



HOUSE COMMITTEE ON AGRICULTURE REGULATORY REFORM

The Farm, Food, and National Security Act of 2024 includes commonsense regulatory reform measures to restore transparency and science-based decisions to the Federal government, cut bureaucratic red tape, and reduce burdens on American producers.

Agricultural Labeling Uniformity

As the federal agency tasked with administering the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), the U.S. Environmental Protection Agency (EPA) thoroughly evaluates all pesticides before they are registered or reregistered to ensure they meet federal safety standards to protect human health and the environment. As such, Congress included language in FIFRA stating no State shall impose or continue in effect any requirements for labeling or packaging in addition to or different from those required under FIFRA.

Recently, there have been misinterpretations related to this policy which could lead to an unworkable patchwork of conflicting State pesticide labeling requirements and risk disrupting commerce. The bill includes language reaffirming that the EPA is the sole authority for making safety findings related to pesticides while retaining the States' ability to further regulate the use of these tools.

Recognition and Role of State Lead Agencies

The bill provides clarification that the State lead agencies charged with implementing EPA regulations under FIFRA are the agencies in that State with the authority to regulate the use of crop protection and pest control tools, providing regulatory certainty for farmers, commercial applicators, and small businesses who rely on these tools.

EPA and USDA Coordination

The U.S. Department of Agriculture (USDA) Office of Pest Management Policy (OPMP) was created in 1998 to provide for the effective coordination of policies and activities related to pesticides and to provide leadership to ensure coordination with other agencies including the EPA.

The bill strengthens the working relationship between the EPA and USDA related to the regulation of pesticides by requiring EPA to further coordinate with USDA during the registration and registration review processes for a pesticide, including on the development of risk mitigation measures.

Plant Biostimulants

Plant biostimulants are substances that support a plant's natural nutrition processes and can thereby improve the efficiency of a plant. The bill excludes plant biostimulants from regulation under FIFRA. Excluding these substances from Federal regulation will provide clarity and spur innovation in the plant biostimulant industry.

Plant-Incorporated Protectants

Plant-incorporated protectants (PIPs) are pesticidal substances produced by plants and the genetic material necessary for the plants to produce the substance. While some PIPs are achieved through conventional breeding and have not been subject to Federal regulation, PIPs created using genetic engineering are still subject to regulation under FIFRA. The bill removes excessive regulatory burdens for plant breeders by exempting certain PIPs from Federal regulation.

FIFRA Interagency Working Group

The FIFRA Interagency Working Group (IWG)—consisting of the EPA, USDA, the Department of Commerce, the Department of the Interior (DOI), and the Council on Environmental Quality—was codified in the 2018 Farm Bill to improve the consultation process under the Endangered Species Act (ESA) for pesticide registration and registration review.

The bill extends the reporting requirements for the IWG and adds a requirement that the EPA shall consult the IWG before implementing any policy, strategy, workplan, or pilot program regarding the application of the ESA to the registration and registration review processes.

Safe Harbor for Certain Discharges of Wildland Fire Chemicals

The bill includes language that would provide covered entities—like the U.S. Forest Service and DOI—with judicial relief to continue using covered fire retardant and water enhancers for wildfire suppression, control, or prevention activities while they work toward obtaining a Clean Water Act permit.

Critical Minerals

The bill includes language that would direct the Secretary of the Interior, in consultation with the Secretary of Agriculture, to evaluate potash, phosphates, and other minerals necessary for the production of fertilizer and other agricultural products used to promote crop development for designation as critical minerals.

EPA Science Advisory Board

The 2014 Farm Bill created the EPA Science Advisory Board (SAB) Agricultural Science Committee (ASC); however, the ASC has not had any public meetings and they have not produced any reports to provide the SAB with advice on actions that have a direct impact on farming and agriculture-related industries. The bill provides the House Committee on Agriculture and the Senate Committee on Agriculture, Nutrition, and Forestry with the ability to request scientific advice from the ASC on future EPA actions that impact agriculture.

Forest Management Reforms

The bill simplifies environmental process requirements, while ensuring environmental protection by building upon the success of categorical exclusions (CE) and other streamlined authorities.

Specifically, the bill increases the insect and disease CE, the wildfire resilience CE, and the fuel break CE to 10,000 acres. The bill also establishes a new hazard tree activity CE to streamline the removal of hazard trees on National Forest System lands.

The bill also includes a permanent legislative fix to reverse the 2015 Cottonwood Environmental Law Center vs. U.S. Forest Service decision. This will prevent never-ending consultation on completed forest plans, closing the door on frequent litigation.