



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

Office of Chemical Safety
& Pollution Prevention

Sent Via Electronic Mail

March 12, 2012

Derrick Lastinger, Program Director
Structural Pest Section
Georgia Department of Agriculture
19 Martin Luther King, Jr. Dr. SW
Atlanta, GA 30334-4201

Subject: 50 Foot Restriction for Professional Use Rodenticide Products

Dear Mr. Lastinger:

Thank you for informing the Agency of the structural pest control industry's concerns about the restriction that outdoor applications of commensal use rodenticide products be made within 50 feet of buildings. The Agency has decided to alter 50 foot restriction and to adopt the burrow baiting restrictions proposed by the Ad Hoc. Rodenticides Stakeholders Workgroup. I am enclosing a courtesy copy of a memorandum which communicates the labeling changes that the Agency will now permit on professional use commensal rodenticide products.

Our office will promptly review any amendment requests that adopt the label language in the enclosed memorandum. However, until this language is on the product labels, users must either comply with the current label, including the 50 foot restriction, or utilize restricted use products that are labeled for commensal rodents.

If you have any questions regarding this letter or the enclosed memorandum please contact Rusty Wasem of my staff at (703) 305-6979 or wasem.russell@epa.gov or John Hebert, of the Registration Division, at (703) 308-6249 or hebert.johh@epa.gov.

Sincerely,

A handwritten signature in blue ink that reads "Richard P. Keigwin, Jr." with a stylized flourish at the end.

Richard P. Keigwin, Jr., Director
Pesticide Re-evaluation Division (7508P)

Enclosure (1)

CC: Lois Rossi, Registration Division
Meredith Laws, Registration Division
Bonnie Rabe, ASPCRO Rodenticide Committee
John Scott, ASPCRO Rodenticide Committee
Bob Rosenberg, NPMA
Steve Levy, Bell Laboratories
Carl Tanner, Liphatech
Bobby Corrigan, RMC Pest Management Consulting
Chris Gorecki, Orkin



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OFFICE OF CHEMICAL
SAFETY & POLLUTION
PREVENTION

Chemicals: Brodifacoum, Bromadiolone, Bromethalin, Chlorophacinone, Cholecalciferol, Difenacoum, Difethialone, Diphacinone (and its sodium salt), Warfarin (and its sodium salt), and Zinc phosphide

MEMORANDUM

DATE: February 20, 2012

SUBJECT: Commensal Rodenticide Products Outdoor 50 Foot Restriction for Professional Use Products

FROM: Richard P. Keigwin, Jr., Director *Richard P. Keigwin, Jr.*
Pesticide Re-evaluation Division (7508P)

TO: Lois Rossi, Director
Registration Division (7505P)

The purpose of this memo is to communicate a revision to the 2008 Risk Mitigation Decision for Ten Rodenticides (RMD) that all outdoor commensal rodenticide products be placed within 50 feet of buildings and PRD's rationale for altering this restriction for professional use products. As part of the RMD, the Agency imposed the 50-foot to better protect non-target wildlife and to make label language more enforceable than the label language that preceded it ("in and around structures"). In addition, based upon information available at the time of the RMD, the Agency believed that users who needed to apply rodenticides farther than 50 feet from buildings could utilize field use rodenticide products.

Beginning in 2011, public health officials, individual users, and user groups began informing the Agency of specific pest situations and integrated pest management (IPM) practices that conflict with the 50-foot restriction. Throughout 2011, the Agency worked with a diverse stakeholder group consisting of the Association of Structural Pest Control Regulatory Officials (ASPCRO), the National Pest Management Association (NPMA), registrants of professional rodenticide products, and members of the professional structural pest control industry (referred to hereafter as Ad Hoc Rodenticide RMD Stakeholder Workgroup), to examine alternative approaches to achieving the Agency's goal of reduced wildlife exposure to rodenticides while permitting professional applicators additional flexibility to treat structural rodent infestations while incorporating IPM.

Specifically brought to our attention were the following:

- There are many structures other than buildings that are vulnerable to commensal rodent infestations.

Beginning in early 2011, it was brought to the Agency's attention that the restriction that commensal use rodenticides be used within "50 feet of buildings" would leave professional pest applicators poorly equipped to deal with commensal rodent infestations in many important sites. At certain sites such as food processing and storage facilities, it is important to make rodenticide bait placements farther than 50 feet to create a protective perimeter against commensal rodents or to protect non-building structures that store food farther than 50 feet from buildings. Ports, which may contain many storage and transport units but lack buildings, were also given as another example of areas that require rodenticides to protect sensitive resources more than 50 feet from buildings.

Because of this, the Agency will change the term "building" to "man-made structures constructed in a manner so as to be vulnerable to commensal rodent invasions and/or to harboring or attracting rodent infestations."

- The importance of placing dumpsters and other garbage receptacles farther than 50 feet from buildings and the utility of using rodenticides around dumpsters.

IPM guidance informs building and pest managers to locate dumpsters and other waste receptacles as far from the resource they are trying to protect from rodents as possible. The Agency has been made aware of several municipal guidance publications that suggest commercial waste enclosures be sited more than 100 feet from buildings (Santa Barbara Handout). Also, placing dumpsters farther than 50 feet from buildings (especially those involved in food production or processing) can aid in the management of flies and other similar pests. (UGA Extension and Illinois Dept of Health)

- Outdoor food storage facilities that are farther than 50 feet from buildings.

The California League of Food Processors submitted comments informing the Agency that some of their members store finished tomato paste in sealed containers outdoors, more than 50 feet from buildings. The tomato paste is stored farther than 50 feet to accommodate facility vehicle traffic. According to their comments, the 50-foot restriction would lead to difficulty controlling rodent populations around the stored food product therefore making compliance with food safety standards very difficult. (See June 7, 2011 Letter Neenan to Keigwin).

- In urban areas, rat infestations often occur farther than 50 feet from buildings.

The New York City Department of Health and Mental Hygiene (DOHMH) cited several examples in urban areas where standard rodent control practices and IPM methodology require rodent control farther than 50 feet from buildings. These examples include trash receptacles, parks and green space as well as urban sewage catch basins which are located farther than 50 feet from buildings. (See letter Mario Merlino, New York City Department of Health and Mental Hygiene to US EPA, June 9, 2011)

After carefully analyzing these comments, and in consideration of the Agency's efforts to reduce wildlife exposures, PRD has determined that it would be appropriate to revise the labels for professional use commensal rodenticide products to provide applicators with some additional flexibility to meet critical pest control needs. This additional flexibility (i.e., extending the distances from man-made structures) is balanced with specific label requirements for integrated pest management practices, specific placement instructions, and prohibitions on certain use practices.

- Burrow baiting with place packs and blocks is risky and should be reconsidered

The Ad Hoc Rodenticide RMD Stakeholder Workgroup also brought to the Agency's attention the issue of burrow baiting applications made with place packs and blocks. According to the Workgroup, it supports the Agency prohibiting burrow applications with rodenticide place packs and blocks because doing so "addresses and corrects the most environmentally insensitive and risky practice of stuffing packets and blocks down rat holes (as often they come right back up and thus present direct exposure to pets, children, wildlife mammals and birds, environmental wash off, etc.)." The Agency agrees with the Workgroup and will implement this restriction. (See presentation *Ad Hoc Rodenticide RMD Stakeholder Workgroup*, August 30, 2011)

New Restrictive Language

The new label perimeter restriction for professional use commensal rodenticide products is as follows:

- "Use Restrictions" on all professional and agricultural labels

"This product can only be used to control Norway rats, roof rats, and house mice in and within 100 feet of man-made structures constructed in a manner so as to be vulnerable to commensal rodent invasions and/or to harboring or attracting rodent infestations. Examples of such structures include homes and other permanent or temporary residences, food processing facilities, industrial and commercial buildings, trash receptacles, agricultural and public buildings, transport vehicles (ships, trains, aircraft), docks and port of terminal buildings and related structures around and associated with these sites. Fence and perimeter baiting, beyond 100 feet from a structure as defined above, is prohibited. This product must not be applied directly to food or feed crops."

- Label language specific to block, soft bait, and sachet formulations

"Burrow baiting with <insert product name> is prohibited."

- On all first-generation anticoagulants and non-anticoagulants professional and agricultural products labeled for application in rodent burrows:

"This product may only be applied to active rodent burrows to control Norway rats, and roof rats, provided that infestations of the Norway rat or roof rat have been confirmed. Bait must be placed no less than 6 inches into active Norway/roof rat burrows. Because Norway/roof rat infestations may occur in areas farther than 100 feet from buildings and man-made

structures when the rodents have ample supplies of food and cover, efforts should be made to remove conducive food trash, garbage, clutter, and debris. Do not broadcast bait.”

This label language will only apply to commensal use rodenticide products that are marketed to occupational (agricultural and PCO) users and sold in quantities of four pounds or greater (depending on the active ingredient). All homeowner products will continue to be subject to the 50 foot restriction per the RMD.

If you have any questions or comments, please contact Rusty Wasem at wasem.russell@epa.gov or 703-305-6979.

Guidance Consulted for Integrate Pest Management Practices for Dumpster and Refuse

The City of Santa Barbara Department of Public Works. *Space Allocation Guide for Trash and Recycling For New Commercial: Construction and Remodel.*
http://www.santabarbaraca.gov/Documents/Forms_and_Handouts/Public_Works/03_Guides/Trash_and_Recycling_Space_Allocation_Guide.pdf

The District of Columbia Health Regulation and Licensing Administration, Bureau of Community Hygiene. *Using Dumpsters to Prevent Rodent Problems.*
<http://hrla.doh.dc.gov/hrla/cwp/view,a,1384,q,572974.asp>

Extension. *Structural and Public Health Pests: Flies (House Flies, Filth Flies).*
<http://www.extension.org/pages/23627/structural-and-public-health-pests:-flies-house-flies-filth-flies>

Illinois Department of Public Health. *Prevention & Control: The House Fly and Other Filth Flies.*
<http://www.idph.state.il.us/envhealth/pcfilthflies.htm>