

Understanding Your Responsibility under FIFRA and How FIFRA Approval Relates to SDWA

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Today's Goals

- What is FIFRA and what does it regulate?
- What are pesticides and devices?
- How does FIFRA impact water treatment facilities?
- What are my responsibilities under FIFRA?



Pesticides are regulated by:

- Federal Insecticide, Fungicide and Rodenticide Act (FIFRA)
- Federal Food, Drug & Cosmetic Act (FFDCA)
- Food Quality Protection Act
 - Amended FIFRA and FFDCA
- Endangered Species Act
- State Laws
- Tribal Pesticide Codes





Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)

- Federal statute
- Establishes requirements related to production, distribution/sale, and use* of pesticides and devices
- Product registration is the basic foundation

* States are granted primary enforcement responsibility for pesticide use violations. However, states can refer cases to EPA.

What is a Pesticide?

Any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any pest or a plant growth regulator.



Herbicides



Insecticides



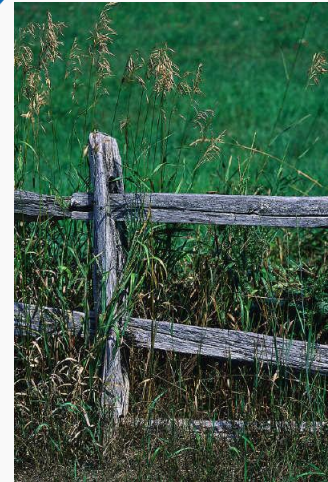
Antimicrobials



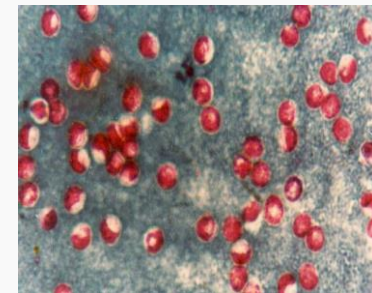
Pesticides in
bulk



What is a Pest?



Pests can be insects, animals (mice, etc.), unwanted plants (weeds), fungi, or microorganisms like bacteria and viruses. It does NOT include those living on or in living man.



Trivia Fact . . .

- There are approximately 90,000 EPA-registered pesticides managed in the National Pesticide Information Retrieval System.





Pesticides are used virtually everywhere

- Farms
- Forests
- Homes
- Hospitals
- Day Care Centers
- Schools
- Public Buildings
- Golf Courses
- Parks
- Greenhouses
- Nurseries
- Lawns
- **Water Treatment Facilities**



Read The Label



- **What is labeling?**
 - Labels are directly affixed to the product.
 - Labeling is all information that accompanies the sale of a product, including pamphlets, brochures, flyers, etc.

The Label is the Law!

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.



Key Label Parts

OvoControl[®] G
Ready-to-Use Bait

EPA Reg. No. 80224-5

Restricted Use Pesticide
Due to Reproductive Risk in Avian Species
For retail sale to and use only by Certified Applicators or persons under their direct supervision and only for those uses covered by the Certified Applicator's certification.

EPA Est. No. 001990-MS-001

ACTIVE INGREDIENT	
Nicarbazin.....	0.5%
OTHER INGREDIENTS.....	99.5%
TOTAL.....	100.0%

Net Weight: 20 pounds (9.072 kgs)

Precautionary Statements

KEEP OUT OF REACH OF CHILDREN
CAUTION

DIRECTIONS FOR USE

Manufactured by:

Storage and Disposal

What is a Device?

Any instrument or contrivance (other than a firearm) which is intended for trapping, destroying, repelling or mitigating any pest...



Filters



Traps



Repellers



UV Sterilizers

Including...



Other Water Treatment Unit Devices

- Certain drinking water filter-units
- Certain pool and spa electrolysis units
- Ozonator units





Pesticides vs. Devices

Registered pesticides:

- Will have a registration and establishment number
- Can be found by searching the **Pesticide Product Label System:**
<https://iaspub.epa.gov/apex/pesticides/f?p=PPLS:1>
- Will have efficacy data that is submitted by registrants to the EPA that is reviewed before the product is registered

Devices:

- Do not require registration
- Will have an establishment number
- Must include other labeling information (like Directions for Use)
- Will have scientific data from the manufacturer to back up any pesticidal claims

Pesticide or Device?

On-Site Chlorine Generator





What does FIFRA have to do with SDWA?

SDWA:

Requires PWS's to **treat drinking water for bacteria**, among other contaminants.

Pesticides under FIFRA:

Cannot be sold, distributed or used unless it has been registered, is labeled in compliance with FIFRA and produced in an EPA-registered establishment.

Devices under FIFRA:

Cannot be sold or distributed unless it has been labeled in compliance with FIFRA and produced in an EPA-registered establishment.



What are your responsibilities?

For pesticides:

Ensure that the disinfectant is registered as a pesticide under FIFRA

Use pesticides in accordance with the label

For devices:

Ensure that the facility is in compliance with CWA and SDWA



What are NOT your responsibilities?

For chemical manufacturer or distributor of pesticides:

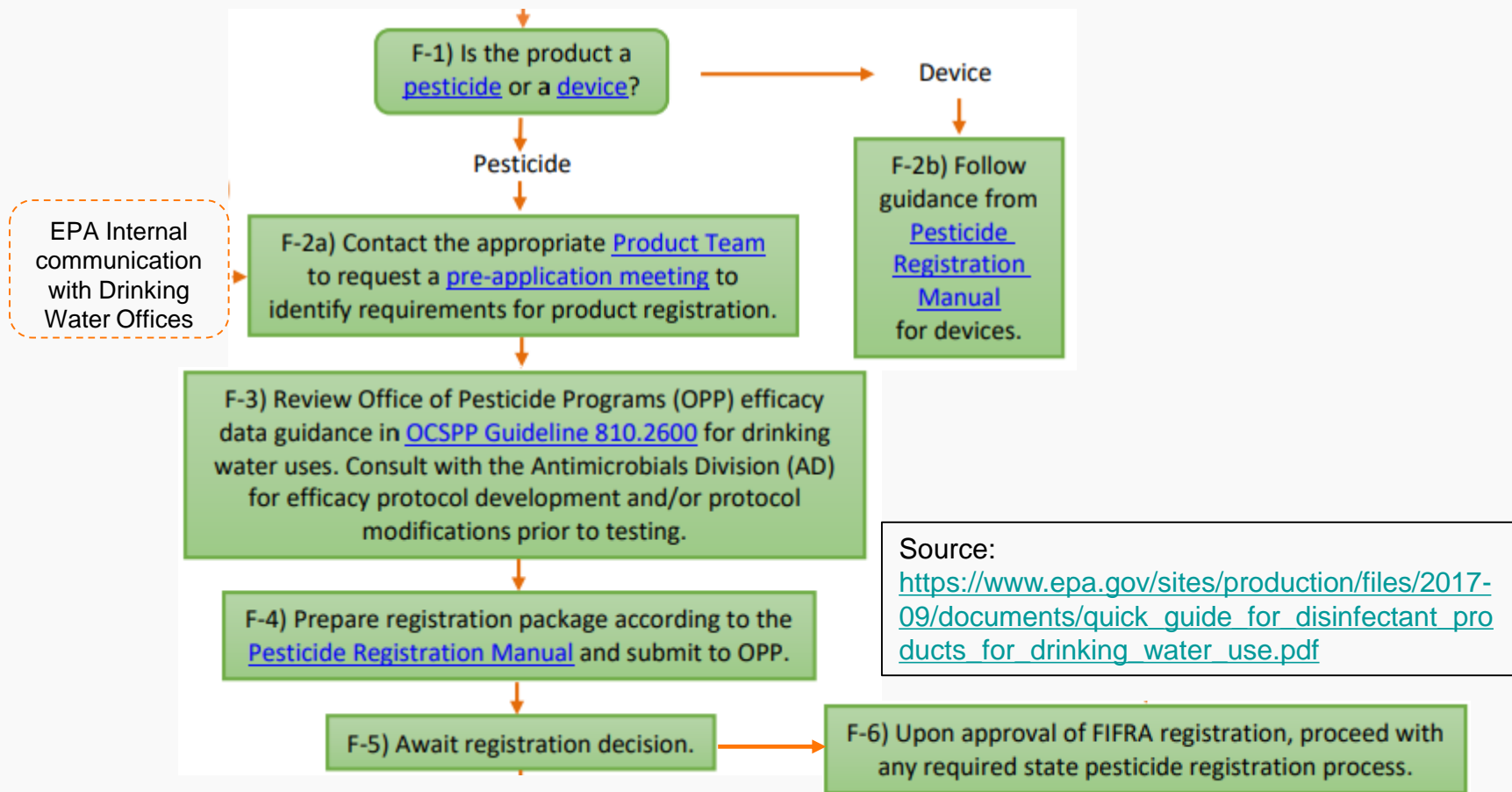
- Follow all applicable laws and regulations, including obtaining FIFRA registration for the U.S. market
- Comply with any additional requirements set by the relevant state, tribe or territory

For manufacturers or distributor of devices:

- Follow all applicable laws and regulations, including having scientific data to back up the claims and producing the device in an EPA-registered establishment



How does FIFRA affect PWSs?





Penalties for Violations



- May be subject to both civil and criminal penalties
- Penalties may be assessed under State and Federal laws*
- To report a violation you can contact State or the EPA or go to: <https://echo.epa.gov/report-environmental-violations>

*States are granted primary enforcement responsibility for pesticide use violations. However, states can refer cases to EPA.



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