

The Federal Insecticide, Fungicide, and Rodenticide Act

Acronym: FIFRA (pronounced, fif'-rah)

What is FIFRA? A History and General Overview of the Law

The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), was enacted to protect the public from ineffective or dangerous products. FIFRA regulates the safe use of herbicides, pesticides, and rodenticides by requiring manufacturers to register their products as:

- General use, available for use by the general public.
- Restricted use, available for use only by certified applicators.

To see the regulations:

- 40 CFR 156: FIFRA regulations

How Does FIFRA Apply to Railroad Operations?

FIFRA regulations are applicable to short line railroad operations where herbicides are used to control weeds and brush, or when pesticides and rodenticides are used for pest control in company buildings. FIFRA can also apply to the application of field applied creosote when bridge timbers or switch ties are installed.

General FIFRA Requirements

FIFRA requires registration and labeling of herbicides with instructions to ensure safe usage. Short line railroad operations should only apply herbicides, both general and restricted use, according to label instructions. Certification is required for use of restricted use herbicides. Railroads often use outside contractors to apply these products. The National Railroad Contractors Association is an organization which includes railroad weed control contractors that provides training for restricted use herbicide applicators. Any handling and application of restricted or general use products by company personnel must comply with the manufacturer's instruction. Always follow product instructions.

FIFRA Enforcement Provisions and Penalties

- Federal civil penalties: commercial applicators may be fined up to \$5,000 for each offense under FIFRA. Private applicators may be fined \$500 for the first offense and up to \$1,000 for each subsequent offense.
- Federal criminal penalties: commercial applicators may be fined up to \$25,000 or up to one year in prison, or both, for knowing violations. Private applicators may be fined up to \$1,000 or thirty days in prison, or both, for knowing violations.