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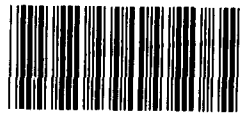

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Reregistration and Tolerance Reassessment Remain Incomplete for Most Pesticides

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Before the
Subcommittee on Toxic Substances, Environmental
Oversight, Research and Development
Committee on Environment and Public Works
United States Senate

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Mr. Chairman and Members of the Subcommittee:

Three years ago we reported on the Environmental Protection Agency's (EPA) lack of progress in assessing and regulating the risks of existing pesticides and their allowable residues on food. In that report entitled PESTICIDES: EPA's Formidable Task to Assess and Regulate Their Risks (GAO/RCED-86-125, April 18, 1986), prepared at the request of members of the Committee, we made recommendations to accelerate and improve EPA's reregistration program. In response to the concerns we raised in that report, as well as concerns raised by others, the Federal Insecticide, Fungicide, and Rodenticide Act Amendments of 1988 (which I will refer to as FIFRA '88) were enacted to help accelerate the reregistration of older pesticides.

My purpose today is to talk about what progress EPA has made since we issued our 1986 report. EPA is still at a preliminary stage in assessing the risks of older pesticides but it has made some progress. In reregistering about 35,000 pesticide products and reassessing about 6,000 tolerances for residues of these pesticides on food and feed, EPA's approach is to assess the effects of the products' approximately 822 active ingredients--those that destroy or control the pest.[1] (Hereafter, I will use the terms "active ingredients" and "pesticides" interchangeably.)

Our follow-up work shows that EPA has not completely assessed any of the 822 pesticides subject to reregistration but is close on at least three. Thus, it has not completed all product reregistration actions for any pesticide although it has reregistered some products. In addition, EPA has been able to completely reassess the safety of pesticide residues on food for only 4 of the approximately 387 food-use pesticides subject to

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[1]These numbers are approximate. EPA expects that many registrants will cancel a significant number of pesticide product registrations because of the fees and other requirements imposed by FIFRA '88.

reregistration because of gaps in knowledge about the toxicity and exposure of most food-use pesticides. EPA has completed all tolerance actions for 3 of these 4 pesticides.

In recent years, EPA has made limited progress in gathering data on major food-use pesticides. In 1986, we reported that EPA had developed 124 preliminary assessments of the 600 pesticides then subject to reregistration and had not completed a final assessment for any pesticide. Since that time, EPA has developed 70 more preliminary assessments for a total of 194.

While FIFRA '88 will help accelerate EPA's review of older pesticides, reregistering pesticide products and reassessing tolerances remain formidable tasks. In this regard I will discuss certain unresolved issues that complicate EPA's reregistration efforts, such as how EPA plans to reregister individual pesticide products.

Mr. Chairman, as part of my testimony this morning I will present two charts that depict EPA's progress in reregistering pesticides and reassessing the safety of pesticide residues on food. We believe these two charts will help the Congress monitor EPA's implementation of FIFRA '88.

FEDERAL PESTICIDE REGULATION

Federal regulation of pesticides is governed by the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and the Federal Food, Drug, and Cosmetic Act (FFDCA). Under FIFRA, a pesticide product must generally be registered by EPA before it may be marketed if EPA determines that its benefits outweigh its risks. Registrations are basically licenses for specific uses of a pesticide product that state the terms, conditions, and cautions of these uses. EPA requires pesticide product registrants and applicants to submit health and environmental effects data to

support product registrations. FIFRA also authorizes EPA to deny a new registration or restrict, cancel, or suspend an existing registration if it finds that a pesticide product presents an unreasonable risk to human health or the environment.

About 35,000 to 40,000 pesticide products, formulated from one or more active and inert ingredients, are currently registered.[2] According to EPA's May 3, 1989 estimate, approximately 3 billion pounds of pesticides are produced in the United States each year.

Under FFDCA, EPA must either establish a tolerance or grant a tolerance exemption[3] for each registered use of a pesticide on a food or feed crop. A tolerance is the maximum legal limit of pesticide residue allowed to remain in or on raw agricultural commodities, processed foods, or animal feed. It also represents an amount that is considered to impose no health hazard within a practical certainty over a lifetime of daily exposure. According to EPA, about 387 pesticides are registered for food uses, with about 6,000 tolerances for residues of these pesticides on numerous crops and processed foods.

RISKS OF MOST PESTICIDES REMAIN UNCERTAIN

Every man, woman, and child in the United States is exposed to pesticide residues in the food he or she eats. In a 1987 comparative risk report, EPA concluded that pesticide residues in

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[2]An active ingredient is the component in a pesticide product that is intended to specifically control or destroy a pest. An inert ingredient is not intended to control or destroy a pest, but rather is used to dissolve, dilute, propel, or stabilize the active ingredient in the pesticide product.

[3]EPA may grant an exemption from the requirement of a tolerance when it determines that a tolerance is not necessary to protect the public health. For example, EPA has exempted some naturally occurring substances not considered toxic to humans.

food rank among the top contributors to human health risks that it must regulate. However, the risks of most pesticides remain uncertain. The uncertainty of pesticide risks is not a new problem, only a persistent one.

As we have reported since 1975,[4] most pesticides were registered and most tolerances were established with much less data than are now required, resulting in the need to reregister these pesticides according to current data requirements and scientific standards. Since 1947, when FIFRA was first enacted, the range of concerns about the risks of pesticides has expanded to include potential chronic health effects, such as cancer and reproductive effects; adverse ecological effects; and the environmental fate of pesticides. The Congress amended FIFRA several times since 1947 to address these concerns. However, new data requirements dealing with these concerns were applied primarily to new pesticides or new uses--there was no systematic process to impose requirements retroactively on previously registered pesticide products. In addition, even for pesticides already tested, EPA has determined that certain studies were conducted using scientific standards no longer considered acceptable or were invalidly conducted and will need to be repeated or replaced.

HISTORY OF REREGISTRATION

As you know Mr. Chairman, reregistration has had a somewhat difficult and troublesome past. The 1972 amendments to FIFRA required EPA to reregister all previously registered pesticides by October 21, 1976. However, this task proved to be a much more extensive and time-consuming effort than first envisioned. In 1978, after EPA's early attempts to reregister pesticide products were unsuccessful, the Congress reaffirmed the need for EPA to

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[4] Federal Pesticide Registration Program: Is It Protecting The Public And The Environment Adequately From Pesticide Hazards? (RED-76-42, Dec. 4, 1975).

expeditiously reregister all pesticide products, required EPA to give priority to food-use pesticides, and deleted the deadline. The 1978 amendments also sanctioned a chemical-by-chemical approach rather than a product-by-product approach to reregistration; that is, the Congress gave EPA authority to make broad regulatory decisions at one time for all pesticide products containing the same active ingredient.

Although FIFRA does not specifically require EPA to reassess tolerances, EPA decided in 1977 to reassess tolerances for food-use pesticides through its reregistration program. Tolerance reassessment is a key component of the reregistration of pesticides used on food.

The Registration Standards Program has been EPA's major effort to systematically develop a comprehensive regulatory position for each pesticide. A registration "standard" describes all the data available on a particular pesticide, identifies data that are missing or inadequate, addresses regulatory and scientific issues for which sufficient data exist, and sets forth the conditions that pesticide products affected by the standard must meet to obtain or keep their registrations.

REREGISTRATION IS A FORMIDABLE TASK

Reregistration is the process of bringing the registrations of about 35,000 pesticide products and 6,000 pesticide tolerances into compliance with current data requirements and scientific standards and taking appropriate regulatory action on the basis of this new knowledge. To accomplish this task, EPA must review industry-submitted health and environmental studies and make regulatory decisions on the risks and benefits of pesticides registered over the past four decades. Industry must conduct the required tests for reregistration, some of which take up to 4 years to perform.

In the interim, previously registered pesticide products may be sold and distributed under their existing registrations.

We concluded in 1986 that, despite progress, EPA was at a preliminary stage in assessing the risks of existing pesticides. Further, we determined that without intervention EPA would not completely assess all older pesticides and tolerances until well into the 21st century because of the magnitude and complexity of the tasks involved, EPA's approach to reregistration, and EPA's resource limitations. In particular, we found the following:

-- EPA had not completed a final assessment on any pesticide because of data gaps. EPA had completed preliminary assessments of 124 of the 600 pesticides that were then subject to reregistration. Although EPA generally referred to them as registration standards, the 124 standards developed on pesticides through March 1986 were interim, not final, standards. About one-third to one-half of the data needed for final assessment were nonexistent or inadequate when EPA prepared the interim standards. However, EPA's review of available data on about 60 percent of the interim registration standards identified health and environmental concerns that necessitated additional restrictions, mostly labeling changes.

-- EPA had been unable to completely reassess the tolerances in 84 of the 92 interim registration standards for food-use pesticides that we reviewed, because required chronic toxicity and/or residue chemistry data were missing or inadequate. (EPA had sufficient data to reassess tolerances in eight interim standards.)

-- While EPA had accelerated its requests for chronic health effects and other data needed for reregistration, EPA had

not evaluated the adequacy of data already on file by contemporary data requirements and scientific standards.

-- At the time of our report, EPA had not been routinely following up on registrants' compliance with interim registration standard requirements, such as data and labeling requirements. About 50 percent of registrants' responses to interim registration standard requirements, including labeling changes designed to reduce health and environmental risks, were overdue. Moreover, EPA had not canceled any pesticide products for noncompliance with labeling requirements imposed by interim standards because of costly and time-consuming cancellation procedures under FIFRA.

We presented several options for the Congress to consider to accelerate pesticide reregistration and tolerance reassessment which are embodied in principle in FIFRA '88, including:

-- shifting some of the regulatory burden to industry by requiring industry, rather than EPA, to identify data gaps and assess the adequacy of existing data prior to EPA's assessment of the pesticide,

-- establishing reasonable deadlines for pesticide firms to submit complete test data and for EPA to review the data, and

-- providing additional resources to EPA to accelerate the reregistration process, possibly through user fees.

WHAT FIFRA '88 REQUIRES AND WHEN

The Congress, through the Federal Insecticide, Fungicide, and Rodenticide Act Amendments of 1988, significantly refocused EPA's reregistration program.[5] In our 1988 transition series report on EPA issues, we concluded that extraordinary leadership is needed to meet the new congressional mandates because EPA has not been successful in meeting deadlines or implementing pesticide reforms in the past.[6]

FIFRA '88 imposes mandatory time frames and duties, for both EPA and registrants, for reviewing the adequacy of the data required for reregistration. Over approximately a 9-year period, EPA must reregister each pesticide product containing any active ingredient contained in any pesticide product first registered before November 1, 1984, or take other appropriate regulatory action, such as canceling, suspending, or restricting the use of the pesticide. In addition, FIFRA '88 establishes a fee system expected to raise approximately $160 million over the 9 years to help fund the costs of accelerated reregistration.[7]

FIFRA '88 mandates that the accelerated reregistration scheme be carried out in five phases.

-- Phase 1: EPA must list the names of the active ingredients subject to reregistration in four installments by October 24, 1989. On February 22, 1989, EPA published

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[5]The President signed FIFRA '88 on October 25, 1988. The major provisions of FIFRA '88 became effective on December 24, 1988.

[6]Environmental Protection Agency Issues (GAO/OCG-89-20TR, Nov. 1988.)

[7]The fee provisions provided under FIFRA '88 expire on September 30, 1997.

the first installment, a list (List A) of active ingredients for which registration standards had been issued as of December 24, 1988. On April 24, 1989, EPA issued the second installment, a list (List B) of the first 150 active ingredients for which registration standards had not been issued prior to December 24, 1988. The third and fourth installments (Lists C and D) are not due until later this year. List C, the next 150 active ingredients subject to reregistration, is due on July 24, 1989. List D, the remainder of active ingredients subject to reregistration, is due on October 24, 1989.

-- Phase 2: The registrants of products containing each active ingredient identified on Lists B, C, and D must notify EPA of their intent to seek reregistration within 3 months after EPA publishes each list. If a registrant does not notify EPA or decides not to seek reregistration, EPA may cancel the relevant product registrations. Registrants must identify missing and inadequate studies required to satisfy EPA current data requirements, formally agree to submit new or replacement studies, and pay the first portion of a reregistration fee.

-- Phase 3: Lists B, C, and D registrants are required to summarize and reformat key existing studies, certify access to laboratory study records, identify studies that indicate adverse effects, commit to generate or share the cost of missing or inadequate studies, and pay the final portion of the reregistration fee. Registrants are required to submit the required information within 12 months after EPA publishes each list.

-- Phase 4: EPA is required to review the data and information that List B, C, and D registrants submitted during Phases 2 and 3, identify data gaps independently,

and notify registrants of these gaps. EPA is required to complete this phase within the time periods specified in FIFRA '88. (Assuming EPA publishes List D on time, EPA is required to complete Phase 4 by July 24, 1992.)

-- Phase 5: EPA is required to conduct a thorough, comprehensive examination of all data submitted in support of pesticide reregistration. On the basis of this review, EPA is required to either reregister individual pesticide products or take other appropriate regulatory action. According to EPA, this phase will occur over a span of approximately 3 to 9 years, depending on the scheduling of individual pesticides, the complexity of the required studies, and the time required for registrants to complete these studies.

List A represents most of the major food-use pesticides and the expeditious reregistration of these pesticides is paramount to reducing the uncertainty surrounding the risks of pesticides that leave residues on the food we eat. EPA announced in its April 20, 1989, FIFRA '88 implementation plan that it is developing a system and schedule for completing reregistration of the List A pesticides as soon as possible within the 9 years provided. However, there are several factors that may affect EPA's timely reregistration of List A pesticides. Although FIFRA '88 shifts some of the burden to the registrants to determine what is required to accomplish reregistration of any of their pesticides included on Lists B, C, and D, EPA is still responsible for determining what is required for pesticides on List A. Also, FIFRA '88 sets the fee schedule and interim deadlines for developing a complete data base for List B, C, and D pesticides, but leaves it to EPA's discretion to set the fee schedule and data development schedules for List A pesticides. Thus, it is important that EPA set the fee and data development schedules without delay to expeditiously reregister List A pesticides.

STATUS OF PESTICIDE REREGISTRATION AND TOLERANCE REASSESSMENT

We have prepared two charts that depict EPA's progress in reregistering pesticides, and reassessing pesticide tolerances. We believe these charts will help the Congress monitor EPA's progress in implementing FIFRA '88. In the relatively brief amount of time we have had to prepare for this hearing, we have limited our update to the status of pesticides undergoing reregistration and tolerance reassessment. We did not attempt to update other material and issues contained in our 1986 report.

I would like to briefly discuss the charts in attachments I and II, respectively. Attachment I presents the status of pesticides undergoing reregistration, and attachment II presents the status of tolerance reassessment as of April 1989. Before beginning I would note that we obtained this information from EPA and did not independently verify the data. Further, I want to mention that both reregistration and tolerance reassessment are continuing processes which reports of this kind can only capture the status momentarily.

Status of Pesticides Undergoing Reregistration

Mr. Chairman, if I may direct your attention to the first chart (attachment I), I will cover the status of pesticides undergoing reregistration.

-- Line 1 shows the total estimated number of pesticide products and active ingredients subject to reregistration. According to EPA, approximately 1,300 active ingredients are used in pesticide products subject to reregistration.

Although the active ingredients are counted equally for the purposes of this update, the importance of each active ingredient undergoing reregistration, in terms of human health and environmental protection, is not equal. This is because the production, use, toxicity of, and exposure to pesticides vary. Further, the degree of completion of each step in the reregistration process varies by active ingredient.

-- Line 2, box 1 shows the number of active ingredient groups--which EPA now refers to as "cases"--subject to reregistration. EPA has combined the approximately 1,300 individual active ingredients into about 822 cases containing active ingredients with similar chemical characteristics. The exact number of active ingredient cases subject to reregistration will not be known until EPA issues the last list of pesticide active ingredients subject to reregistration (List D) on October 24, 1989, as required under FIFRA '88.

EPA expects that about 600 active ingredient cases will undergo reregistration because registrants of products containing some active ingredients may decide not to pursue reregistration. EPA may have a better idea of the actual number of active ingredient cases that will undergo reregistration when the last of the registrants notifies EPA of its intent to seek reregistration. This information will be known around January 24, 1990, as required under FIFRA '88. We note that 822 is different from the number we and others have reported in the past. The difference is primarily due to the increased number of active ingredients subject to reregistration under FIFRA

'88[8] and to EPA's regrouping of the active ingredients. While 600 may be the number of cases that will ultimately undergo reregistration review, we believe it is prudent to use 822 until EPA has a clearer picture on registrants' intentions to pursue reregistration.

-- Line 2, box 2 represents the number of pesticides in special review. As of April 28, 1989, 17 pesticides were in special review. The special review process is an informal review process to evaluate the risks and benefits of pesticides of concern and determine whether regulatory action, such as canceling, suspending, or restricting a pesticide use, is needed. Pesticides in special review are also subject to reregistration.

-- Line 3, box 1 represents the approximate number of pesticides that registrants have canceled voluntarily or EPA has suspended. The number of cancellations and suspensions is uncertain because of limitations in EPA's data systems, especially in tracking recent registrant actions in response to the fees imposed under FIFRA '88.

-- Line 3, box 2 represents the List A pesticides. EPA had issued 194 registration standards as of December 24, 1988. These standards are really "interim" registration standards because EPA lacked sufficient information to fully assess the pesticide and its tolerances, at the time the standards were developed. This list represents most of the major food-use pesticides.

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[8]Prior to FIFRA '88, EPA was planning to reregister pesticide products containing active ingredients first registered before January 1, 1977. FIFRA '88 requires EPA to reregister each pesticide product containing any active ingredient contained in any pesticide product first registered before November 1, 1984, or take other appropriate regulatory action.

-- Line 3, box 3 represents List B, which is a list of the first 150 pesticides for which registration standards had not been issued prior to December 24, 1988, as required by FIFRA '88.

-- Line 3, box 4 shows that about 408 pesticides are candidates for Lists C and D.

-- Line 4, box 1 represents the number of pesticides that have been canceled or suspended following issuance of an interim registration standard. In the future, fewer pesticides may drop out after EPA has expended the resources developing registration standards. This is because FIFRA '88 requires registrants to declare their intentions to seek reregistration and pay fees before EPA has made this expenditure.

-- Line 4, box 2 shows that EPA has completed 18 second-round reviews,[9] which EPA previously called Final Registration Standards and Tolerance Reassessments. In a second-round review, EPA reviews any new data it has received since issuing the interim standard, updates its scientific and regulatory conclusions concerning the pesticide--including tolerances, if applicable--and identifies any additional data required to support reregistration. EPA changed the name of these reviews because it found that instead of being final assessments as planned, most of the second-round reviews have identified a number of new data gaps and EPA has had to postpone reregistration decisions on products containing the active ingredient until additional data are received and reviewed. According to EPA, new data may be required in a second-round review because of results of "tier" testing (in which the results of one study

[9]Of these 18, 4 are draft documents.

indicate the need for additional testing), revised data guidelines, new data requirements, inadequate studies submitted by registrants, and the need for additional data to support uses registered since the interim standard was issued.

-- Line 4, box 3 shows that 152 interim registration standards await second-round review. EPA plans to conduct an inventory of the data available for each List A pesticide for which a second-round review has not been completed to help expedite reregistration actions for these pesticides. During the inventory, EPA plans to assess the completeness and adequacy of the database for each pesticide, call in outstanding data, identify data for priority review, schedule future second-round reviews, and take appropriate compliance action on overdue data. EPA plans to complete the inventory in summer 1989.

-- Line 5 represents the bottom-line results of our efforts to update our 1986 report at the request of this Subcommittee. According to the Chief, Reregistration Branch, EPA has not completed a final assessment on any pesticide, but is close on at least three pesticides. Our review of the 18 second-round review pesticides indicates that EPA lacks sufficient data to completely assess the risks associated with most of these 18 pesticides. EPA's second-round reviews imposed, on average, about 50 data requirements for each pesticide, some necessitating studies that will take 4 years to complete, and others only a few months. Reregistration assessment of three pesticides is essentially complete (Heliothis zea NPV, sodium and calcium hypochlorite salts, and methoprene). I should point out that while none of the three have technically been through a second-round review EPA considers its regulatory position for these three to be essentially complete.

-- As Line 6 shows, EPA has not completed all product reregistration actions for any pesticide. However, according to EPA officials, they have reregistered some pesticide products but the number reregistered was not available at the time we performed our work.

That updates the information we have on the status of pesticides undergoing reregistration.

Status of Tolerance Reassessment

If I may now direct your attention to the second chart (attachment II), I will cover the status of EPA's tolerance reassessment efforts.

-- Line 1 shows the estimated number of tolerances and food-use active ingredients that will undergo tolerance reassessment. EPA estimates that 387 active ingredients have food uses subject to reregistration and tolerance reassessment. The exact number of food-use active ingredients that will undergo tolerance reassessment is uncertain because registrants of products containing some food-use active ingredients may decide not to pursue reregistration. Also, EPA may determine that some non-food-use active ingredients may need to be reclassified as food-use active ingredients requiring tolerance reassessment. This latter group may include pesticides whose uses were not regarded as food uses at the time of registration but have subsequently been reclassified as food uses. For example, in its second-round review of warfarin, a rodenticide, EPA determined that residue data are needed to support an existing use of warfarin as a tracking powder in food establishments.

-- Line 2 shows that EPA has determined, for all food-use pesticides, whether any chronic toxicology studies were missing and, if so, notified registrants to submit the studies.

-- Line 3, box 1 shows that approximately 40 food-use pesticides have been canceled or suspended.

-- Line 3, box 2 shows that EPA has developed interim registration standards (List A) for 167 food-use pesticides.

-- Line 3, box 3 shows that there are about 180 food-use pesticides that are candidates for Lists B, C, and D. FIFRA '88 gives priority treatment to pesticides used on food or feed.

-- Line 4, box 1 shows that 14 food-use pesticides for which EPA had developed interim registration standards have been canceled or suspended.

-- Line 4, box 2 shows that EPA has developed 18 second-round reviews, all of which contain food uses.

-- Line 4, box 3 shows that 135 food-use pesticides await second-round review. These pesticides will be included in the inventory program I discussed earlier.

-- Line 5, box 1 shows that only four pesticides have completed tolerance reassessment (sodium and calcium hypochlorite salts, Heliothis zea NPV, methoprene, and fosetyl-al (Aliette)). For the other 14 (line 5, box 2) of the 18 second-round review pesticides, EPA lacks sufficient chronic toxicology or residue chemistry data to complete

tolerance reassessment. Some of these studies take up to 4 years to complete.[10]

-- Line 6 shows that EPA has completed all tolerance actions for 3 of the 4 pesticides for which tolerance reassessment is complete.

The bottom line on both charts is that EPA has made some progress to reregister pesticides, and reassess pesticide tolerances. However, EPA still has a long way to go.

UNRESOLVED ISSUES COMPLICATE REREGISTRATION

A number of unresolved pesticide regulatory issues further complicate reregistration and tolerance reassessment.

EPA needs to establish procedures for reregistering individual products. As we reported in 1986, developing a final assessment on an active ingredient case does not complete reregistration. EPA will have to apply decisions reached on each active ingredient to all individual products containing that ingredient, including products that contain multiple active ingredients, and take appropriate reregistration action on each product. The situation remains essentially unchanged today. EPA's plan for implementing FIFRA '88 does not specify how EPA will reregister pesticide products after it assesses an active ingredient. EPA has invited

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[10]In 1986, we reported that 8 of 92 interim standards we reviewed had completed tolerance reassessment. Four of the original eight that we reported as complete are still complete. For the other four, two have not undergone a second-round review or its equivalent and the other two have been subject to additional data requirements following the second-round review because new uses were added to the pesticide since the time the interim registration standard was issued. We did not determine the status of tolerance reassessment for the remaining interim registration standards for food-use pesticides that have been issued since we prepared our report.

comments on how this shall be achieved. Until this issue is resolved, it is unclear when reregistration will have been achieved and whether the requirements of FIFRA '88 have been met.

EPA needs to keep its "final" regulatory assessments of pesticides current because of the dynamic nature of pesticide regulation. Once EPA develops a "final" assessment for a pesticide, it may have to update and/or amend it to reflect changes in pesticide uses, composition, and formula not covered by the assessment; advancements in science and technology; new data of a type not previously required (e.g., neurotoxicity); and new information, or a reinterpretation of data, indicating significant human health or environmental concerns. Indeed, EPA's own experience with second-round reviews strongly suggests that EPA's pesticide regulatory assessments will never be "final" per se, nor should they be. EPA's FIFRA '88 implementation plan does not specify how this will be accomplished. However, keeping final regulatory assessments current will be a critical cost of doing business if EPA is to avoid costly and long-term efforts to periodically reregister pesticide products to bring them into compliance with evolving requirements, science, and uses.

EPA needs to enforce label requirements imposed through interim registration standards. In 1986, we reported that EPA had not canceled any pesticide product for noncompliance with labeling requirements imposed by interim standards, though several products were not in compliance. We recommended that the Administrator cancel product registrations whose labels are not in compliance with registration standard requirements and, if necessary, pursue legislative changes to provide statutory authority to more efficiently implement label requirements. EPA agreed with our recommendation and eventually canceled one product for label noncompliance. However, in December 1988, EPA informed us that it has not pursued additional cancellation actions because of the cumbersome and time-consuming cancellation procedures under FIFRA

section 6. According to the Director, Policy and Special Projects Office, EPA does not have the authority it believes it needs to impose needed label changes in an expeditious manner. EPA informed us that it remains receptive to a legislative solution to this problem and has raised this issue in testimony before the Subcommittee on Department Operations, Research and Foreign Agriculture, House Committee on Agriculture. We believe the recommendation we made to the Administrator in 1986 remains valid today.

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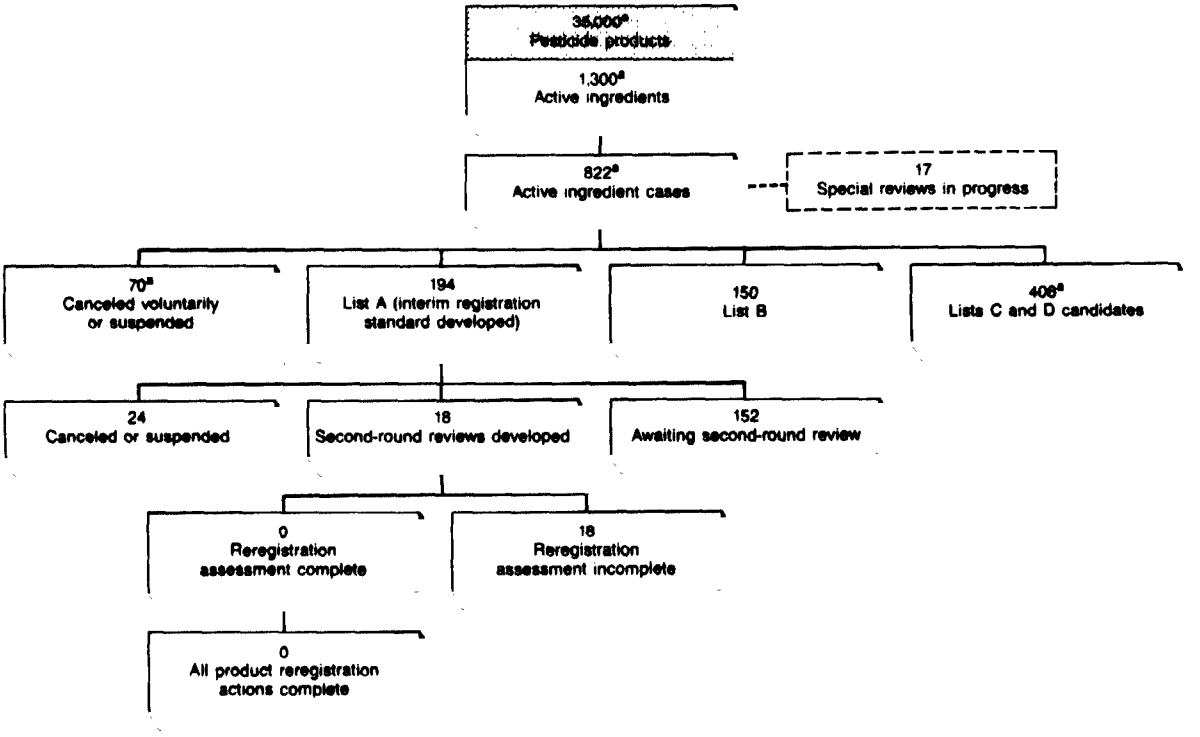
In summary, the American public has asked a lot of questions during the start of this growing season about the safety of the food they eat that is treated with pesticides, but many of the answers are unknown. Our work indicates that, despite progress, EPA is still at a preliminary stage in assessing the risks of older pesticides. FIFRA '88 will help accelerate this formidable task but does not resolve all pesticide regulatory issues. Because EPA has not been successful in meeting deadlines or implementing pesticide reforms in the past, extraordinary leadership is needed to meet the congressional mandate.

We believe that the charts we presented today will help the Congress monitor EPA's progress in reregistering pesticides and reassessing pesticide tolerances. Mr. Chairman, this concludes my prepared statement. I will be glad to respond to questions that you or members of the Subcommittee might have.

ATTACHMENT I

GAO Status of Pesticides Undergoing Reregistration as of April 28, 1989

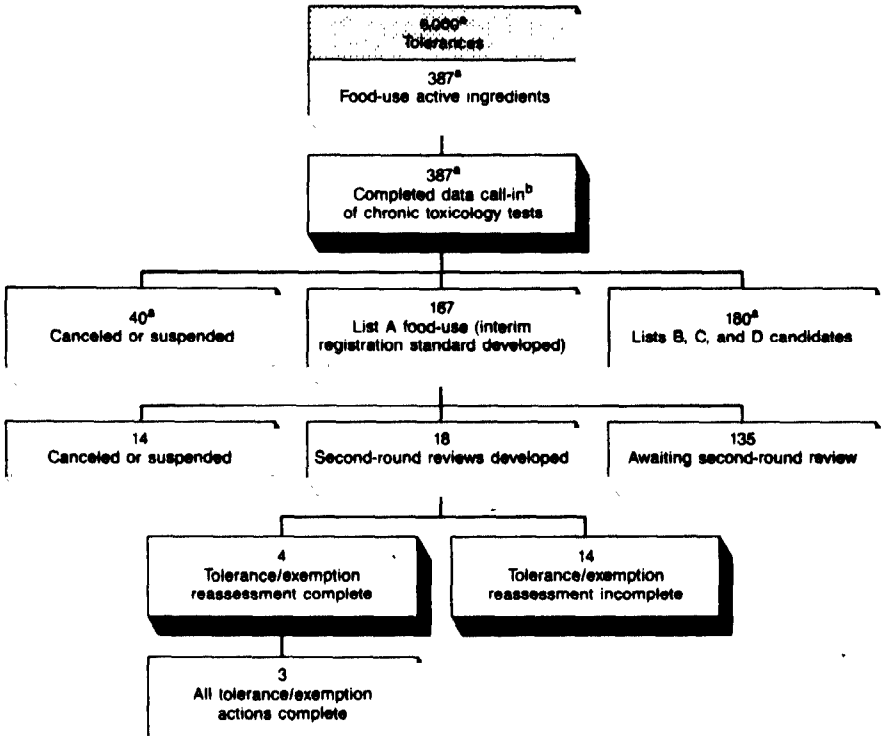


[a]Number is approximate.

Source: GAO-prepared figure based on EPA information. GAO did not independently verify this information.

ATTACHMENT II

GAO Status of Tolerance Reassessment as of April 28, 1989



[a]Number is approximate.

[b]Completed Data Call-In—EPA has determined whether any chronic toxicology tests are missing and, if so, sent letters requiring registrants to submit the tests.

Source: GAO-prepared figure based on EPA information. GAO did not independently verify this information.