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**MEMORANDUM**

Via E-Mail

DATE: November 21, 2007  
TO: Firm Clients and Friends  
FROM: Bergeson & Campbell, P.C.  
RE: EPA Updates Registration Review Schedule

The U.S. Environmental Protection Agency (EPA) announced today the availability on its website of an updated schedule for the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) registration review program for fiscal years 2008-2011.<sup>1</sup> Individual schedules are provided for conventional, antimicrobial, biochemical, and microbial pesticides. The schedules and related information are available at [http://www.epa.gov/oppsrrd1/registration\\_review/schedule.htm](http://www.epa.gov/oppsrrd1/registration_review/schedule.htm). These revised schedules update those published on October 11, 2006.

EPA plans to meet the mandate in FIFRA Section 3(g), as amended by the Pesticide Registration Improvement Renewal Act of 2007 (PRIA II), to review all registered pesticides every 15 years to confirm that the products continue to meet the statutory standard for registration. PRIA II specifically requires EPA to complete registration review decisions by October 1, 2022, for all pesticides registered as of October 1, 2007. PRIA II also provides for the continuation of annual pesticide maintenance fees and authorizes their use for registration review.<sup>2</sup>

With the published schedules, EPA sets a timetable according to which it will open dockets for registration review of individual pesticides and cases (pesticides grouped because of similar chemical structure or for other reasons). Pesticides and cases are listed

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<sup>1</sup> 72 Fed. Reg. 65574 (Nov. 21, 2007).

<sup>2</sup> 72 Fed. Reg. at 65575. *See, also*, Pesticide Registration Improvement Renewal Act, S. 1983, 110th Cong. § 3(1)(C) (2007).



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chronologically by baseline date.<sup>3</sup> EPA states that in these first years of the registration review program, it will be building the capacity to make approximately 70 decisions each year. EPA states that it expects to review a total of 722 pesticide cases comprising 1,135 pesticide active ingredients by 2022.<sup>4</sup> To date, EPA has opened dockets for 25 pesticide cases.<sup>5</sup>

On August 9, 2006, EPA published the procedural regulations for the registration review program.<sup>6</sup> These regulations became effective on October 10, 2006. Our August 4, 2006, memorandum on the final registration review regulations is available at <http://www.lawbc.com/updates/080406-fifra.pdf>.

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We hope this information is helpful. As always, please call if you have any questions.

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<sup>3</sup> A baseline date is, generally, “the date of initial registration of the oldest pesticide product in the case or the date of reregistration, whichever is later.” 40 C.F.R. § 155.42(d).

<sup>4</sup> 72 Fed. Reg. at 65575.

<sup>5</sup> A status summary of pesticide cases opened to date is available at [http://www.epa.gov/oppsrrd1/registration\\_review/reg\\_review\\_status.htm](http://www.epa.gov/oppsrrd1/registration_review/reg_review_status.htm).

<sup>6</sup> 71 Fed. Reg. 45719 (Aug. 9, 2006).