

# GAO Highlights

Highlights of [GAO-13-145](#), a report to the Ranking Member, Subcommittee on Environment and the Economy, Committee on Energy and Commerce, House of Representatives

## Why GAO Did This Study

As of September 2010, more than 16,000 pesticides were registered for use in the United States, according to EPA. EPA reviews health and environmental effects data submitted by a company and may register a pesticide or, alternatively, grant a “conditional registration” for a pesticide under certain circumstances, even though some of the required data may not have been submitted or reviewed. The company must provide the missing data within a specified time. In 2010, environmental and other groups charged that EPA had overused conditional registrations and did not appear to have a reliable system to identify whether the required data had been submitted. GAO was asked to examine issues related to EPA’s use of conditional registrations for pesticides. This report examines the (1) number of conditional registrations EPA has granted and the basis for these, (2) extent to which EPA ensures that companies submit the required additional data and EPA reviews the data, and (3) views of relevant stakeholders on EPA’s use of conditional registrations. GAO reviewed EPA data and surveyed stakeholders, among other things.

## What GAO Recommends

GAO recommends, in part, that EPA consider and implement options for an automated system to better track conditional registrations. EPA agreed with GAO’s recommendations and noted specific actions it will take to implement them.

View [GAO-13-145](#). For more information, contact J. Alfredo Gómez, (202) 512-3841 or [gomezj@gao.gov](mailto:gomezj@gao.gov).

August 2013

## PESTICIDES

### EPA Should Take Steps to Improve Its Oversight of Conditional Registrations

## What GAO Found

The total number of conditional registrations granted is unclear, as the Environmental Protection Agency (EPA) reports that its data are inaccurate for several reasons. First, the database used to track conditional registrations does not allow officials to change a pesticide’s registration status from conditional to unconditional once the registrant has satisfied all requirements, thereby overstating the number of conditional registrations. Second, EPA staff have misused the term “conditional registration,” incorrectly classifying pesticide registrations as conditional when, for example, they require a label change, which is not a basis in statute for a conditional registration. According to EPA documents and officials, weaknesses in guidance and training, management oversight, and data management contributed to these misclassification problems. For example, according to EPA documents, there was limited, organized management oversight to ensure that regulatory actions were not misclassified as conditional registrations. As of July 2013, EPA officials told GAO that the agency has taken or is planning to take several actions to more accurately account for conditional registrations, including beginning to design a new automated data system to more accurately track conditional registrations.

The extent to which EPA ensures that companies submit additional required data and EPA reviews these data is unknown. Specifically, EPA does not have a reliable system, such as an automated data system, to track key information related to conditional registrations, including whether companies have submitted additional data within required time frames. As a result, pesticides with conditional registrations could be marketed for years without EPA’s receipt and review of these data. In the absence of a reliable system for managing conditional registrations, EPA relies on a variety of routine program operations, such as its review of a company’s changes to a pesticide registration, to discover that data are missing. However, these methods fall short of what is needed because they are neither comprehensive nor do they ensure timely submission of these data. According to federal internal control standards, EPA’s lack of a reliable system for managing conditional registrations constitutes an internal control weakness because the agency lacks an effective mechanism for program oversight and decision making.

Stakeholders GAO surveyed—representatives of consumer, environmental, industry, legal, producer, science, and state government groups—generally said EPA needs to improve its conditional registration process. For example, some stated EPA should improve its data systems for tracking conditional registrations to ensure that required data are submitted and reviewed in a timely manner. However, stakeholder views varied on the benefits and disadvantages of conditionally registering pesticides. For example, some consumer, industry, legal, producer, and state government stakeholders stated that the conditional registration process promotes innovation by bringing new technologies to the marketplace more quickly. In contrast, some consumer, environmental, legal, science, and state government stakeholders voiced concerns that conditional registration allows products with safety that has not been fully evaluated into the marketplace.