

## **Chlorpyrifos Status Update for PPDC October 31, 2018**

### Background

On March 29, 2017, EPA issued an order denying a petition requesting that EPA revoke all tolerances for the pesticide chlorpyrifos under section 408(d) of the Federal Food, Drug, and Cosmetic Act and cancel all chlorpyrifos registrations under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA). The petition was filed in September 2007 by the Pesticide Action Network North America and the Natural Resources Defense Council.

On August 9, 2018, the U.S. Ninth Circuit Court of Appeals ordered EPA to revoke the tolerances and cancel all registrations for chlorpyrifos within 60 days of the issuance the Court's mandate. The following month, the Department of Justice requested a rehearing and the Ninth Circuit has asked Petitioners to respond to the rehearing request. The court has clarified that the 60-day period does not commence until the court issues its mandate, which will occur once the court resolves the rehearing request.

EPA is awaiting a response from the court.