a good faith review of all registration preventing the EPA from arbitrarily rejecting the registration for more time. They may only extend the agreed upon final review date for two 60 day extensions and if they fail to take action the label is approved as proposed.
6. Requires the EPA base their decision on USDA, commercially available, and industry agronomic use data.
7. Adjusts the judicial review of registrations to force the court to consider if there is viable and economic alternatives and delay any cancellation or revocation of a product until after the following growing season.
8. Adjusts the Science Advisory Panel (SAP) within the office of pesticide programs to require the addition of nominees from a pool of names provided by USDA:
 - i. two nominees must be representative of the conventional agricultural industry
 - ii. two nominees must be from agricultural land grant universities who have a specialty in agronomy or crop production.
9. Any decision or advice rendered by the SAP must also be reviewed by the EPA Science Advisory Board, Agriculture Science Committee and the Chief Economist of the USDA to determine whether the decision or advice would have an economic impact of more than \$100,000 on the agricultural industry.
 - a. If the decision or advice would have an economic impact of more than \$100,000 on the agricultural industry, the board and USDA shall consider and describe that economic impact.

BACKGROUND:

U.S. farmers and ranchers are coping with record inflation and broken supply chains — the last thing they need is EPA voluntarily revoking or severely limiting traditional farming tools and methods. If these producers lose the ability to use certain crop protection products, farms will be forced to forgo conservation practices, like no-till farming, and revert to full tillage methods to control pests. Access to safe, effective pesticides is vital for allowing farmers to continue to efficiently and sustainably feed, clothe, and fuel the world. EPA conducts essential work in reviewing new and existing pesticides to ensure their use will not impact human health or the environment. However, it is vital that EPA use the best science possible in conducting pesticide registrations and rulemakings to ensure pesticide users are not being subject to unnecessary, unscientific conditions. EPA must also properly consider the benefits in addition to the costs of crop protection products and ensure that farmers have time to respond and adjust to their decisions.