

# **Integrated Collection and Transfer of Information and Evidence Collection System**

## ***Introduction***

The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) provides for federal regulation of pesticide distribution, sale, and use. All pesticides distributed or sold in the United States must be registered by EPA. EPA works with its federal, state, territorial, and tribal regulatory partners to implement and assure compliance with FIFRA to protect human health and the environment. Among other things, EPA conducts marketplace and pesticide producing establishment inspections (federal inspections) to assure label and product integrity. States and tribes that are federally credentialed also conduct federal inspections on behalf of EPA. Thousands of inspections are conducted annually, often involving the collection of information and evidence for the same product(s) resulting in duplication of efforts both at the state, tribal and federal level. EPA must develop a mechanism by which Pesticide Program Managers (state, tribal and federal) can maximize available resources to provide compliance monitoring and enforcement nationally without duplicating efforts. Any mechanisms/electronic systems developed for sharing of data/information with partner government agencies and state/tribal partners should be designed to, at minimum, capture inspection/investigation information, streamline processes, eliminate redundancies, improve coordination, track agency, state and tribal actions from inspection to enforcement and provide robust reporting options.

## ***Issues and Solutions***

### **Issue: No Single Data System for the Collection and Transfer of Information and Evidence Collection**

- Inspection information is collected by inspectors often using paper notebooks that must later be transferred to an inspection report for case review and development; resulting in transcription errors and increased the turn-around times from inspection to case review and development.
- Inspection reports are reviewed in paper form at multiple levels for completeness; resulting in large amounts of paper to be recycled or destroyed and increased turn-around times from inspection to case review and development.
- Inspection reports from States and Tribes are transmitted often to the EPA in paper form or some other electronic media (i.e. compact disc or jump drive); resulting in 1) shipping and electronic media costs, 2) multiple copies being stored by the state, tribe and EPA, 3) large amounts of paper to be recycled or destroyed, and 4) increased turn-around times from inspection to case review and development.
- States and Tribes use multiple systems to track inspections and enforcement activities using various software and/or platforms. Data entry to these data systems often involve multiple persons at the State or Tribe. EPA also uses multiple systems to track inspections and enforcement activities (i.e. ICIS, regional tracking databases using various software). Data entry to EPA's data systems often involve multiple persons within the Agency. EPA is likely capturing the same basic inspection information entered in the State or Tribe's data system. In addition, States and Tribes do not have access to EPA's internal data systems to identify the status of cases or other information associated with the inspections referred or transferred to EPA. Separate data systems for EPA, States and Tribes contributes to redundancies and limits real time coordination between all

## Integrated Collection and Transfer of Information and Evidence Collection System

parties and as there is no way to determine quickly what pesticides were the subject of an inspection and/or if any issues were identified at the time of the inspection.

- Inspectors collect as evidence during inspections, among other things, final printed pesticide labels found on pesticides released for shipment. Pesticide labels range in size and can, in some cases, be upwards of 50 pages; which precludes a comprehensive label comparison of the final printed label to the EPA accepted label in the field.
  - o Cursory label reviews are performed by EPA inspectors in the field to identify potentially missing label requirements. State and Tribal inspectors may or may not conduct a cursory label review in the field.
  - o If the PEI is for cause or neutral scheme, the EPA inspector as part of his/her pre-inspection planning will have identified products previously produced at the establishment to be inspected and will have pulled the EPA accepted label(s) from EPA's Office of Pesticide Programs Information Network (OPPIN) from which to conduct the cursory label review.
  - o If the marketplace inspection is for cause, typically the inspector will have limited information regarding the pesticide product and its suspected violation. If the suspected violation is misbranding, the inspector as part of his/her pre-inspection planning will have pulled the EPA accepted label(s) from OPPIN from which to conduct the cursory label review.
  - o If the marketplace inspection is a neutral scheme inspection, the inspector is not likely to have information in advance of the inspection regarding pesticides that have been released for shipment. Therefore, the inspector will typically conduct a cursory label review of pesticides encountered during the inspection and based on his/her knowledge of the FIFRA label requirements will attempt to identify any potentially missing label requirements and/or potential misbranding. When in the field, the inspector may also use EPA's Pesticide Product and Label System ([PPLS](#)) to pull labels from which it can spot check parts of final printed label against the EPA accepted label and also identify registration status, alternate brand names, sites, pests, etc.

As comprehensive label comparisons often occur at some later time, typically after the inspection report is written and transferred to the EPA, inspectors cannot identify with great certainty violative pesticide products at the time of inspection; resulting in the collection of information and evidence for pesticide products that are later deemed to be labeled in accordance with the labeling requirements. A mechanism, by which comprehensive label reviews can be conducted by inspectors while in the field will provide greater efficiencies to states, tribes and EPA and result in 1) increased savings of an inspector's time by eliminating the collection of information and evidence for products labeled in accordance with the labeling requirements; 2) reduce needed physical storage space for information and evidence collected; 3) will allow inspectors to focus the collection of information and evidence on pesticide products that are not labeled in accordance with FIFRA; and 4) will reduce the Agency's backlog by eliminating cases referred or transferred with no missing label requirements, misbranding, or claims differs.

- EPA is currently in the process of developing a Pesticide Label Matching ([PLM](#)) application and has been coordinating with the Office of Indiana State Chemist to identify mutual needs. The PLM application was to be developed to allow for label comparisons between a final printed label and an EPA accepted label in the field. Beta

## **Integrated Collection and Transfer of Information and Evidence Collection System**

testing of the application has identified limitations with image uploads, optical character recognition and label comparisons due to non-structured pesticide labels.

- The PLM application pulls certain non-CBI data from OPPIN. As OPPIN may contain FIFRA CBI users must be granted access to the system.
- The PLM application permits the user to identify in the office or in the field the registration status of pesticides, master label history, registrant, toxicity signal word, formulation, alternate brand names, types, use sites, pests, and ingredients. Though, for the most part, the same information can be obtained by accessing EPA's Pesticide Product and Label System ([PPLS](#)).
- The PLM application permits the user to identify in the field the presence or absence of the toxicity signal word, formulation, alternate brand names, types, use sites, pests, and ingredients on pesticide product labels and later send the report to him/herself along with limited inspection information, such as inspector information, inspection date, inspection location, owner operator contact information and other comments.

### Solution: Develop a Single Data System for the Collection and Transfer of Information and Evidence Collection

- Develop a user friendly single data system to capture information and evidence related to federal inspections.
- Design the system to also allow for the collection of information associated tip/complaints, self-disclosures, remote audits/inspections of imports.
- Design the system to capture inspection information while the inspector is in the field to streamline the inspection process, eliminate redundancies, and minimize and reduce transcription errors. The system should also function as a targeting, tracking and reporting tool.
  - This could include:
    - Ability to search the system for pesticides or establishments that have previously been inspected.
    - The use of tablets with standard (i.e. NOIs, Receipt for Samples, Chain of Custody, etc.) and predesigned inspection forms for information collection. Presumably there are lessons to be learned from the Smart Tools project
    - Speech to text information collection.
    - Ability to capture and upload information and evidence in the field.
    - Ability to, within the same system, transfer information captured in the field to a final report for supervisory review, case review and case development.
    - Ability to determine state and federal pesticide registration status. The system would need to interact with OPPIN and state information systems. Ideally, the system could append pesticide product information to an electronic system generated inspection report.
    - Ability to determine establishment registration status and production reported to EPA. The system would need to interact with SSTS. Ideally, the system could append establishment information to an electronic

## **Integrated Collection and Transfer of Information and Evidence Collection System**

system generated inspection report. States would have no access to quantities of pesticides produced due to confidential business information, but should have access to establishment registration status and the list of pesticides produced.

- Ability to scan and/or upload pesticide label images for word-for-word comparison to the EPA accepted label in OPPIN and instantaneously identify differences between the two.
- Identify ways in which inspection information and activities can be integrated into the to be web-based 5700 form.
- Ability to data mine information from the system for targeting or focused inspections.
- Pre-build canned reports, but also permit ad-hoc reports to be developed.
- Integrate a flexible reporting dashboard that shows most routinely sought information, such as number of inspections, types of inspections, etc...

The development of a comprehensive single data system that can be used by Pesticide Programs at the state, tribal and federal levels and incorporates the functions listed in the solution above will provide, among other things, increased efficiencies by:

- 1) eliminating redundancies in data entry of certain information;
- 2) allowing for better tracking from inspection to enforcement, including turnaround times;
- 3) reducing the duplication of records and information collected during on-site inspections;
- 4) reducing duplicative inspections of pesticide products that are registered in multiple states
- 5) minimizing transcription errors;
- 6) reducing or eliminating the collection of physical records collected during on-site inspections;
- 7) reducing the amount of physical storage space needed to store case files, but is likely to increase electronic storage needs;
- 8) reducing costs associated with paper printing and recycling;
- 9) reducing costs associated with the purchase of electronic media (i.e. compact discs and jump drives;
- 10) reducing mailing costs associated with the transfer of paper inspection reports;
- 11) increasing timely information sharing;
- 12) allowing for more focused/targeted inspections of pesticide products not in compliance with FIFRA; and
- 13) reducing turn-around times from inspection to case development and enforcement.

### **Interim Solution for Sharing of Information Related to Inspections Conducted and Products Sampled (Actual Physical or Evidentiary Samples)**

- Upload an excel workbook to a SharePoint permitting access to federal and state users to capture inspection information and label versions encountered in the field. At minimum the excel workbook could contain the following fields:
  - o EPA File Number

## Integrated Collection and Transfer of Information and Evidence Collection System

- State Assigned File Number
- Facility Name
- Address
- City
- State
- Inspector
- State Inspection (State Indicator)
- Inspection Type
- Date of Inspection
- Inspection Fiscal Year (automated based on inspection date)
- Type of Pesticide
- Product Type
- Other Classifications
- EPA Registration Number or Brand Name
- EPA Establishment Number
- Physical Sample Collected – including batch number if available (allow user to add name of pesticide collected for analysis)
- Final Printed Labels Collected – including version if available (allow user to add name of pesticide labels collected for review)
- Special Assignment Comments
- Date Transferred to EPA
- Date Report Received by Pesticides Program