

STAFF REPORT

DATE: April 15, 2014

TO: City Council

FROM: Herb Niederberger, GM – Utilities Development and Operations
John McNerney, Wildlife Resource Specialist
Martin Guerena, IPM Coordinator

SUBJECT: Rodenticides

Recommendation

Approve the Resolution urging Davis retail businesses to stop the sale of rat and mouse control products that contain Second Generation Anticoagulant Rodenticides and further urging Davis residents, contractors, property managers, and city staff to avoid buying or using such rodenticides and to use less-toxic rodent control methods.

Fiscal Impact

This action will impact consumer's choices for rodent control. Further, this resolution will create policy that limits the city's Integrated Pest Management Program's options for rodent control at city maintained facilities. Increased reliance on less-toxic rodent control methods will result in an increase in materials and labor. As such, a slight increase in program costs is expected.

Background

Rodenticides are pesticides designed to kill mice, rats and other rodents. They can be divided into anticoagulant rodenticides (first and second generation) and non-anticoagulant rodenticides (including bromethalin, cholecalciferol, zinc phosphide and strychnine). Non-anticoagulant rodenticides have different modes of action and low secondary poisoning potential. First generation anticoagulant - chlorophacinone, diphacinone, and warfarin - were developed beginning in 1950. In the 1970's, resistance to warfarin prompted the development of second generation anticoagulant rodenticides, including brodifacoum, bromadiolone, difethialone, and difenacoum. Second generation anticoagulants are more effective because of longer half-life and with some toxicants requiring only one feeding of the bait to receive a lethal dose while others may require multiple feedings. Since it takes several days for the rodent to die it may take multiple doses, increasing the concentration of the anticoagulant in its system. If an animal eats this poisoned rodent, it may be affected by the rodenticide. These non-intended victims are considered non-target animals and range from pet dogs and cats to rare and endangered wild animals.

In January 2013, the Environmental Protection Agency (EPA) moved to cancel and remove 12 D-Con brand mouse and rat poison bait products from the market. These

products contain second generation anticoagulants, primarily brodifacoum. The manufacturer, Reckitt Benckiser, Inc., has refused to voluntarily adopt risk mitigation measures that are necessary to protect children, pets, and wildlife. Until EPA completes the administrative cancellation procedures required by law, these products may be legally sold and used according to the terms, conditions, and instructions of their most recent agency approved labels. Litigation from the manufacturers of these products has added to the delayed implementation of these restrictions.

In the City of Davis, rodenticides are available at supermarkets, hardware and garden stores as well as pharmacies. Brodifacoum, a second generation anticoagulant is the active ingredient in the D-Con rodenticide products. The California Department of Pesticide regulation (DPR) has analyzed second generation rodenticides sales and use data between 2006 and 2010 and found that exposure and toxicity to non-target wildlife is a statewide problem in both urban and rural areas. While the data did not link specific uses or locations it should be noted that homeowners are the principal users of rodenticides and second generation anticoagulants are the rodenticide types most widely used by them. Between 1995 and 2011, DPR analyzed 492 wildlife mortality incidences and found 73% had residues of at least one second generation anticoagulant. Species tested include bobcat, mountain lion, coyote, foxes, opossums, raccoon, skunks, owls, hawks, eagles, crows and vultures. Sub-lethal effects to wildlife are also a problem rendering the victim weak and making them susceptible to diseases, parasites, predators or other toxins.

The American Association of Poison Centers received between 12,000 and 15,000 reports of rat and mouse poison exposure each year from 1993 to 2008, for children under 6 years of age. Children tend to play on the floor making them susceptible to accidental poisoning. The makers of D-Con rodenticides have refused to comply with packaging its product in protective tamper-resistant bait stations. The hazard and unnecessary risk pose to children because these rodenticides fail to comply with current EPA safety standards is one of the main reasons for action against these products.

Pets are also falling victim to these second generation anticoagulants. There are hundreds of documented cases recently that represent larger incidences because there is no central recordkeeping of pet poisoning in the state. This is indicative of more non-target animals being harmed and these cases go unreported. The American Society for the Prevention of Cruelty to Animals (ASPCA) runs an animal poison center and lists rodenticides as the third most frequent calls to the poison center (after chocolate and insect bait stations) for dogs. For cats, rodenticides were the fourth most common call (after lilies, canine pyrethrum insecticide and household cleaners).

The Environmental Protection Agency (EPA) and the Department of Pesticide Regulation (DPR) have found that second generation anticoagulants pose an unreasonable risk and facing corporate resistance the products are still on the shelf. Cities are limited in what they can do about pesticide sales and use because federal and state regulations supersede local policy. As a result, citizen groups such as Raptors are the Solution (RATS) and

local governments have taken action and adopted resolutions asking merchants to take products not in compliance with the EPA's safety requirements off their shelves. The City of Davis has long been a proponent of environmental programs and should look at the resolutions modeled after San Francisco's and adopt its own. Examples of city and county resolutions can be found at: <http://www.raptorsarethesolution.org/>

Increase public awareness and outreach with educational campaigns like San Francisco "Don't Take the Bait" <http://www.sfapproved.org/rodents> . The City of Davis participates in the Our Water Our World Program (OWOW) where local retailers participate in promoting and selling less toxic pesticide alternatives to the conventional products that are more hazardous. Ironically, there are two local retailers that participate in OWOW but also sell the D-Con rodenticides with second generation anticoagulant.

The City of Davis IPM program has outreach materials (ex. Rat Control trifold, Barn Owl Box program and The Exterminator comic book) addressing rodent controls and alternative to rodenticides that can be distributed on the web and at public events. Workshops can be held on less toxic rodent control by the City's IPM specialist, wildlife specialist and or UC extension personnel at locations within the City of Davis.

Recommended Action

Approve the attached Resolution urging Davis retail businesses to stop the sale of rat and mouse control products that contain Second Generation Anticoagulant Rodenticides and further urging Davis residents, contractors, property managers, and city staff to avoid buying or using such rodenticides and to use less-toxic rodent control methods.

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RESOLUTION 14-XXX, SERIES 2014

CITY OF DAVIS RESOLUTION URGING DAVIS RETAIL BUSINESSES TO STOP THE SALE OF RAT AND MOUSE CONTROL PRODUCTS THAT CONTAIN SECOND GENERATION ANTICOAGULANT RODENTICIDES. AND FURTHER URGING DAVIS RESIDENTS, CONTRACTORS, PROPERTY MANAGERS, AND CITY STAFF TO AVOID BUYING OR USING SUCH RODENTICIDES AND TO USE LESS-TOXIC RODENT CONTROL METHODS.

WHEREAS, in 1998 the United States Environmental Protection Agency (US EPA) issued its Reregistration Eligibility Decisions (REDs) for rodenticides, and expressed concern about accidental human exposures 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, including endangered species, to rodenticides, in particular those rodenticides that contain the ingredient brodifacoum, a Second Generation Anticoagulant (SGAR); and

WHEREAS, since the early 1990's, SGAR residue has been detected in liver tissue samples of 70 – 90% (n=240) of non-target wildlife species screened for rodenticide residues; 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 products; and

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

WHEREAS, in 2011, one manufacturer advised US EPA that they would not adopt the new safety measures stipulated in the Final Risk Mitigation Decision, this company was Reckitt Benckiser Inc. (makers of D-Con, Fleeject, and Mimas rodent control products); and

WHEREAS, in February 2013, the US EPA issued an Notice of Intent to Cancel Registrations of, and Notice of Denial of, Certain Rodenticide Bait Products including 12 products from Reckitt Benckiser Inc.; and

WHEREAS, in March 2013, Reckitt Benckiser Inc. requested a hearing to appeal the Intent to Cancel; and

WHEREAS, as a result of the above company's actions, many of the products that the US EPA considers to pose an unacceptable risk to children, pets and wildlife are still being sold to Davis residents by local retailers; and

WHEREAS, in July 2013, the California Department of Pesticide Regulation proposed to designate SGARs as California-restricted materials, limiting points of sale and restricting access to certified pesticide applicators only; and

WHEREAS, the City of Davis has a long history in creating habitat to promote healthy and diverse wildlife populations, many that are at risk of toxic exposure to SGARs; and

WHEREAS, the City of Davis is committed to the protection of public health and biological resources.

NOW AND THEREFORE, BE IT RESOLVED that the Davis City Council urges Davis retail businesses to stop the sale of rat and mouse poisons that are proposed to be cancelled by the US EPA or do not otherwise comply with the intent of the US EPA's Risk Mitigation Decision for Ten Rodenticides.

BE IT FURTHER RESOLVED that the Davis City Council urges Davis residents, contractors, property managers, and city staff to avoid buying or using products containing SGARs, and to use less-toxic rodent control methods.

BE IT FURTHER RESOLVED that the Davis City Council supports the California Department of Pesticide Regulation's proposal to designate SGARs as restricted materials.

PASSED AND ADOPTED by the City Council of the City of Davis on the 15th day of April, 2014 by the following vote:

AYES:

NOES:

ABSENT:

Joseph F. Krovoza
Mayor

ATTEST:

Zoe S. Mirabile, CMC
City Clerk