



March 27, 2021

Taya Runyan
Division Director, Department of Agriculture
523 E Capitol Ave
Pierre, SD 57501

Re: Concerns with Delay in Pesticide Product Registrations

Dear Division Director Runyan,

On behalf of the Household & Commercial Products Association¹ (HCPA) and its members, we wanted to convey our concerns with what appears to be noticeable delays in registration approvals for pesticidal products within your state. The products of HCPA members include antimicrobial cleaning products, insecticides and repellent products, many of which have moved through your office and have played an essential role during the pandemic. While we appreciate your state's efforts to address the demands during the pandemic and concerted effort to get pandemic-related products approved, the unintended consequence of that approach has been a growing backlog of delays for registration of both conventional and minimum risk pesticides. The associated delays in approvals and lack of transparency regarding timelines are causing significant challenges for industry to manage supply and distribution of products.

Given the significant disruption to the market, we would like to engage in a conversation with your Department to understand the root cause of these delays and work together to uncover opportunities for improvement, share best practices and coordinate on what we as an industry can do to assist your team in the performance of your regulatory activities.

Our members are reporting the following issues:

- Delays in application reviews often exceeding 7-12 months
 - Minimum risk (25(b)) products are 10-12 months.
 - Section 3 products are 5-7 months.
- Lack of transparency and communication with registrants on timelines for review

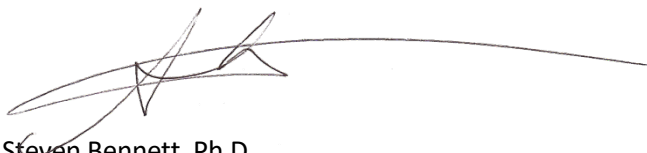
¹ HCPA is the premier trade association representing the interests of companies engaged in the manufacture, formulation, distribution and sale of more than \$180 billion annually in the U.S. of familiar consumer products that help household and institutional customers create cleaner and healthier environments. HCPA member companies employ hundreds of thousands of people globally. HCPA represents products including disinfectants that kill germs in homes, hospitals and restaurants; air fresheners, room deodorizers, and candles that eliminate odors; pest management products for pets, home, lawn, and garden; cleaning products and polishes for use throughout the home and institutions; products used to protect and improve the performance and appearance of automobiles; aerosol products and a host of other products used every day.

- When our registrants inquire on the status of a pending application, they are given little clarity on where in the queue the Department is currently reviewing to inform what the extended review time may be.
- This causes a registrant to engage in multiple follow-ups with the agency which is not a productive use of your team's time and further takes their time and attention away from application processing.
- If registrants were provided more certainty on a timeline approval, that could help avoid unproductive and repeated outreach requests.
- Missing seasonal product launches
 - The long and unprecedented review times are especially challenging for manufacturers of seasonal-based products which have to meet deadlines for shipping and retail distribution.
 - When registrations aren't approved in a timely or predictable fashion, consumers lack access to products for the entire season.
 - Delays in one state often preclude launch of product into all other states.

These issues have made it problematic for registrants who traditionally expect registrations in your state to take less than 6 months, but which are now are now taking much longer. These delays combined with the lack of transparency in timelines for registration approvals are causing significant market delays and disruption making it difficult for companies to meet market demands for products. This is especially challenging for products that need to meet seasonal demands and timelines for national distribution.

We would appreciate a conversation with you at your earliest convenience to better understand the issues and to explore opportunities for improvement. We thank you for this opportunity to share our comments on this important issue.

Sincerely,

A handwritten signature in black ink, appearing to read 'Steven Bennett', with a long horizontal line extending to the right.

Steven Bennett, Ph.D.
Executive Vice President, Scientific & Regulatory Affairs