Date: September 18, 2012  
To: El Cerrito City Council  
From: Stephen Prée, Environmental Programs Manager/City Arborist  
Melanie Mintz, Environmental Services Division Manager  
Subject: Urge Local Businesses to Discontinue the Sale and Businesses and Residents to Discontinue Use of Certain Rodenticides  

**ACTIONS REQUESTED**

Upon initial referral by Councilmember Cheng, staff requests that the Council take the following actions: 1) Adopt a resolution urging local businesses to stop selling and stocking certain rat poison products and discouraging the use of these products in the City of El Cerrito by contractors, City staff and residents; and 2) Send a letter to the Department of Pesticide Regulation requesting that they refuse to renew registration of twenty rodenticide products because of the risk that they pose to public and environmental health.

**BACKGROUND**

At the request of Councilmember Cheng, staff prepared a report that was submitted to the Environmental Quality Committee (EQC) at its August 14, 2012 meeting concerning consideration of a local resolution discouraging the sale and use of certain rodenticides. The EQC recommended that the City Council adopt a resolution urging businesses and residents to stop the use of these rodenticides. The EQC also committed to work with the Environmental Services Division and Public Works Department to plan and carry out an effective outreach and education strategy in support of the resolution. Additionally, several residents have contacted staff directly in support of the resolution, as have members of the ad hoc group Raptors Are The Solution (RATS), [www.raptorsarethel]esolution.org/

**ANALYSIS**

The United States Environmental Protection Agency (EPA) is in the process, under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), to cancel and remove from the consumer market 20 mouse and rat poison products by forwarding to the FIRFA Scientific Advisory Panel (SAP) for review a draft Notice of Intent to Cancel and Notice of Denial.

These 20 mouse and rat poison products are sold widely to consumers as loose baits, or as pastes or blocks, without protective bait boxes that would prevent access by children and pets or that would prevent poisoned rats from escaping before dying. Eleven of the
twenty products also contain second generation anticoagulants, active ingredients that pose particular hazards to non-targeted wildlife, such as birds of prey, wild cats, and coyotes.

In addition to banning the most toxic anticoagulant rodenticides (brodifacoum, bromadiolone, difethialone and difenacoum), the EPA also plans to stop the sale of most loose bait and pellet-form rodenticides to cut down on accidental poisonings of children and pets.

The EPA set a June 4, 2011 deadline for rat and mouse poison manufacturers to come up with products that would be safer for children, pets and wildlife. According to the agency, many producers abided by the EPA's guidelines and developed safer bait delivery systems with less toxic bait. Several companies refused to change their products and the EPA is now taking steps to ban those companies from selling their products. The companies that EPA is targeting are:

- Reckitt Benckiser Inc. (makers of D-Con, Fleeject, and Mimas rodent control products)
- Woodstream Inc. (makers of Victor rodent control products)
- Spectrum Group (makers of Hot Shot rodent control products)
- Liphatech Inc. (makers of Generation, Maki, and Rozol rodent control products)

According to the Merck Veterinary Manual, anticoagulant rodenticide poisoning is the most frequent cause of poisoning in pets. While older versions of anticoagulant rodenticides such as warfarin required multiple ingestions to result in toxicity, the latest products require only one feeding to be highly toxic.

The American Association of Poison Control Centers annually receives between 12,000 and 15,000 reports of children under the age of six as having ingested these types of rat poison products as they are often set out in accessible locations and mistaken for edible food. In addition, predator birds and animals often eat poisoned rats and become poisoned themselves through secondary exposure.

Due to the risk to public and environmental health because of the length of the EPA prohibition and appeal process, local cities such as Albany, Berkeley, Emeryville, Richmond, San Francisco and the County of Marin have enacted resolutions to encourage local retailers to voluntarily stop carrying these rodenticides and to urge their manufacturers to stop producing these products and transition to safer rat control products. In addition, these cities have launched educational campaigns to inform residents and local businesses of the risk that the use of these products poses to children, pets, and wildlife.

**City Use of Rodenticides**

The City contracts with a Pesticide Applicator licensed by the California Department of Pesticide for vector control services, including rat control. The City's pest control operator has stated to staff that they do not use any of the listed anticoagulant rodent
poisons and staff will continue to work with them to assure this is true and identify alternative rat control methods.

The Contra Costa Mosquito and Vector Control District (CCMVCD) assists with rodent control infrequently in the City and has stated that the use of anticoagulant rodent poison is predominantly used when baiting sanitary sewers and does not believe that rodents are exiting the sewer before expiring (so would not become food for birds or animals of prey). CCMVCD states further that some of the anticoagulant rodenticides with the same active ingredient as listed in the attachment are their best tool for vector control but are used as their last mode of action. CCMVCD will not exclude the use of EPA and California EPA approved rodenticides voluntarily and operates under the CA Health and Safety Code section 106925, 116110 and Division Three Chapter One. In both cases all rodent bait, whether used for monitoring or control, is dispatched in tamper proof bait boxes.

Reviewed by:

Scott Hanin, City Manager

Attachments:

1. Resolution
2. U.S. EPA List of Rodenticide Products “that cause unreasonable adverse effects on the environment”
3. Letter to the California Department of Pesticide Regulation
RESOLUTION 2012-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO URGING LOCAL BUSINESSES TO DISCONTINUE THE SALE AND BUSINESSES AND RESIDENTS TO DISCONTINUE USE OF CERTAIN RODENTICIDES

WHEREAS, In 1988 the United States Environmental Protection Agency (US EPA) issued its Reregistration Eligibility Decisions (REDs) for rodenticides and expressed concern for accidental human exposure to rodenticides as well as risks to wildlife; and

WHEREAS, In September 2004, the US EPA released its Revised Comparative Ecological Assessment for Nine Rodenticides, which found more than 300 documented wildlife incidents of exposure of birds and non-target mammals to rodenticides in particular that contain the ingredient Brodifacoum; and

WHEREAS, Brodifacoum residue has been detected in liver tissue of 27 of 32 endangered Kit Foxes screened for rodenticide residues from 1999 to 2003; and

WHEREAS, The American Association of Poison Control Centers annually receives between 12,000 and 15,000 reports of children under the age of six being exposed to these types of rodenticides; and

WHEREAS, In 2008, the US EPA issued its Final Risk Mitigation Decision for Ten Rodenticides, and gave producers until June 2011 to research, develop and register new products that would be safer for children, pets and wildlife; and

WHEREAS, Several companies have recently advised the US EPA that they do not intend to adopt the new safety measures stipulated in the Final Risk Mitigation Decision, these companies include Reckitt Benckiser Inc. (makers of D-Con, Fleeject, and Mimas rodent control products), Spectrum Group (makers of Hot Shot rodent control products), and Liphatech Inc. (makers of Generation, Maki and Rozol rodent control products); and

WHEREAS, As a result of the above companies' actions many of the products that the US EPA considers to pose an unacceptable risk to children, pets and wildlife continue to be sold to El Cerrito residents.

NOW THEREFORE, BE IT RESOLVED by the El Cerrito City Council that it urges El Cerrito businesses to stop the sale of rat and mouse poisons that would be prohibited under the US EPA’s Risk Mitigation Decisions for Ten Rodenticides.

BE IT FURTHER RESOLVED that the El Cerrito City Council urges El Cerrito residents, contractors and staff to avoid buying or using the above products and to use less-toxic rodent control methods.

BE IT FURTHER RESOLVED that the El Cerrito City Council urges all manufacturers of rat and mouse poisons to immediately stop the manufacture and sale of rat and mouse poisons that do not incorporate the safety measures specified in the US EPA’s Risk Mitigation Decision for Ten Rodenticides.

BE IT FURTHER RESOLVED That the El Cerrito City Council urges the California Department of Pesticide Regulation to cancel or refuse to renew registration of the above products.
I CERTIFY that at a regular meeting on September 18, 2012 the City Council of the City of El Cerrito passed this Resolution by the following vote:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:
ABSTAIN: COUNCILMEMBERS:

IN WITNESS of this action, I sign this document and affix the corporate seal of the City of El Cerrito on September ___, 2012.

Cheryl Morse, City Clerk

APPROVED:

William C. Jones III, Mayor
U.S. EPA List of Rodenticide Products “that cause unreasonable adverse effects on the environment”

D-CON CONCENTRATE KILLS RATS & MICE, EPA Reg. No. 3282-3 (warfarin)
D- READY MIXED KILLS RATS & MICE, EPA Reg. No. 3282-4 (warfarin)
D- MOUSE PRUFE KILLS MICE, EPA Reg. No. 3282-9 (warfarin)
D- PELLETS KILLS RATS & MICE, EPA Reg. No. 3282-15 (warfarin)
D- MOUSE PRUFE II, EPA Reg. No. 3282-65 (brodifacoum)
D- PELLETS GENERATION II, EPA Reg. No. 3282-66 (brodifacoum)
D- BAIT PELLETS II, EPA Reg. No. 3282-74 (brodifacoum)
D- READY MIXED GENERATION II, EPA Reg. No. 3282-81 (brodifacoum)
D- MOUSE-PRUFE III, EPA Reg. No. 3282-85 (difethialone)
D- BAIT PELLETS III, EPA Reg. No. 3282-86 (difethialone)
D- II READY MIX BAITS III, EPA Reg. No. 3282-87 (difethialone)
D- BAIT PACKS III, EPA Reg. No. 3282-88 (difethialone)
GENERATION MEAL BAITS PACKS, EPA Reg. No. 7173-247 (difethialone)
DIFETHIALONE BAITS STATION, EPA Reg. No. 7173-283 (difethialone)
HOT SHOT SUDDEN DEATH BRAND MOUSE KILLER, EPA Reg. No. 8845-125 (bromethalin)
HOT SHOT SUDDEN DEATH BRAND RAT KILLER 1, EPA Reg. No. 8845-126 (bromethalin)
HOT SHOT SUDDEN DEATH BRAND RAT & MOUSE KILLER, EPA Reg. No. 8845-127 (bromethalin)
HOT SHOT SUDDEN DEATH BRAND MOUSE KILLER BAITS STATION, EPA Reg. No. 8845-128 (bromethalin)

Accessed November 7, 2011
September 18, 2012

Ms. Ann Prichard, Chief
Pesticide Registration Branch
Department of Pesticide Regulation
P.O. Box 4015
Sacramento CA 95812-4015

RE: Pesticide Product Registration Renewal – Rodenticide Products that Pose Unreasonable Risks to Children, Pets, and Wildlife

Dear Ms. Prichard:

The El Cerrito City Council respectfully requests that DPR refuse to renew the registration of 20 rodenticide products for 2013 because these products pose unreasonable risks to children, pets and non-target wildlife. A list of these products that was developed by the United States Environmental Protection Agency is attached. We share the U.S. EPA's disappointment that the manufacturers – Reckitt Benckiser Inc. makers of D-Con; Spectrum Group makers of Hot Shot and Rida- Rat; and Liphatech Inc. makers of Generation rodent control products – have not voluntarily removed these products from the market.

We agree with U.S. EPA's finding that these products pose unreasonable risks and that alternatives are available. We look forward to be able to work with our community to minimize these risks posed by these products by asking local retailers to stop carrying these potentially harmful products and for residents to stop purchasing them. The scientific basis for the finding of unreasonable risks to children, pets and wildlife has been well documented by U.S. EPA in its Risk Mitigation Decision for Ten Rodenticides (May 28, 2008) (available electronically http://tinyurl.com/7389m69).

U.S. EPA recently published updated documentation of ongoing unreasonable risks to children, pets, and non-target wildlife. It also published updated assessments documenting that effective alternatives are available for a reasonable cost (these recent documents are...
available in the U.S. EPA online docket EPA-HQ-OPP-2011-0718 - http://tinyurl.com/77caz73 ). According to the Merck Veterinary Manual, anticoagulant rodenticide poisoning is the most frequent cause of poisoning in pets. While older versions of anticoagulant rodenticides such as warfarin required multiple ingestions to result in toxicity, the latest products require only one feeding to be highly toxic.

California residents should not continue to be exposed to the unreasonable risks posed by these products. We urge California to join the states of Kansas and New York in refusing to renew the registrations of these products.

Thank you for this opportunity to offer our input regarding the proposed renewal of pesticide product registrations.

Sincerely,

William C. Jones, III
Mayor