Chlorpyrifos Update

May 8-9, 2019 Pesticide Program Dialogue Committee Meeting

Background:

- Chlorpyrifos has been a widely used pesticide since 1965. Since its first registration, chlorpyrifos has been reviewed by EPA for tolerance reassessment and reregistration. It is currently undergoing a [HYPERLINK "https://www.epa.gov/pesticide-reevaluation/registration-review-process"] that must be completed before October 2022.
- In March 2017, EPA denied a 2007 petition that asked the Agency to revoke all pesticide tolerances and registrations for chlorpyrifos. EPA concluded that despite several years of study the science addressing neurodevelopmental effects requires further evaluation.
- On August 9, 2018, the Ninth Circuit issued a decision vacating EPA's 2017 order maintaining a tolerance for the pesticide chlorpyrifos and remanding to the EPA with directions to revoke all tolerances and cancel all registrations for chlorpyrifos within 60 days of the issuance of the court's mandate.
- The U.S. Court of Appeals for the Ninth Circuit agreed to re-hear its decision in this matter. Oral argument occurred March 26, 2019.
- On April 19, 2019, the Court ordered EPA to make a full and final decision on the objections associated with the March 2017 denial within 90 days.
- Federal chlorpyrifos tolerances and registrations will remain in place and use according to label instructions can continue, as permitted by state law, while EPA responds to objections.

Key Points:

- EPA has prioritized the re-evaluation of chlorpyrifos, ensuring that the best available science is considered in our decision-making.
- EPA anticipates its decision on the objections related to the March 2017 petition denial by July 18, 2019 as required by the Court.
- In conducting its risk assessments for the registration review of chlorpyrifos, EPA has incorporated additional data as it has become available, as well as the feedback of the FIFRA Scientific Advisory Panel on related scientific issues the EPA has brought for review.