



At a Glance

Catalyst for Improving the Environment

Why We Did This Review

We initiated this review to evaluate whether the U.S. Environmental Protection Agency (EPA) has properly implemented Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) Section 17(a) with respect to the Foreign Purchaser Acknowledgement Statements (FPASs), and whether controls are in place to ensure the safety of imported foods.

Background

Pesticides not registered for use in the United States may be manufactured domestically and exported abroad. FIFRA Section 17(a) requires that before an unregistered pesticide is exported, the foreign purchaser must sign an FPAS acknowledging awareness that the pesticide is not registered and cannot be sold for use in the United States.

For further information, contact our Office of Congressional, Public Affairs and Management at (202) 566-2391.

To view the full report, click on the following link:
www.epa.gov/oig/reports/2010/20091110-10-P-0026.pdf

EPA Needs to Comply with the Federal Insecticide, Fungicide, and Rodenticide Act and Improve Its Oversight of Exported Never-Registered Pesticides

What We Found

EPA is not complying with FIFRA Section 17(a) which is, in part, intended to notify the government of an importing country that a potentially hazardous pesticide was imported into that country. Specifically, EPA does not comply with requirements to provide notice to all countries importing unregistered pesticides. EPA does not ensure manufacturer compliance with FIFRA Section 17(a) notification requirements. Consequently, there is no assurance EPA is receiving the entire universe of export notifications in any given year. Finally, export data on unregistered pesticides are insufficient for tracking and analysis.

Export notification practices and data requirements are insufficient to monitor for the potential re-entry of never-registered pesticides on imported foods or to determine whether a dietary risk to U.S. consumers exists. The safety of unregistered pesticides intended solely for export is not evaluated by EPA. Therefore, the risk associated with never-registered pesticides is unknown. EPA does not know the pesticide class, volume, use, or final destination of unregistered U.S. pesticide exports. EPA also cannot provide the Food and Drug Administration and the U.S. Department of Agriculture with information needed to monitor and detect pesticide residues from pesticides that have never been registered for use in the United States. Therefore, the extent of dietary risk from never-registered pesticide residues on imported foods is unknown.

What We Recommend

We recommend that EPA comply with statutory mandates, implement management controls, and establish procedures for identifying and mitigating any dietary risk to consumers from never-registered pesticides.

The Agency stated that it had now checked the specific subset of FPASs highlighted in the report. The Agency concluded that since it did not find a problem after reviewing these Fiscal Year 2007 FPASs, there is no basis for change in procedures or further analysis. The Agency comments were nonresponsive to the findings and recommendations. The Agency addressed neither its compliance with FIFRA Section 17(a) requirements nor the insufficient control process to monitor for potential re-entry of never-registered pesticides. All recommendations are undecided.