

SECTION-BY-SECTION ANALYSIS OF LEGISLATION
H.R. 1029 THE PESTICIDE REGISTRATION ENHANCEMENT ACT OF 2017

Section 1. Short Title; Table of Contents.

Section 1 of the bill designates the title of the bill as the “Pesticide Registration Enhancement Act of 2017” and enumerates the table of contents.

Section 2. Extension and modification of maintenance fee authority.

Section 2 of the bill amends section 4(i) of FIFRA (7 U.S.C. 136a-1(i)(1)).

Subsection (a) extends the maintenance fee provision until 2023 as well as increasing the total amount of maintenance fees to \$31 million. The section does the same for the fees for small businesses.

Subsection (b) extends the prohibition on levying registration fees not otherwise authorized under PRIA, including a prohibition on tolerance fees.

Subsection (c) is a conforming amendment to the Federal Food, Drug, and Cosmetic Act to extend the prohibition on collection of tolerance fees.

Section 3. Registration and Expedited Processing Fund.

Section 3 amends section 4(k) of FIFRA (7 U.S.C. 136a-1(k)(2)(A)).

Subsection (a) include additional uses for the fees collected such as defraying the costs of registration review, including the cost associated with Endangered Species Act review, as well as offsetting the costs associated with tracking and implementing registration review decisions.

Subsection (b) updates the date for review of inert ingredients through fiscal year 2023.

Subsection (c) provides funds for EPA to develop and finalize guidance for product performance data requirements for certain invertebrate pests of significance public importance. The subsection further establishes a timeline for the development of such guidance.

Subsection (d) creates a new set-aside for good laboratory practices inspections.

Section 4. Experimental use permits for pesticides.

Section 4 amends section 5 of FIFRA to codify timeframes for experimental use permits consistent with the categories in section 33(b).

Section 5. Pesticide registration service fees.

Section 5 amends section 33 of FIFRA (7 U.S.C. 136w-8).

Subsection (a) clarifies that applications for inert ingredients, Gold Seal letters, and any other actions that are not specifically pesticide activities are subject to a registration service fee. The subsection further extends two existing 5 percent increases to the registration service fees. This subsection also includes the small business waiver, except for requests for the Gold Seal letter of certification, which are low cost fees.

Subsection (b) extends the set-aside for worker protection, partnership grants, and pesticide safety education until 2023. It further emphasizes that activities relating to worker protection shall focus on field worker populations in the United States.

Subsection (c) directs EPA to look for streamlining opportunities for review process applications.

Subsection (d) provides several clarifying and conforming amendments.

Subsection (e) extends the annual reporting requirements until 2023 and amends the required content of the reports to encourage greater transparency in pesticide registrations. It also requires reporting on the implementation of the product performing test guidelines, a review of the good laboratory practices standards compliance monitoring program, a reporting on the current “Safer Choice” program.

Subsection (f) extends the termination of effectiveness section until September 30, 2023, including the current two year phase out period.

Section 6. Revision of tables regarding covered pesticide registration applications and other covered actions and their corresponding registration service fees.

Section 6 codifies the necessary changes to the schedule of registration applications and the corresponding tables included in the statute.