

FIFRA at 50: 10 Not-So-Fun Facts About America's Most Ineffective Environmental Law

By J.W. Glass, EPA Policy Specialist, Center for Biological Diversity

On the 50th anniversary of the Federal Insecticide, Fungicide and Rodenticide Act, the evidence is overwhelming that the law intended to regulate U.S. pesticide use has failed to protect people or wildlife.

While the Environmental Protection Agency was created largely in response to Rachel Carson's *Silent Spring* raising awareness of the horrific harms of pesticides, under FIFRA the agency has largely served as a rubber-stamping approval service for the pesticide industry. FIFRA's vague stipulation that the EPA should approve pesticides unless they have an "unreasonable effect" on the environment has allowed the agency to approve dozens of dangerous pesticides banned across much of the world.

Many of these pesticides are playing an outsized role in pollinator declines and the extinction crisis while allowing widespread poisonings of farmworkers and dangerous risks to fenceline communities.

The law is filled with loopholes that the industry routinely exploits, making it one of nation's most ineffective environmental laws. On FIFRA's 50th anniversary, here are 10 numbers that highlight its well-documented failures:

1. **1.1 billion:** The pounds of pesticides used annually in the United States.¹ That's nearly a quarter of all worldwide pesticide use.
2. **85:** The number of pesticides used each year in the U.S. that are banned or being phased out in the European Union, China or Brazil because they were deemed to be too dangerous. With more than 320 million pounds used here each year, these hazardous chemicals represent more than a quarter of all U.S. agricultural pesticide use.²
3. **1,679:** The number of endangered plants and animals likely harmed by glyphosate, the active ingredient in Roundup and the most popular pesticide in the United States, according to the EPA. Despite this, the pesticide is still approved under FIFRA.³
4. **44:** The average percentage of people with low incomes living within one mile of 31 pesticide manufacturing facilities with serious violations of environmental laws.⁴ FIFRA provides no protections to communities adjacent to pesticide manufacturing facilities.
5. **5:** The number of pesticides that the EPA has unilaterally removed from the market in the past two decades. Extremely toxic pesticides like atrazine, paraquat, organophosphates and neonicotinoids — many of which are banned elsewhere — have remained on the market despite posing clear threats to human health and the environment. The failure to remove pesticides shown to be harmful is due to industry influence and FIFRA's lack of clear standards.⁵

6. **20,000**: The number of farmworkers poisoned by pesticides each year.⁶ The rate of illness and injury among farmworkers is 37 times higher than nonagricultural workers.⁷ Actual incidents are likely much higher because of under-reporting.
7. **2,500**: The number of pet deaths associated with Seresto flea and tick collars. This chemically coated collar has been linked to nearly 100,000 reported incidents, including seizures and severe rashes. Yet even though the EPA's own scientists have voiced serious concerns, the agency allows the collar to stay on the market and has never warned consumers of the evidence of potential harm. FIFRA does not require the EPA to provide any warning no matter how many deaths and serious injuries are reported.⁸
8. **71**: The percentage of cases showing pesticides significantly harmed soil biota. In the most comprehensive study ever conducted on pesticides' impacts to soil, scientists found that unchecked pesticide use is destroying soil organisms critical to healthy soil, biodiversity and soil carbon sequestration to fight climate change.⁹
9. **10**: The number of years that bifenthrin — a highly persistent pesticide of the pyrethroid class linked to autism, Alzheimer's and Parkinson's diseases — has been exempted from the normal review process through "emergency" approval, a process that has been abused routinely by the EPA to approve dozens of pesticides without full safety reviews.¹⁰
10. **100%**: The percentage of Endangered Species Act-protected amphibians the EPA found are likely harmed by three neonicotinoid insecticides.¹¹ The pesticides also have played an outsized role in driving declines of pollinators like bumblebees and monarch butterflies.

After 50 years of well-documented failure, FIFRA must be overhauled to provide adequate protections for both people and the environment. The Protect America's Children from Toxic Pesticides Act proposed by Sen. Cory Booker, D-N.J., is a commonsense solution to many of the problems that plague FIFRA.

While FIFRA allows dangerous pesticides to stay on the market for years, Booker's bill would ban some of the most damaging pesticides known to cause significant harm, including organophosphates, neonicotinoids, and paraquat. By requiring mandatory reporting of pesticide poisonings, it would provide stronger protections for frontline and farmworker communities that disproportionately bear the burden of exposure to poisons.

The law would close loopholes for so-called "emergency" exemptions that allow ongoing use of pesticides that have not undergone full EPA safety assessments. And the law would allow citizens to work with the EPA to quickly get dangerous products off the market in the face of new science or emerging knowledge of a pesticide's harm.

¹ https://www.epa.gov/sites/default/files/2017-01/documents/pesticides-industry-sales-usage-2016_0.pdf

² <https://www.brookings.edu/research/how-the-epas-lax-regulation-of-dangerous-pesticides-is-hurting-public-health-and-the-us-economy/>

³ <https://biologicaldiversity.org/w/news/press-releases/epa-finds-glyphosate-likely-injure-or-kill-93-endangered-species-2020-11-25/>

⁴ <https://bmcpublichealth.biomedcentral.com/articles/10.1186/s12889-022-13057-4>

⁵ <https://www.brookings.edu/research/how-the-epas-lax-regulation-of-dangerous-pesticides-is-hurting-public-health-and-the-us-economy/>

⁶ <https://nepis.epa.gov/Exe/ZyPDF.cgi/P100LYPD.PDF?Dockey=P100LYPD.PDF>

⁷ <https://www.cdc.gov/niosh/docs/2012-108/default.html>

⁸ <https://oversight.house.gov/sites/democrats.oversight.house.gov/files/2022.06.15%20ECP%20Seresto%20Staff%20Report%20FINAL.pdf>

⁹ <https://www.frontiersin.org/articles/10.3389/fenvs.2021.643847/full>

¹⁰ <https://biologicaldiversity.org/w/news/press-releases/emergency-loop-hole-used-to-ok-highly-toxic-pesticide-for-10th-straight-year-2022-08-05/>

¹¹ <https://biologicaldiversity.org/w/news/press-releases/epa-confirms-three-widely-used-neonicotinoid-pesticides-likely-harm-vast-majority-of-endangered-plants-animals-2022-06-16/>