



# HOUSE AGRICULTURE COMMITTEE

## FARM BILL: REGULATORY RELIEF

---

The Agriculture & Nutrition Act of 2018 takes several steps to deliver commonsense regulatory reform, restoring a transparent and science-based process to preserve farmers' and ranchers' land-use and water rights. The farm bill streamlines programs enabling USDA to improve customer service to rural America.

### **PESTICIDE REGISTRATION ENHANCEMENT ACT**

The farm bill includes the Pesticide Registration Enhancement Act (known as PRIA-4). Under PRIA-4, the pesticide industry will contribute over \$40 million in registration and maintenance fees. This will supplement federal appropriations to provide resources for pesticide registration efforts, creating a more predictable evaluation process, and funding worker protection training activities at the Environmental Protection Agency (EPA). PRIA-4 reauthorization is key to maintaining public safety while ensuring agricultural producers have access to the safest and most efficient modern crop protection tools.

### **AMENDMENTS RELATED TO THE ENDANGERED SPECIES ACT (ESA)**

The farm bill provides commonsense reforms to the onerous and conflicting consultation process regarding pesticide registration activities. Specifically, the farm bill reconciles the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and the ESA to give the EPA express authority and responsibility to ensure protection of threatened or endangered species and critical habitat in connection with pesticide registrations.

This important update will help modernize the pesticide registration process to ensure environmental and public health protection by updating and approving safe and efficient modern chemistries. Currently, it has taken the EPA, the Fish and Wildlife Service (FWS) and the National Marine Fisheries Service (NMFS) over 2 years to complete just three registration reviews. EPA will have over 1,160 different ingredients needing registration reviews in the next 6 years. This commonsense reform is needed to prevent a halt to innovation in the pest management space due to an overly bureaucratic and conflicting process that prevents safer crop protection tools from entering the market.

### **NPDES PERMIT REFORM**

The farm bill will again include language to clarify Congressional intent by eliminating the requirement of a National Pollutant Discharge Elimination System (NPDES) permit for the use of pesticides already approved for use under FIFRA. The U.S. House of Representatives passed a version of this reform during the past three Congresses, and included similar language in its version of the previous farm bill.

### **AGRICULTURAL RETAIL FACILITY DEFINITION**

In July 2015, without conducting a formal rulemaking or stakeholder consultation process, the Occupational Safety and Health Administration attempted to change the definition of "retail facility," which would remove agricultural retailers from the Process Safety Management retail exemption.

The farm bill clarifies the definition of a "retail facility" and exempts those that receive more than half of their income from direct sales to end users or consumers, including farmers and ranchers.



# HOUSE AGRICULTURE COMMITTEE

## FARM BILL: REGULATORY RELIEF

---

### **RECOGNITION & ROLE OF STATE LEAD AGENCIES**

The farm bill provides clarification that the State Lead Agencies charged with implementing EPA regulations are the only agencies with authority to make further requirements, providing regulatory certainty to farmers and ranchers who use modern crop protection tools. This section also provides the State Lead Agencies a seat at the table when new EPA regulations are proposed.

### **METHYL BROMIDE**

The farm bill allows state and local governments to use methyl bromide during a USDA-declared emergency event.

### **COMMODITIES**

The farm bill directs the secretary to make available a method for producers to digitally and remotely complete paperwork required for programs, rather than visiting the FSA office.

### **CONSERVATION**

The farm bill focuses on eliminating administrative burdens that discourage producers from implementing conservation practices. The bill eliminates requirements for entities to have a Data Universal Numbering System (DUNS) and System for Award Management (SAM) number and provides the secretary the ability to waive AGI limits; and cuts red-tape across the conservation programs, allowing for NRCS to focus on its mission instead of tracking funding dollars back to donor programs.

### **CREDIT**

The farm bill continues to ensure that rural America has access to a stable and competent source of credit and capital, while eliminating outdated references in the Farm Credit Act.

### **RURAL DEVELOPMENT**

The farm bill cuts regulatory red tape by removing outdated regulatory burdens on Rural Utility Service customers and stakeholders.

### **RESEARCH**

The farm bill streamlines the plan of work and time & effort reporting processes for our nation's Land-Grant University formula funds to ensure that university research and extension personnel are able to spend their time and effort on actual projects rather than filling out federally-mandated reports.

### **FORESTRY**

The farm bill encourages proper management for healthy and productive federal, state, and private forests and incentivizes infrastructure and new market opportunities to revitalize communities and healthy landscapes. The bill builds upon the successes of farm bill categorical exclusions (CEs). CEs are used for routine activities with known outcomes, and they save the Forest Service time and money while still protecting the environment and natural resources. It also removes the requirement for consultation under Section 7 of the Endangered Species Act for a project carried out by the Forest Service if the project is found not likely to adversely affect a listed species.