Chapter P: PESTICIDES AND CHEMICALS
2025 ANNUAL REPORT[1]

Following the change in Administration, 2025 was an eventful year for the pesticides and chemicals community. The U.S. Environmental Protection Agency (EPA) continued struggling to meet statutory deadlines for new chemical reviews. EPA's existing chemicals program centered on revising the procedural framework rule for risk evaluations, completing risk evaluations, and revisiting completed risk management rules. In the pesticides area, EPA met several milestones for the Pesticide Registration Improvement Act of 2022 (PRIA 5), including bilingual labeling.

I. TOXIC SUBSTANCES CONTROL ACT (TSCA)

A. New Chemicals Program, Significant New Use Rules (SNURs) and Litigation

1. New Chemical Reviews

The pace of EPA's new chemical reviews dropped in FY 2025. EPA completed 135 cases in FY 2025 versus 165 in FY 2024. Weighed against incoming submissions, this means that the Agency's "backlog" effectively grew by 19 cases. There are, however, some promising signs that EPA's reviews are getting more efficient. For example, the 18 Pre-manufacture Notices (PMN) determinations that EPA made on cases it received in FY 2025 have waited on average less than six months versus a broader average review time of multiple years. In terms of regulatory outcomes, EPA continues to regulate nearly all PMNs in some way—84% of all determinations made in FY 2025—unless a chemical was deemed to present a low hazard.

2. SNURs on New Chemicals

In 2024, EPA proposed eight batches of SNURs covering 194 chemicals. In 2025, EPA proposed four batches of SNURs (through November 17, 2025) covering 142 chemicals. Although this volume reflects progress by EPA, there remain 148 chemicals still awaiting proposed SNURs. Also, 194 cases have proposed SNURs, but still await final SNUR publication. Closing the time gap between the issuance of a TSCA Section 5 order and a subsequent SNUR remains a significant hurdle to the commercialization of new chemical substances.

[1]Judah Prero and Lawrence E. Culleen, Arnold & Porter Kaye Scholer LLP; Lynn L. Bergeson, Richard E. Engler, Ph.D., Ryan N. Schmit, and Carla N. Hutton, Bergeson & Campbell, P.C.; Julia A. Hatcher, Hunter J. Kendrick, and Tom Lee, Latham & Watkins LLP; Matthew C. Brewer, Andrew R. Stewart, and Leena Dai, Sidley Austin LLP; Michael Boucher and Nina M. MacLeay, Steptoe LLP; Karyn M. Schmidt, Squire Patton Boggs; Sara Beth Watson, Hume M. Ross, Sarah E. Simonetti, and Emma Howard, Wiley Rein LLP.

3. TSCA Section 5 Litigation Update

New litigation on EPA's actions under TSCA Section 5 included a challenge to EPA's final rule[2] revising the procedural requirements for reviewing new chemicals. Among other changes, the final rule made per- and polyfluoroalkyl substances (PFAS) and other persistent, bioaccumulative, and toxic (PBT) chemicals ineligible for both the low volume exemption (LVE) and the low release and exposure exemption (LoREX).

In January 2025, several environmental and labor groups filed suit alleging EPA's new procedures are contrary to statutory mandates for transparency and risk assessment. The petitions were consolidated in the United States Court of Appeals for the Ninth Circuit as *Alaska Community Action on Toxics v. United States Environmental Protection Agency, et al.*[3] Petitioners allege EPA routinely fails to provide information to the public that it is entitled to under TSCA, fails to timely publish Federal Register notices of PMN receipt, and EPA's treatment of PFAS and other PBT chemicals is inadequate because some of these chemicals may still be "fast-tracked" for approval via expedited review exemptions.

4. New Chemicals Process Updates

EPA announced in December 2024 a final rule updating new chemicals procedural regulations.[4] Changes included an increase in the number of days for requesting informal suspensions of the review period, from 15 to 30 days, codification of requirements under the 2016 TSCA amendments, and categorical ineligibility for any PFAS for an LVE or LoREX exemption. EPA also included provisions aimed to reduce "rework"—cases in which a submitter provides information after an initial submission that requires EPA to re-review the case.

B. TSCA Section 4 Test Order Activity and Litigation

The EPA issued no new test orders in 2025. EPA's use of Section 4 authority in 2024 was focused on PFAS under its 2021 National PFAS Testing Strategy.[5] Although the Strategy identified 24 candidates for a first phase of testing, EPA has issued test orders for only a handful, including two PFAS not on the original list—2-(N-Methylperfluoro-1-octanesulfonamido) ethanol (NMeFOSE; CAS RN® 2448-09-7)[6] and 6:2 Fluorotelomer acrylate (6:2 FTAc; CAS RN 17527-29-6)[7]—possibly as better representatives of certain PFAS subcategories. EPA's 2024 TSCA Fees rule projected "approximately 14 test orders per year" between FY 2024 and FY 2026 (about 10 for PFAS), but that volume of test orders has not materialized.[8]

---

[2]Updates to New Chemicals Regulations Under the Toxic Substances Control Act, 89 Fed. Reg. 102,773 (Dec. 18, 2024) (codified at 40 C.F.R. pts. 68, 372, 703, 720, 721, 723, 725, 761).

[3]No. 25-158 (9th Cir. Jan. 8, 2025).

[4]9 Fed. Reg. at 102787.

[5]ENVTL. PROT. AGENCY, National PFAS Testing Strategy: Identification of Candidate Per- and Poly-fluoroalkyl Substances (PFAS) for Testing 3-4 (Oct. 2021).

[6]ENVTL. PROT. AGENCY, *Order Under Section 4 of the Toxic Substances Control Act (TSCA)*, EPA-HQ-OPPT-2023-0544 (Oct. 8, 2024).

[7]*Id.*

[8]Fees for the Administration of the Toxic Substances Control Act (TSCA), 89 Fed. Reg. 12,961 (Feb. 21, 2024) (codified at 40 C.F.R. pt. 700)

The status of EPA's implementation of the National PFAS Testing Strategy remains unclear, aside from an April 2025 press release wherein EPA Administrator [Lee] Zeldin pledged to "[i]mplement a PFAS testing strategy under [TSCA] Section 4 to seek scientific information informed by hazard characteristics and exposure pathways."[9] EPA publicly stated that it would refine its approach in the National PFAS Testing Strategy, but no further updates to the 2021 Strategy were issued.[10] It remains unclear when EPA will resume issuing test orders, either for PFAS or other chemical substances undergoing or being considered for risk evaluation under TSCA Section 6.

C. Regulation of Existing Chemicals

EPA's existing chemicals program centered, in 2025, on revising the procedural framework rule for TSCA risk evaluations, completing consent-decree risk evaluations, and revisiting completed risk management rules. There are now 38 chemicals in some stage of TSCA risk evaluation or risk management processes,[11] although EPA continues to lag behind the statutory schedules for completion set out in the 2016 Lautenberg amendments.

1. Prioritization

In late 2024, EPA designated five additional chemicals as high priority: acetaldehyde, acrylonitrile, benzenamine, vinyl chloride, and 4,4'- methylene bis(chloroaniline) (MBOCA).[12] All five proceeded to risk evaluation in 2025. However, out of these five chemicals, EPA proposed a draft risk evaluation scope for only one, vinyl chloride (January), and did not finalize it in 2025. EPA initiated prioritization for five more chemicals (benzene, ethylbenzene, naphthalene, styrene, and 4-tert-octylphenol) on December 18, 2024, but made no high-priority designations in 2025, so those chemicals remain in prioritization.[13]

EPA extended the reporting deadline several times for manufacturers and importers of 16 chemicals to submit unpublished health and safety studies under a 2024 TSCA Section 8(d) rule; in June, EPA extended the deadline for all 16 chemicals to May 22, 2026.[14] EPA did not issue a broader data gathering proposal in 2025.[15]

---

[9]Press Release, U.S. ENVTL. PROT. AGENCY, Administrator Zeldin Announces Major EPA Actions to Combat PFAS Contamination (Apr. 28, 2025).

[10]*See* U.S. ENVTL. PROT. AGENCY, *February 2024 TSCA PFAS Workshop* (last updated Feb. 26, 2026).

[11]U.S. ENVTL. PROT. AGENCY, *Ongoing and Completed Chemical Risk Evaluations under TSCA* (last updated Dec. 31, 2025).

[12]High-Priority Substance Designations Under the Toxic Substances Control Act (TSCA) and Initiation of Risk Evaluation on High-Priority Substances; Notice of Availability, 89 Fed. Reg. 102,900 (Dec. 18, 2024).

[13]U.S. ENVTL. PROT. AGENCY, *Prioritization Actions under TSCA* (last updated May 30, 2025).

[14]Certain Existing Chemicals; Request to Submit Unpublished Health and Safety Data Under the Toxic Substances Control Act (TSCA); Extension of Submission Deadline, 90 Fed. Reg. 24228, 24229 (June 9, 2025) (to be codified at 40 C.F.R. pt. 716).

[15]ENVTL. PROT. AGENCY, *A Working Approach for Identifying Potential Candidate Chemicals for Prioritization* (Sept. 27, 2018).

2. Risk Evaluation Procedural Framework

In September, EPA proposed a third risk evaluation framework rule[16] to govern the process of conducting TSCA risk evaluations. EPA is expected to finalize the rule in early 2026. The proposal would largely return to approaches reflected in the first TSCA framework rule, including: (i) making condition-of-use-specific risk determinations at the end of each evaluation; (ii) relying on reasonably available information about real-world exposures, including use of personal protective equipment; (iii) removing "overburdened communities" from the definition of "potentially exposed" or "susceptible subpopulation"; and (iv) confirming EPA may exclude from scope certain exposures already regulated by other EPA offices or other agencies.[17] EPA's third proposed risk evaluation framework rule would make several key changes to how the agency approaches manufacturer-requested risk evaluations (MRREs). The second framework rule remains in litigation in the United States District Court for the District of Columbia, although the court has held the matter in abeyance while EPA proposes this third round of changes.[18]

3. Risk Evaluations

EPA released a draft scope for a risk evaluation for vinyl chloride in January[19] but did not issue a final scope in 2025. EPA released a draft risk evaluation for 1,2-dichloroethane.[20] On December 31, EPA issued final risk evaluations for five phthalate esters as a group: butyl benzyl phthalate (BBP), dibutyl phthalate (DBP), dicyclohexyl phthalate (DCHP), di-ethylhexyl phthalate (DEHP), and diisobutyl phthalate (DIBP).[21] EPA explained that these evaluations focused on TSCA-regulated uses and that the agency did not analyze exposures from products regulated by the U.S. Food and Drug Administration (FDA) or U.S. Consumer Product Safety Commission (CPSC) (e.g., food, food additives, food packaging, medical devices, cosmetics, and other consumer products).

The EPA also finalized MRRE risk evaluations for diisodecyl phthalate (DIDP) and diisononyl phthalate (DINP), and released a draft MRRE risk evaluation for the manufacturer-requested review of octamethylcyclotetrasiloxane (D4) on September 17, 2025.[22] For D4, EPA preliminarily found unreasonable risk to workers for 23 conditions of use (COUs), to consumers for one COU, and to the environment for seven COUs. Another 37 COUs did not preliminarily present unreasonable risk.

---

[16]Procedures for Chemical Risk Evaluation Under the Toxic Substances Control Act, 90 Fed. Reg. 45,690 (Sept. 23, 2025) (to be codified at 40 C.F.R. pt. 702).
[17]*Id.* at 45,693.
[18]United Steel, Paper & Forestry, Rubber, Mfg., Energy, Allied Indus. & Serv. Workers Int'l Union v. EPA, No. 24-1151 (D.C. Cir. Mar. 21, 2025).
[19]Vinyl Chloride; Draft Scope of the Risk Evaluation Under the Toxic Substances Control Act (TSCA), 90 Fed. Reg. 4738 (Jan. 16, 2025).
[20]1,2-Dichloroethane; Draft Risk Evaluation under the Toxic Substances Control Act (TSCA); Notice of Availability and Request for Comment, 90 Fed. Reg. 52,054 (Nov. 19, 2025).
[21]Press Release, Envtl. Prot. Agency, EPA Announces Intent to Regulate Dozens of Uses of Five Phthalate Chemicals to Protect Workers and Environment (Dec. 31, 2025).
[22]Octamethylcyclotetrasiloxane (Cyclotetrasiloxane, 2,2,4,4,6,6,8,8-octamethyl-) (D4); Draft Risk Evaluation Under the Toxic Substances Control Act (TSCA); Extension of the Comment Period, 90 Fed. Reg. 50944 (Nov. 13, 2025).

EPA released an updated risk evaluation for formaldehyde on January 3,[23] concluding that the chemical presents an unreasonable risk to human health under many conditions of use. On December 3, EPA issued an updated draft risk calculation memorandum,[24] to refine certain assumptions for the revised draft risk evaluation. EPA sought public comment on the updated analysis, especially regarding the manufacture and use of formaldehyde, while proceeding with developing risk management rules.

EPA completed its final risk evaluation for 1,3-butadiene on January 5, 2026.[25] EPA removed two COUs based on information that the uses were no longer in active commerce and added four based on the latest Chemical Data Reporting rule. EPA changed the risk status for commercial use-laboratory chemicals from unreasonable risk to no unreasonable risk based on information that the full-shift assumption previously used was overly conservative. Three COUs for the general population were also changed to no unreasonable risk. The review found potential unreasonable health risks for workers in 11 industrial workplace settings and no unreasonable risks for remaining exposures. EPA also finalized a risk evaluation for 1,1-dichloroethane.[26]

Two suits moved forward in 2025 attempting to challenge the risk evaluation for 1,4-dioxane. Environmental groups challenged, in the Ninth Circuit, EPA's finding of no unreasonable risk for certain uses.[27] A chemical company separately challenged the risk evaluation, in the Fifth Circuit. The Fifth Circuit stayed the matter since EPA represented it needed more time to conduct an additional cancer risk analysis. EPA indicated it needs until 2026 to complete its updated analysis.[28]

4. Risk Management Rules

In 2024, EPA finalized TSCA risk management rules for five of the first 10 chemicals selected for risk evaluation: chrysotile asbestos, methylene chloride, perchloroethylene, trichloroethylene (TCE), and carbon tetrachloride. All five remained subject to legal challenges in 2025.

For chrysotile asbestos, the final rule phases out multiple uses on aggressive timelines but exempts sheet gaskets installed for use in chemical production before May 27, 2026.[29] Challenges are pending in the Fifth Circuit.[30] EPA completed a risk evaluation for additional asbestos types and certain additional legacy uses and disposal in late 2024 but did not propose additional risk management in 2025.

For methylene chloride, EPA extended compliance dates for laboratories using methylene chloride to align with compliance dates for federal laboratories and their

---

[23]Formaldehyde; Risk Evaluation Under the Toxic Substances Control Act (TSCA); Notice of Availability, 90 Fed. Reg. 316 (Jan. 3, 2025).
[24]Formaldehyde; Updated Draft Risk Calculation Memorandum; Notice of Availability and Request for Comment, 90 Fed. Reg. 55,726 (Dec. 3, 2025).
[25]1,3-Butadiene; Risk Evaluation Under the Toxic Substances Control Act (TSCA); Notice of Availability, 91 Fed. Reg. 264 (Jan. 5, 2026).
[26]1,1-Dichloroethane; Risk Evaluation Under the Toxic Substances Control Act (TSCA); Notice of Availability, 90 Fed. Reg. 26,581 (June 23, 2025).
[27]Environmental Defense Fund v. EPA, No. 21-70162 (9th Cir. 2021).
[28]Union Carbide Corp. v. EPA, No. 24-60615 (5th Cir. 2024).
[29]Asbestos Part 1; Chrysotile Asbestos; Regulation of Certain Conditions of Use under the Toxic Substances Control Act (TSCA), 89 Fed. Reg. 21,970 (Mar. 28, 2024) (codified at 40 C.F.R. pt. 751).
[30]Tex. Chem. Council v. EPA, No. 24-60193 (5th Cir. 2024).

contractors. Under the extension, initial monitoring requirements will begin November 9, 2026. The final rule is being challenged in the Fifth Circuit.[31]

EPA released its final risk management rule for carbon tetrachloride in 2024. Petitions for review consolidated in the Eight circuit challenged the final rule.[32] Meanwhile, EPA is reconsidering the final rule,[33] and it accepted additional comment on the final rule.[34]

For TCE, legal challenges were filed and assigned to the U.S. Court of Appeals for the Fifth Circuit, which granted a temporary stay of the rule's effective date. The petitions were later consolidated and transferred to the Third Circuit.[35] EPA has indicated in court filings that it intends to reassess the final risk management rule.

EPA released its final risk management rule for perchloroethylene in 2024. The rule is subject to several legal challenges consolidated in the U.S. Court of Appeals for the Fifth Circuit;[36] the case is in abeyance while EPA reconsiders the rule. EPA expects to propose amendments around summer 2026 and finalize them in 2027.

5. Risk Management Rules for certain PBT chemicals

TSCA Section 6(h) requires risk management for certain PBT chemicals. The final risk management rules[37] for two of these PBTs, decabromodiphenyl ether (decaBDE) and phenol, isopropylated phosphate (3:1) (PIP (3:1)) took effect in January 2025 after multiple compliance-date extensions. Absent further EPA action or an exemption, a ban on products containing PIP (3:1) is scheduled for October 31, 2026. Two separate lawsuits were filed by environmental groups and the Yurok tribe challenging the decaBDE rule and are consolidated in the Ninth Circuit with oral argument scheduled for March 3, 2026.[38]

D. Section 8 Recordkeeping and Reporting Rules

EPA issued two final rules extending the submission deadline for all 16 substances under a TSCA Section 8(d) rule published last year requiring manufacturers (including importers) to submit unpublished health and safety studies to EPA by May 22, 2026.[39]

---

[31]E. Fork Enters., Inc. v. EPA, No. 24-60227 (5th Cir.) (pending).
[32]Olin Corp. v. EPA, No. 25-1014 (8th Cir. 2025).
[33]Envtl. Prot. Agency, *EPA Announces Next Steps for the Final TSCA Risk Management Rule for Carbon Tetrachloride* (Sept. 12, 2025).
[34]Carbon Tetrachloride (CTC); Regulation Under the Toxic Substances Control Act (TSCA); Request for Comment, 90 Fed. Reg. 48203 (Oct. 9, 2025).
[35]United Steel Paper & Forestry Rubber Mfg. Energy Allied Indus. and Serv. Workers Int'l Union AFL CIO v. EPA, No. 25-1055 (3d Cir. 2025)
[36]FabriClean Supply v. EPA, No. 25-60006 (5th Cir. 2025).
[37]Decabromodiphenyl Ether and Phenol, Isopropylated Phosphate (3:1); Revision to the Regulation of Persistent, Bioaccumulative, and Toxic Chemicals Under the Toxic Substances Control Act (TSCA), 89 Fed. Reg. 91486 (Nov. 19, 2024) (codified at C.F.R. pt 751).
[38]Alaska Cmty. Action on Toxics v. EPA, No. 25-158 (9th Cir. 2025).
[39]Certain Existing Chemicals; Request To Submit Unpublished Health and Safety Data Under the Toxic Substances Control Act (TSCA); Extension of Submission Deadline, 90 Fed. Reg. 11,899, 11899 (Mar. 13, 2025) (codified at 40 C.F.R. pt. 716); Certain Existing Chemicals; Request To Submit Unpublished Health and Safety Data Under the Toxic Substances Control Act (TSCA); Extension of Submission Deadline, 90 Fed. Reg. 24,228 (June 9, 2025) (codified at 40 C.F.R. pt. 716).

EPA published a proposed rule that would pare back the PFAS Data Reporting Rule under TSCA Section 8(a)(7).[40] The proposal would introduce key exemptions, including fully exempting PFAS in imported articles. EPA also proposed a <0.1% *de minimis* concentration exemption for PFAS in mixtures or articles, and exclusions for PFAS made as impurities or byproducts, non-isolated intermediates, and for research and development purposes. Additionally, EPA plans to shorten and delay the reporting period: instead of a six-month window starting July 2025, EPA proposed a three-month window beginning 60 days after the final rule's (amended) effective date.

E. TSCA Section 21 Rulemaking Petitions

Environmental groups continued to use the Section 21 petition process in 2025. The Center for Environmental Accountability petitioned EPA to reconsider the agency's third iteration of a procedural rule for TSCA risk evaluations.[41] Several months later, the petition was withdrawn.[42] EPA denied a petition by the Clean Air Council and other groups seeking a TSCA Section 6(a) rule to prohibit hydrogen fluoride use in domestic oil refining.[43] EPA denied this petition on the basis that the petitioners did not satisfy their burden of showing the necessity of issuing a rule under TSCA Section 6(a).[44]

Separately, litigation continued over EPA's denial of a 2016 petition[45] from the Fluoride Action Network and several other environmental groups who were seeking a TSCA Section 6 prohibition against fluoride being added to drinking water.[46] The groups challenged the denial in the Eastern District of California; the court ruled in late 2024 that fluoridation meets TSCA's unreasonable-risk standard for children and ordered EPA to pursue a regulatory response.[47] EPA appealed to the Ninth Circuit, where the case was briefed in 2025,[48] and it is scheduled for oral argument on March 3, 2026.[49]

---

[40] Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS) Data Reporting and Recordkeeping Under the Toxic Substances Control Act (TSCA); Revision to Regulation, 90 Fed. Reg. 50,923 (Nov. 13, 2025).

[41] Procedures for Chemical Risk Evaluation Under the Toxic Substances Control Act (TSCA), 89 Fed. Reg. 37,028 (May 3, 2024) (codified at C.F.R. pt. 702).

[42] *See* Letter from Mary Elissa Reaves, Dir., Off. of Pollution Prevention & Toxics, U.S. Envtl. Prot. Agency, to Paul E. Salamanca, Ctr. for Env't Accountability (Aug. 13, 2025).

[43] NAT'L RES. DEF. COUNS., Petition to Prohibit the Use of Hydrogen Fluoride in Domestic Oil Refining Under Sections 21 and 6(A) of the Toxic Substances Control Act (Feb. 11, 2025).

[44] Denial of Requested Rulemaking, Hydrogen Fluoride; TSCA Section 21 Petition for Rulemaking Under TSCA Section 6; Reasons for Agency Response, 90 Fed. Reg. 20,575 (May 15, 2025) (to be codified at 40 C.F.R. ch. I).

[45] FLUORIDE ACTION NETWORK, Citizen Petition Under Section 21 of TSCA Regarding the Neurotoxic Risks Posed by Fluoride Chemicals in Drinking Water (Nov. 22, 2016).

[46] Letter from Wendy Cleland-Hamnett, Acting Assistant Adm'r, Off. of Chem. Safety & Pollution Prevention, U.S. Envtl. Prot. Agency, to Michael Connett, Fluoride Action Network (Feb. 17, 2017).

[47] Food and Water Watch, Inc. v. EPA, No. 17-cv-02162, U.S. Dist. LEXIS 172635 (N.D. Cal. Sept. 24, 2024).

[48] Notice of Appeal, Food and Water Watch, Inc. v. EPA, No. 25-384 (9th Cir. Jan. 17, 2025).

[49] Calendar for James R. Browning U.S. Courthouse, S.F., Mar. 2-6, 2026.

F. Confidential Business Information (CBI) Claims

The EPA issued its latest semiannual TSCA Inventory update, as well as extending the deadline for completing its review of all "active" Inventory CBI claims to February 19, 2026—the second extension beyond the original February 2024 statutory deadline—citing the volume of claims, resource constraints, and earlier technical issues that slowed determinations.

G. TSCA National Program Chemicals

In *Texas Chemistry Council v. EPA*,[50] EPA filed and then withdrew a request to hold a challenge to the agency's chrysotile asbestos ban in abeyance for six months while the agency reconsiders the rule. The case, which is pending in the Fifth Circuit, involves industry claims that EPA overstepped its TSCA authority in promulgating the ban.

EPA issued a final rule[51] under the APA's good-cause exception correcting an earlier final rule that revised its lead-based paint regulations.[52] The rule restores regulatory text at 40 C.F.R. section 745.227(e)(8)(v)(A)–(C) governing post-abatement dust sampling inadvertently deleted by the prior rule.

II. Emergency Planning and Community Right-to-Know Act (EPCRA)

The EPA added nine PFAS to the EPCRA section 313 Toxic Release Inventory (TRI)[53] list in early 2025, pursuant to the FY 2020 National Defense Authorization Act requirement to add PFAS when EPA finalizes a toxicity value and the compound is not subject to a confidential business information claim. The nine PFAS are: Ammonium perfluorodecanoate (PFDA NH4) (CASRN 3108-42-7); Sodium perfluorodecanoate (PFDA-Na) (CASRN 3830-45-3); Perfluoro-3-methoxypropanoic acid (CASRN 377-73-1); 6:2 Fluorotelomer sulfonate acid (CASRN 27619-97-2); 6:2 Fluorotelomer sulfonate anion (CASRN 425670-75-3); 6:2 Fluorotelomer sulfonate potassium salt (CASRN 59587-38-1); 6:2 Fluorotelomer sulfonate ammonium salt (CASRN 59587-39-2); 6:2 Fluorotelomer sulfonate sodium salt (CASRN 27619-94-9); and Acetic acid, [(γ-ω-perfluoro-C8-10-alkyl)thio] derivs., Bu esters (CASRN 3030471-22-5). All TRI-listed PFAS, along with TRI-listed PBT chemicals and dioxin and dioxin-like compounds, have been classified by EPA as "chemicals of special concern."[54]

EPA amended its EPCRA section 313 regulations to eliminate the *de minimis* exemption for TRI-listed PFAS, meaning facilities must now report PFAS even in small concentrations (below 1% or 0.1%) in mixtures, ending the ability to disregard them in

---

[50]Notice of Withdrawal of Motion to Hold Case in Abeyance, No. 24-60193 (5th Cir. 2025).

[51]Reconsideration of the Dust-Lead Hazard Standards and Dust-Lead Post-Abatement Clearance Levels; Correction, 90 Fed. Reg. 30,211 (July 9, 2025) (codified at 40 C.F.R. pt. 745).

[52]Reconsideration of the Dust-Lead Hazard Standards and Dust-Lead Post-Abatement Clearance Levels, 89 Fed. Reg. 89,416 (Nov. 12, 2024) (codified at 40 C.F.R. pt. 745). *See* 40 C.F.R. § 745.227(e)(8)(v) (2024).

[53]Press Release, Env't Prot. Agency, EPA Adds Nine Additional PFAS to the Toxics Release Inventory (Jan. 3, 2025).

[54]Envtl. Prot Agency, *TRI-Listed Chemicals: TRI Chemicals of Special Concern* (last updated Mar. 10, 2026).

threshold calculations, and also to require that facilities must use the more fulsome TRI Form R, instead of the abbreviated Form A, for all TRI-listed PFAS reporting.[55] These changes, however, did not become effective until the 2024 reporting year for which reports were due by July 1, 2025.

In August 2025, EPA released its TRI National Analysis for Reporting Year 2023 indicating that environmental releases of TRI-listed chemicals had decreased over time, including a 21% drop overall between 2014 and 2023.[56]

EPA EPCRA enforcement in 2025 included a September settlement with four companies in New York, New Jersey, and Puerto Rico for failure to file EPCRA section 313 reports for various TRI-listed chemicals[57] (civil penalties ranged from $22,900 to $63,800) and commitments to implement compliance plans. In December, EPA announced a separate settlement with another company for alleged violations of EPCRA section 312 (Tier II reporting) and Clean Air Act Section 112(r) (accident prevention and risk management planning).[58] The total civil penalty was $262,971; EPA did not specify how much related to the alleged EPCRA section 312 violations.

In November, EPA proposed technical amendments to its EPCRA section 311 and section 312 Hazardous Chemical Inventory Reporting regulations.[59] If finalized, the proposal would conform the definition of "hazardous chemical" in these regulations to the Occupational Safety and Health Administration's amended Hazard Communication Standard, which aligns their hazard classification with the United Nations Globally Harmonized System of Classification and Labeling of Chemicals. The rule is anticipated to go into effect on January 16, 2026, with a compliance deadline of December 1, 2026.

III. Biotechnology and Nanotechnology Developments

In March 2025, President Trump rescinded 19 executive actions, including former President Biden's 2022 Executive Order (EO) 14081, "Advancing Biotechnology and Biomanufacturing Innovation for a Sustainable, Safe, and Secure American Bioeconomy."[60] According to the White House's March 14, 2025, fact sheet, EO 14,081 "funneled Federal resources into radical biotech and biomanufacturing initiatives under the guise of environmental policy."[61]

In April 2025, the bipartisan National Security Commission on Emerging Biotechnology (NSCEB) released its final report and action plan, calling for congressional

---

[55]Changes to Reporting Requirements for Per-and Polyfluoroalkyl Substances and to Supplier Notifications for Chemicals of Special Concern; Community Right-to-Know Toxic Chemical Release Reporting, 88 Fed. Reg. 74,360 (Oct. 31, 2023) (codified at 40 C.F.R. pt. 372).

[56]Press Release, Envtl. Prot. Agency, New Data Shows Chemical Releases Decline While American Economy Thrives (Aug. 21, 2025).

[57]Press Release, Envtl. Prot. Agency, EPA Settles with Four Companies to Improve Community Safety, Chemical Reporting (Sep. 30, 2025).

[58]Press Release, Envtl. Prot. Agency, EPA Enforcement Action Against Lodi Facility Results in Significant Chemical Safety Improvements (Dec. 8, 2025).

[59]Technical Amendments to the EPCRA Hazardous Chemical Inventory Reporting Requirements to Conform to the 2024 OSHA Hazard Communication Standard, 90 Fed. Reg. 51,266 (Nov. 17, 2025) (to be codified at 40 C.F.R. pt. 370).

[60]Exec. Order No. 14,236, 90 Fed. Reg. 13,037 (Mar. 20, 2025).

[61]The White House, Fact Sheet: President Donald J. Trump Rescinds Additional Harmful Biden Executive Actions, (Mar. 14, 2025).

action to—maintain U.S. leadership in biotechnology.[62] After the report's release, Representatives Chrissy Houlahan (D-PA) and Stephanie Bice (R-OK) formed the BIOTech Caucus on June 26, 2025 to advance bipartisan biotech policy.[63] On July 1, 2025, NSCEB launched two surveys to gather input on modernizing U.S. biotechnology product regulation and creating simpler, faster, science-based pathways to market.[64]

On December 2, 2024, the United States District Court for the Northern District of California granted summary judgment in part to plaintiffs who challenged the U.S. Department of Agriculture's (USDA) Animal and Plant Health Inspection Service's (APHIS) May 2020 Sustainable, Ecological, Consistent, Uniform, Responsible, Efficient (SECURE) rule.[65] APHIS then announced on December 10, 2024, the re-establishment of the regulatory and nonregulatory processes under the pre-May 2020 framework, "including pathways for authorizing regulated activities, commercializing products, and providing compliance oversight for products of biotechnology."[66] APHIS restarted the "Am I Regulated" process, allowing stakeholders to submit an inquiry to determine if an organism developed using genetic engineering meets the definition of a "regulated article."[67] On March 3, 2025, APHIS began accepting petitions for nonregulated status according to APHIS biotechnology regulations at 7 C.F.R. part 340 (2019).[68] APHIS published a February 2025 user guide that provides more information on the specific requirements and instructions on how to apply.[69]

To ensure that the petition process aligns with developments related to the National Environmental Policy Act and APHIS's authority under the Plant Protection Act, in July 2025, APHIS announced updated practices for reviewing petitions seeking a determination of nonregulated status for organisms altered or produced through genetic engineering.[70]

---

[62]Press Release, Nat'l Sec. Comm'n on Emerging Biotech., National Security Commission on Emerging Biotechnology Urges Swift Action to Protect U.S. National Security (Apr. 8, 2025).

[63]Press Release, U.S. Representative Chrissy Houlahan, Representatives Houlahan, Bice Announce Biotech Caucus: Bipartisan House Caucus Will Advance Domestic Bioeconomy and Competitive Posture (June 26, 2025).

[64]Press Release, Nat'l Sec. Comm'n on Emerging Biotech., Modernizing U.S. Biotechnology Regulation with Stakeholder Insights: NCEB Invites Input on Statutory Amendments to Enable Simple Regulatory Pathways and Accelerate Innovation (July 1, 2025).

[65]Nat'l Fam. Farm Coal. v. Vilsack, 758 F. Supp. 3d 1060 (N.D. Cal. 2024).

[66]Press Release, Animal & Plant Health Inspection Serv., U.S. DEP'T OF AGRIC., APHIS Restarts Permitting and Am I Regulated Processes for Products of Biotechnology (last visited Mar. 28, 2026).

[67]ANIMAL & PLANT HEALTH INSPECTION SERV., U.S. DEP'T OF AGRIC., Am I Regulated? (Nov. 17, 2025).

[68]Press Release, Animal & Plant Health Inspection Serv., U.S. DEP'T OF AGRIC., APHIS Resumes Receipt of Petitions for Nonregulated Status (last visited Mar. 28, 2026).

[69]ANIMAL & PLANT HEALTH INSPECTION SERV., U.S. DEP'T OF AGRIC., *Petition User Guide: with Reference to 7 CFR Part 340 – Introduction of Organisms and Products Altered or Produced Through Genetic Engineering Which are Plant Pests or Which There is Reason to Believe are Plant Pests*, BRS-GD-2024-0003 (Feb. 19, 2025).

[70]Press Release, Animal & Plant Health Inspection Serv., U.S. Dep't of Agric., APHIS Announces Update to Practices for Reviewing Petitions Seeking a Determination of Nonregulated Status for Organisms Altered or Produced Through Genetic Engineering (last visited Mar. 28, 2026).

On December 18, 2024, the National Nanotechnology Initiative (NNI) announced the availability of the National Nanotechnology Initiative Environmental, Health, and Safety Research Strategy: 2024 Update (2024 Update).[71] The 2024 Update builds on the initial 2011 strategy, laying out a comprehensive, integrated approach reflecting current opportunities to enable responsible nanotechnology innovation.

IV. Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)

A. Pesticide Regulatory Developments

The EPA eliminated the requirement for applicants to submit a copy of data matrices in which reference data are redacted for publication, since these data have never been confidential under 40 C.F.R. section 152.119, and EPA eliminated the option to submit paper copies of data matrices.[72] For 782 conventional and antimicrobial pesticides and degradates, EPA released an updated version of its Aquatic Life Benchmarks, which estimate pesticide concentrations not expected to harm freshwater organisms.[73]

For public comment and peer review by the FIFRA Scientific Advisory Panel, EPA released a white paper and supporting materials on genetically engineered (GE) mosquitoes for mosquito control, outlining design considerations and analytical methods to confirm the absence of novel proteins in GE female mosquito saliva.[74]

EPA released Interim Registration Review Decisions for the fungicide and antimicrobial chlorothalonil, the insecticide dicrotophos, the sterilant ethylene oxide, and the fungicides thiophanate-methyl and its degradate carbendazim, updating risk mitigation measures, as appropriate, to address risks to human health and the environment.[75] For chlorothalonil, EPA will issue a data call-in (DCI) notice to registrants for additional data about risks to invertebrate pollinators.

B. Pollinator Protection

EPA's Endangered Species Act (ESA) pesticide program continued its transition from framework to deployment. The Insecticide Strategy, finalized after last year's draft, now operates alongside the Herbicide Strategy on a shared mitigation menu and point system, with obligations expressed on labels and, where applicable, through Bulletins Live!

---

[71] Nat'l Science & Tech. Council, *National Nanotechnology Initiative Environmental, Health, and Safety Research Strategy: 2024 Update* (Dec. 2024).

[72] Envtl. Prot. Agency, PRN 2025-1, *Revised Procedures for Citing Data to Support Pesticide Registrations (EPA Forms No. 8570-34 And 8570-35)* (Mar. 23, 2025).

[73] Envtl. Prot. Agency, *Summary of September 2025 Updates to Aquatic Life Benchmarks Table* (Sept. 4, 2025).

[74] Envtl. Prot. Agency, *EPA Releases Documents on Genetically Engineered Mosquitoes for Public Comment and Peer Review* (Aug. 21, 2025).

[75] Envtl. Prot. Agency, *Chlorothalonil Interim Registration Review Decision Case Number 0097*, EPA-HQ-OPP-2011-0840-0363 (Dec. 2024); Envtl. Prot. Agency, *Dicrotophos Interim Registration Review Decision Case Number 0145*, EPA-HQ-OPP-2008-0440-0090(Apr. 2025); Envtl. Prot. Agency, *Ethylene Oxide Interim Registration Review Decision Case Number 2275*, EPA-HQ-OPP-2013-0244-0435 (Jan. 2025); Envtl. Prot. Agency, *Thiophanate-methyl and Carbendazim Interim Registration Review Decision Case Number 2680*, EPA-HQ-OPP-2014-0004-0190 (Dec. 2024).

Two (BLT), EPA's web-based application to access Endangered Species Protection Bulletins.[76]

Species- and product-specific ESA outcomes are now appearing on pesticide labels. Final biological opinions for carbaryl and methomyl are driving drift/runoff controls, application limits, and BLT look-ups, with similar pathways expected for other active ingredients.[77] In parallel, EPA proposed over-the-top dicamba registrations with added safeguards, illustrating how programmatic strategies interlock with product labels.[78]

In the pollinator context, EPA finalized a tolerance exemption for Vadescana (a double-stranded RNA product that uses RNA interference to target the Varroa mite) and later issued a final registration decision for on-hive Varroa control, providing a targeted tool for beekeeping operations that can be layered into apiary integrated pest management programs.[79] The U.S. Fish and Wildlife Service (FWS) reopened comment on the monarch listing proposal (with a 4(d) rule and proposed critical habitat), which—if finalized—could expand BLT/PULA-based restrictions in affected areas.[80]

C. Endocrine Disruptors

EPA operationalized its Endocrine Disruptor Screening Program (EDSP) commitments. A public Group-1 tracking page shows EDSP data call-ins/test orders rolling into registration review, consistent with EPA's January 2025 settlement resolving EDSP-timeline litigation.[81] Under that agreement, EPA committed to issuing and publicly

---

[76] ENVTL. PROT. AGENCY, *Strategy to Protect Endangered Species from Insecticides*, (April 29, 2025); OFF. OF PESTICIDE PROGRAMS, OFF. OF CHEM. SAFETY & POLLUTION PREVENTION, ENV'T PROT. AGENCY, *Insecticide Strategy (Final) to Reduce Exposure of Federally Listed Endangered and Threatened Species and Designated Critical Habitats from the Use of Conventional Agricultural Insecticides* (Apr. 2025) [hereinafter EPA Final Insecticide Strategy]; ENVTL. PROT. AGENCY, Bulletins Live! Two (last visited April 11, 2026).

[77] Press Release, Nat'l Oceanic & Atmospheric Admin. Fisheries, Conference and Biological Opinion on the Environmental Protection Agency's Registration Review of Pesticide Products Containing Carbaryl and Methomyl (Jan. 17, 2024); Press Release, Envtl. Prot. Agency, EPA Announces Multiple Actions to Protect Endangered Species from Insecticide Carbaryl (Apr. 9, 2025); Press Release, Envtl. Prot. Agency, EPA Shares Fish and Wildlife Service's Final Endangered Species Act Biological Opinion for Methomyl (Jan. 16, 2025).

[78] Registration of Dicamba for Use on Dicamba-Tolerant Crops, ENVTL. PROT. AGENCY (Feb. 6, 2026).

[79] Vadescana Double-Stranded RNA; Exemption From the Requirement of a Tolerance, 90 Fed. Reg. 25,155 (June 16, 2025) (to be codified at 40 C.F.R. pt. 180); 40 C.F.R. § 180.1417 (2026); Press Release, Envtl. Prot. Agency, EPA Provides New Tool to Protect Honey Bees, Ensuring Safe and Abundant Food Supply (Sep. 25, 2025).

[80] Press Release, U.S. Fish & Wildlife Serv., U.S. Fish and Wildlife Service Reopens Public Comment Period for Monarch Butterfly Endangered Species Act Listing Proposal (Mar. 18, 2025).

[81] ENVTL. PROT. AGENCY, *Status of Endocrine Disruptor Screening Program Data Call-In (DCI) Notices for Group 1 Chemicals* (Mar. 10, 2026).

tracking Group-1 endocrine orders, signaling earlier endocrine data requests. Registrants in review should plan timelines and resources accordingly.[82]

EPA refreshed EDSP Policies & Procedures to clarify order format, fair and equitable cost-sharing, data compensation, confidentiality, and response and challenge mechanics, and it aligned program materials with the Registration Manual.[83]

"EPA has released its reviews of the Tier-1 screening assay results for the first 52 pesticide chemicals (active and inert ingredients)" and updated Tier-1 documentation and status tables.[84] Together, these materials clarify when Tier-2 testing will be required and provide a road map for study expectations when Tier-1 screening indicates endocrine bioactivity with relevant exposure.

D. Products and Uses of National Significance

EPA extended the public comment period on a proposed rule to revoke certain tolerances for the herbicide chlorpyrifos.[85] Under the registration review process for chlorpyrifos, EPA plans to issue an amended Proposed Interim Decision for public comment, followed by a final Interim Review Decision in 2026.[86]

EPA proposed to register three dicamba products for over-the-top applications to dicamba-tolerant cotton and soybean to control broadleaf weeds, including herbicide-resistant weeds, and improve crop yields.[87]

A registrant of the herbicide glyphosate petitioned the Supreme Court of the United States for a writ of certiorari to resolve a split in the circuit courts regarding whether FIFRA preempts a state-law failure-to-warn claim when EPA has repeatedly concluded that the warning is not required and the warning cannot be added to a pesticide product's label without EPA's approval.[88] The Court invited the Solicitor General of the United States to express his views, and he submitted an amicus brief supporting the granting of a writ.[89]

In response to a FIFRA section 6(a)(2) submission from a registrant of the herbicide paraquat, EPA conducted a new review of the potential for paraquat to volatilize from field uses and identified uncertainties, as a result of which EPA will issue a DCI notice to registrants for additional information about volatilization.[90]

---

[82]Press Release, Envtl. Prot. Agency, EPA Finalizes Settlement and Announces New Tracking Website for Endocrine Disruptor Screening Program Data Call-In Notices (Jan. 7, 2025).

[83]ENVTL. PROT. AGENCY, *Endocrine Disruptor Screening Program (EDSP) Policies and Procedures* (June 25, 2025).

[84]Press Release, Envtl. Prot. Agency, *Endocrine Disruptor Screening Program (EDSP) Tier 1 Assessments* (Feb. 10, 2026).

[85]Cloropyrifos: Tolerance Revocation; Reopening of the Comment Period, 90 Fed. Reg. 9958 (Feb. 20, 2025) (to be codified at 40 C.F.R. pt. 180).

[86]U.S. ENVTL. PROT. AGENCY, *Frequently Asked Questions about the Current Status of Chlorpyrifos and Anticipated Path Forward* (Sept. 8, 2025).

[87]ENVTL. PROT. AGENCY, *EPA Announces Proposed Decision to Approve Registration for New Uses of Dicamba, Outlines New Measures to Protect Human Health, Environment* (July 23, 2025).

[88]Petition for Writ of Certiorari, Monsanto Co. v. Durnell, No. 24-1068 (U.S. 2025).

[89]Brief for the United States as Amicus Curiae, Monsanto Co. v. Durnell, No. 24-1068 (U.S. 2025).

[90]Press Release, Entvl. Prot. Agency, EPA Updates Review on Potential Paraquat Volatilization and Plans to Request Additional Data from Manufacturers (Nov. 13, 2025).

Anti-pesticide pressure groups petitioned the United States Court of Appeals for the Ninth Circuit for a writ of mandamus to compel EPA to act on the groups' 2021 petition to cancel all registered uses and revoke all tolerances that EPA cannot find safe for 12 organophosphate pesticides.[91] The case was argued and submitted on December 2, 2025, and awaits a judgment by the court.

E. ESA Consultations on Pesticide Registrations

The EPA issued registrations for several new active ingredients subject to the ESA-related procedures set forth in EPA's 2022 workplan.[92] Under this approach, EPA may make predicted Jeopardy/Adverse Modification (J/AM) calls for listed species and apply any mitigations that it deems necessary to avoid J/AM pending completion of consultation with the FWS or the National Marine Fisheries Service (NMFS) (collectively, the Services) under section 7 of the ESA. New registrations that were the subject of EPA ESA reviews in 2025 included isocycloseram and cyclobutrifluram.

In April, EPA issued the final "Insecticide Strategy," the latest in a series of class-wide strategies that EPA intends to use to standardize ESA mitigations across pesticide classes.[93] The final "class-wide" strategy, for fungicides, is expected to be available as a draft, and finalized, in April and November of 2026, respectively.[94] EPA's use of the strategies to further an efficient, multi-chemical approach to satisfying its ESA obligations in connection with species under FWS's jurisdiction is further described in a document EPA released in early 2025.[95]

In August, EPA announced the implementation of new measures restricting the use of methomyl in order to protect endangered species, which measures arose from an NMFS biological opinion (BiOp) issued the prior year.[96] EPA also announced new measures guiding the use of another carbamate insecticide, carbaryl, related to BiOps issued by both of the Services.[97]

A lawsuit was filed late in 2024 challenging FWS's Final Biological Opinion for Malathion, asserting that elements of the analytical framework applied by FWS were arbitrary.[98] While EPA and the Services' consultation approach continues to have been refined at the margins since the malathion BiOp was completed, the outcome of this litigation could affect the basic approach going forward.

---

[91]Petition for a Writ of Mandamus, Pesticide Action & Agroecology Network N. Am. v. EPA, No. 25-3955 (9th Cir. filed June 25, 2025).

[92]OFF. OF PESTICIDE PROGRAMS, ENVTL. PROT. AGENCY, *Memorandum Supporting Final Decision to Approve Registration for the New Active Ingredient Isomer, Glufosinate-P*, EPA-HQ-OPP-2020-0250-0047 (Oct. 18, 2024).

[93]EPA Final Insecticide Strategy, *supra* note 71.

[94]Status Report, Ctr. for Biological Diversity v. EPA, No. 11-cv-293 (N.D. Cal. 2024). Issuance of the fungicide strategy will complete EPA's obligations in connection with the settlement of this lawsuit.

[95]Off. of Pesticide Programs. Envtl. Prot. Agency, *Addressing Endangered Species Act 7(a)(1) and 7(a)(2) Obligations: Plan to Promote the Recovery of Species and Streamline Consultation for Conventional Pesticides and Endangered Species Act Listed Species Under the Authority of the US Fish and Wildlife Service* (Jan. 14, 2025).

[96]Press Release, Envtl. Prot. Agency, EPA Announces Action to Protect Endangered Species from Insecticide Methomyl (Aug. 12, 2025).

[97]EPA Press Release: Insecticide Carbaryl, *supra* note 72.

[98]Complaint, Pesticide Action Network N. Am. v. Williams, No. 3:24-cv-06324 (N.D. Cal. 2024), ECF No. 1.

EPA released the Pesticide App for Label Mitigations, an app intended to help farmers and applicators determine how many "points" they have (or need) in connection with several of EPA's new mitigation approaches (including the Insecticide and Herbicide strategies).[99]

On December 30, the EPA released its Final Guidance for Antimicrobial Pesticides that Require Endangered Species Act Reviews.[100] The guidance provides an overview of the types of information EPA considers as part of an ESA assessment. The guidance applies to new active ingredient applications, new uses of registered active ingredients, and registration review decisions for antimicrobial pesticide products with one or more uses with the potential for outdoor exposures.

F. State Pesticide Developments of National Significance

Georgia and North Dakota enacted the first laws shielding manufacturers of EPA-registered pesticides from certain state-law failure-to-warn suits seeking warnings beyond those assessed and required by EPA. In Georgia, manufacturers may assert a defense where the pesticide displays an EPA-approved label or a label consistent with EPA's most recent FIFRA human-health risk assessment;[101] the pesticide manufacturer may raise this as a defense to any failure-to-warn claims. In North Dakota, the label may also be consistent with EPA's FIFRA carcinogenicity classification to qualify for the defense.[102] Similar bills introduced in Florida, Idaho, Iowa, Mississippi, Missouri, Montana, North Carolina, Oklahoma, Tennessee, and Wyoming did not pass.

SprayDays California launched on March 24, 2025, becoming the nation's first statewide pesticide notification system. It provides advance public notice of restricted material pesticide applications—48 hours for soil fumigants and 24 hours for other restricted materials—via an interactive map and optional email/text alerts. The program stems from regulations effective February 24, 2025, requiring growers and applicators to electronically submit Notices of Intent to the relevant County Agricultural Commissioner before the use of restricted material pesticides.[103]

G. Pesticide Regulatory Petitions Submitted to EPA

In January, EPA sought comment on an August 7, 2024, petition submitted by the attorneys general of 11 states, including Alabama, Iowa, Nebraska, and South Carolina.[104] The petition requested that EPA amend its regulations so state labeling requirements inconsistent with EPA's human-health risk assessment would constitute misbranding.

---

[99] ENVTL. PROT. AGENCY, *Pesticide App for Label Mitigations* (Aug. 14, 2025). *See also* Press Release, Envtl. Prot. Agency, EPA Releases New Mobile Tool to Help Farmers Implement Recommended Ecological Pesticide Mitigation Measures (Aug. 14. 2025).

[100] ENVTL. PROT. AGENCY, *Final Guidance to Registrants on Activities to Improve the Efficiency of Endangered Species Act Considerations for New Active Ingredient and New Use Registrations and Registration Review for Antimicrobial Pesticides*, EPA-HQ-OPP-2023-0281-0045 (Dec. 30, 2025).

[101] 7 U.S.C. §§ 136–136y (2026); *S.B. 144*, Gen. Assemb., Reg. Sess. (Ga. 2025).

[102] *H.B. 1318*, 69th Legis. Assemb., Reg. Sess. (N.D. 2025).

[103] CAL. AGRIC. CODE § 6434 (West 2026); Cal. Dep't of Pesticide Regul., *Statewide Notification of Agricultural Use of Restricted Materials* (last visited May 18, 2026).

[104] Pesticides; Petition Seeking Rulemaking to Modify Labeling Requirements for Pesticides and Devices, 90 Fed. Reg. 7037 (Jan. 21, 2025).

In February, the Center for Biological Diversity (CBD) submitted a petition to President Trump and several agencies (including EPA, FDA, and USDA) requesting that they take action to protect the public and the environment from particular pesticides.[105] In support, CBD alleges links to chronic diseases, development disorders, and environmental harm. The petition seeks: (i) stricter FDA controls on imported foods contaminated with banned pesticides; (ii) an EPA ban on atrazine, glyphosate, paraquat, neonicotinoids, and organophosphates in foods for human consumption; (iii) conditioning USDA crop insurance eligibility on eliminating or reducing those pesticides in food crops; and (iv) mandating that the USDA and the U.S. Department of Health and Human Services include recommendations in the Dietary Guidelines for Americans to avoid foods produced with such pesticides and prioritize organic alternatives. EPA does not appear to have taken action on this petition.

In October, the Natural Resources Defense Council (NRDC) filed suit in the United States Court of Appeals for the District of Columbia Circuit against EPA for allegedly failing to respond to a 2020 petition requesting that EPA revoke all food tolerances for neurotoxic neonicotinoid pesticides.[106] The NRDC's 2020 petition argued that current tolerances violate the Food, Drug, and Cosmetic Act, as amended by the Food Quality Protection Act, because they expose the public to developmental neurotoxicants.[107]

H. Pesticide Registration Improvement Act of 2022

EPA met several milestones for PRIA 5 in 2025, including bilingual labeling. PRIA 5 requires Spanish translations for certain sections of end-use pesticide product labeling.[108] The Spanish translation may be found either on the product container or via scannable technology or another readily accessible electronic method on the container.[109] The statute phases in deadlines, with the first deadline on December 29, 2025, for restricted use pesticides and agricultural products in Acute Toxicity Category I.[110] In 2025, EPA updated its Bilingual Labeling Questions & Answers.[111] EPA also sought comment on a streamlined approach for tracking the adoption of bilingual labeling via the MyPeST app.[112] In December 2025, EPA submitted an information collection request on bilingual

---

[105]Petition from Ctr. for Biological Diversity to President Donald J. Trump, A Petition to Make America Healthy Again by Eliminating Extraordinary Toxic Pesticides from Food (Feb. 18, 2025).

[106]Petition for a Writ of Mandamus, *In re* Nat. Res. Def. Council, Inc., No. 25-1251 (D.C. Cir. Oct. 29, 2025) Doc. No. 2142988.

[107]Petition to Revoke All Neonic Tolerances and Comments Regarding Dietary Exposure, *In re Nat. Res. Def. Council, Inc.*, No. 25-1251 (May 4, 2020) Doc. No. 2142988.

[108]7 U.S.C. § 136a(f)(5)(A).

[109]*Id.*

[110]*Id.* at § 136a(f)(5)(B).

[111]Press Release, Envtl. Prot. Agency, EPA Seeks Public Comment on New Plan to Streamline Tracking of Bilingual Labeling Adoption and Releases Updated Bilingual Labeling Resources (July 21, 2025).

[112]Agency Information Collection Activities; Proposed New Collection and Request for Comment; Bilingual Pesticide Label Tracking (EPA ICR No. 7795.01; OMB Control No. 2070-NEW), 90 Fed. Reg. 34,269 (July 21, 2025); ENVTL. PROT. AGENCY, *Attachment D: Instructions for Reporting Bilingual Labeling Compliance in Accordance with PRIA 5*, EPA-HQ-OPP-2025-0049-0003 (July 21, 2025).

labeling tracking to OMB for its review and approval.[113] EPA also stated it is publishing a final Pesticide Registration Notice addressing tracking on end-use pesticide product labels.[114]

EPA released three significant PRIA 5 evaluations in 2025, including the FY 2024 Annual Report required by statute,[115] providing registration review metrics and updates on PRIA 5 process and database enhancement efforts.[116] EPA also released the PRIA 5 Process Assessment Final Report, a third-party evaluation of the Office of Pesticide Programs' (OPP) electronic submission process with recommendations to reduce review timelines.[117] In addition, EPA released the OPP Training Gap Report,[118] which analyzed OPP's internal training and education programs and identified areas for improvement. Despite the issues identified in these evaluations, EPA continued to prioritize reducing the backlog of pending pesticide regulatory actions, decreasing the backlog by more than 5,000 since January 2025.[119]

EPA awarded two new cooperative agreements for health care provider training on pesticide-related illnesses and farmworker training on pesticide safety and continued funding for existing cooperative agreements under set-asides for partnership grants, pesticide safety education programs, and technical assistance to grantees.[120]

V. State Chemical Control Developments

Several states enacted laws addressing chemicals in personal care products and foods. California[121] and Arkansas[122] adopted legislation regulating hair relaxers and other hair care products. Arkansas prohibits the sale of products containing specified chemicals of concern when marketed for use by minors and requires compliance with labeling and safety standards. Illinois[123] enacted legislation addressing contaminants in baby food, establishing limits for heavy metals such as lead, cadmium, arsenic, and mercury, and requiring manufacturers to test products and make compliance disclosures to the state.

States also acted to restrict specific chemicals in consumer and medical products. North Carolina[124] enacted a prohibition on the use of DEHP in certain products, including medical and childcare-related applications, subject to defined exceptions. Virginia[125] enacted legislation limiting the allowable concentration of metals such as lead, cadmium,

---

[113]Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; Bilingual Pesticide Label Tracking (New), 90 Fed. Reg. 57,758 (Dec. 12, 2025).
[114]*Id.* at 57,759.
[115]7 U.S.C § 136w-8(k).
[116]Off. of Pesticide Programs, Envtl. Prot. Agency, *FY 2024 Pesticide Registration Improvement Act (PRIA) Annual Report* (June 30, 2025).
[117]Censeo Consulting Grp., *Business Process Review and Optimization for EPA Office of Pesticide Programs Final Report* (Sept. 30, 2025).
[118] Envtl. Prot. Agency, *PRIA 5 Gaps Analysis Report* (Oct. 9, 2025).
[119]Press Release, Envtl. Prot. Agency, EPA Releases Reports as Part of Agency Efforts to Optimize Pesticide Registration Processes (Oct. 9, 2025).
[120]Envtl. Prot. Agency, *Pesticide Cooperative Agreements* (last updated Oct. 21, 2025).
[121]S.B. 236, 2025–2026 Reg. Sess. (Cal. 2025).
[122]S.B. 632, 95th Gen. Assemb., Reg. Sess. (Ark. 2025).
[123]S.B. 73, 104th Gen. Assemb., Reg. Sess. (Ill. 2025).
[124]S.B. 600, 2025 Gen. Assemb., Reg. Sess. (N.C. 2025).
[125]H.B. 1844, 2025 Gen. Assemb., Reg. Sess. (Va. 2025).

and mercury in designated consumer product categories and authorizing state agencies to enforce compliance through testing and reporting requirements. Washington[126] enacted additional restrictions on lead, including prohibitions on lead or lead compounds in specified consumer products.

Some jurisdictions enacted product-specific bans or disclosure requirements for PFAS. Illinois,[127] New Hampshire,[128] New York,[129] New Mexico,[130] and Vermont[131] each enacted or expanded restrictions on PFAS in consumer products. Although the scope and effective dates vary by state, these laws generally prohibit intentionally added PFAS in defined product categories, including food packaging, cosmetics, textiles, juvenile products, cookware, and personal care items. Several statutes also include reporting or notification requirements, obligating manufacturers to disclose the presence of PFAS in certain products to designated state agencies prior to sale or distribution.

A number of states have moved forward with implementing regulations for the PFAS laws. Connecticut approved label language indicating PFAS content at the point of sale and in online listings that will be required starting July 1, 2026. Minnesota[132] finalized its PFAS-in-products reporting and fees rule, which pertains to reporting that is to begin in January and conclude July 1, 2026. New Mexico[133] proposed rules to implement its PFAS Protection Act, which phases out certain products containing intentionally added PFAS, requires manufacturers to provide detailed information on PFAS use, and establishes consumer-facing labeling requirements.

Washington, under Cycle 1.5 of its Safer Products for Washington program, adopted regulations prohibiting the in-state manufacture, sale, and distribution of apparel and accessories, automotive washes, and cleaning products that contain intentionally added PFAS and imposing PFAS reporting requirements on manufacturers of nine additional consumer product categories.[134] Under Cycle 2, Washington is evaluating products such as architectural paints with PFAS and alkylphenol ethoxylates, artificial turf with N-(1,3-dimethylbutyl)-N'-phenyl-p-phenylenediamine (6PPD) and PFAS and cosmetics with cyclic volatile methyl siloxanes.[135]

---

[126]S.B. 5628, 69th Leg., 2025 Reg. Sess. (Wash. 2025).
[127]H.B. 2516, 104th Gen. Assemb., Reg. Sess. (Ill. 2025).
[128]H.B. 167, 2025 Leg., Reg. Sess. (N.H. 2025).
[129]S.B. 1548, 2025-2026 Leg., Reg. Sess. (N.Y. 2025).
[130]H.B. 212, 57th Leg., 1st Reg. Sess. (N.M. 2025).
[131]H.B. 238, 2025 Gen. Assemb., Reg. Sess. (Vt. 2025).
[132]Minn. R. §§ 7026.0010-.0100 (2025); CONN. DEP'T OF ENERGY & ENV'T PROT., PFAS in Products, https://portal.ct.gov/deep/p2/pfas-in-products (last visited May 18, 2026).
[133]H.B. 212 (N.M.), *supra* note 124.
[134]WASH. DEP'T OF ECOLOGY, Chapter 173-337 WAC – Safer Products Restrictions and Reporting (Cycle 1.5: PFAS) (last visited April 11, 2026).
[135]WASH. DEP'T OF ECOLOGY, PUBL'N 25-04-030, *Identification of Priority Products Report to the Legislature: Safer Products for Washington Cycle 2 Phase 2* (June 2025).