

City of Brisbane

Agenda Report

To: City Council via City Manager

From: Stuart Schillinger, Administrative Services Director

Subject: Resolution 2013-15 to place a voluntary ban on second generation anti-cogulant rodenticides in Brisbane

Date: June 3, 2013

Purpose:

Request businesses and residents to not use second generation anti-cogulant rodenticides within Brisbane because they could be harmful to other wildlife.

Recommendation:

Adopt Resolution 2013-15

Background:

On April 10, 2013 the Open Space and Ecology Committee requested the City Council adopt a resolution for the voluntary ban of second generation anti-rodenticides in Brisbane. This was based on a presentation made by San Francisco State University Students to the Committee on March 13, 2013.

There are a number of different types of rodenticides available for use. Rodenticides work slowly within the animal who ingests it to kill it. There are two concerns for the particular type of rodenticide first, second generation anti-cogulant rodenticides is much more effective in killing rodents however, it can still take up two weeks for the rodent to die. During this two week period the rodent may ingest additional rodenticide thereby super saturating its body with the poison. If this rodent is then eaten by a larger animal the higher amount of posion in the system could kill the larger animal. The second issue is there are very particular brands and models of the rodenticide identified in the US EPA's Risk Mitigation Decisoins for Ten Rodenticides do not provide as stringent a method of ensuring accidental exposure as other brands and models do.

Discussion:

As part of the research the San Francisco State students did for this project they spoke with Billy at the Hardware store, the only place in town in which residents could purchase this product. Billy does not normally carry the type of rodenticide specified in the voluntary and if a resident requests a special order he will often make alternative suggestions already. If the City Council adopts the resolution for a voluntary ban on the use of this particular project the Open Space and Ecology Committee would like to place an article in the City News regarding the issue and send a letter to all of the businesses within the City letting them know of the issues involved using these particular products.

Since the ban is voluntary the OSEC did not see much of a need for extensive outreach prior to adoption of the resolution.

Fiscal Impact:

There is no direct cost to the City for this action for two reasons:

First, this is a voluntary ban and therefore there is no enforcement cost, just the time taken to educate the public and businesses; and

Second, the City does not currently use these rodenticides so there will be no change in our purchasing.

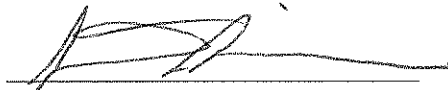
Measure of Success

The actual measure of success would be difficult to measure however the hope would be for less people and businesses to use the particular products and less residual rodenticide is present in wildlife.

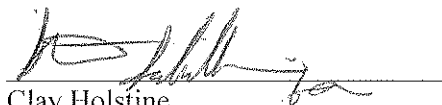
Attachments:

Resolutino 2013-15

United States Environmental Protection Agency D-Con Mouse and Rat Posion Products subject to cancellation letter



Stuart Schillinger
Administrative Services Director



Clay Holstine
City Manager

RESOLUTION NO. 2013-15

A RESOLUTION OF THE BRISBANE CITY COUNCIL OPPOSING THE PURCHASE AND USE OF RAT AND MOUSE POISONS DEEMED AN UNREASONABLE RISK TO CHILDREN, PETS AND WILDLIFE

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; 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 products; 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 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 are still being sold to Brisbane residents.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Brisbane that the City Council urges Brisbane residents and businesses to discontinue the purchase and use of rat and mouse poisons that would be prohibited under the US EPA's Risk Mitigation Decisions for Ten Rodenticides, and to use less-toxic rodent control methods.

BE IT FURTHER RESOLVED that the City Council of the City of Brisbane urges that all manufacturers of rat and mouse poisons immediately stop manufacture and sale of rat and mouse

poisons that do not incorporate the safety measures specified in the US EPA's Risk Mitigation Decisions for Ten Rodenticides.

BE IT FURTHER RESOLVED that the City Council of the City of Brisbane urges the California Department of Pesticide Regulation to cancel or refuse to renew registration of the above products.

Raymond C. Miller, Mayor

I hereby certify that the foregoing Resolution No. 2013-15 was duly and regularly adopted at the regular meeting of the Brisbane City Council on June 3, 2013 by the following vote:

AYES:

NOES:

ABSENT:

Sheri Marie Spediacci, City Clerk

United States Environmental Protection Agency (EPA)
D-Con Mouse and Rat Poison Products Subject to Cancellation

EPA encourages consumers with children and pets and those needing to use mouse and rat poisons outdoors to use only mouse and rat poison products that have adopted the additional safety measures the agency has determined will better protect children, pets, and non-target wildlife from accidental exposure, and to carefully read and follow label directions and precautions. Use a tamper-resistant bait station when applying mouse and rat poisons inside homes with children or pets and when using these poisons outdoors.

EPA believes the 12 D-Con products in the table below cause unreasonable adverse effects on the environment and the agency is canceling these products to remove them from the consumer market. Until EPA completes the administrative cancellation procedures required by law (FIFRA section 6(b)), these products may be legally sold and used according to the terms, conditions, and instructions of their most recent agency approved labels. However, we encourage retailers to stock and consumers to use only those products that meet EPA's safety standard.

Products for which EPA is initiating cancellation

Manufacturer	EPA Registration Number	Product Name
Reckitt Benckiser LLC	3282-3	D-CON CONCENTRATE KILLS RATS & MICE
Reckitt Benckiser LLC	3282-4	D-CON READY MIXED KILLS RATS & MICE
Reckitt Benckiser LLC	3282-9	D-CON MOUSE PRUFE KILLS MICE
Reckitt Benckiser LLC	3282-15	D-CON PELLETS KILLS RATS & MICE
Reckitt Benckiser LLC	3282-65	D-CON MOUSE PRUFE II
Reckitt Benckiser LLC	3282-66	D-CON PELLETS GENERATION II
Reckitt Benckiser LLC	3282-74	D-CON BAIT PELLETS II
Reckitt Benckiser LLC	3282-81	D-CON READY MIXED GENERATION II
Reckitt Benckiser LLC	3282-85	D-CON MOUSE-PRUFE III
Reckitt Benckiser LLC	3282-86	D-CON BAIT PELLETS III
Reckitt Benckiser LLC	3282-87	D-CON II READY MIX BAITBITS III
Reckitt Benckiser LLC	3282-88	D-CON BAIT PACKS III

EPA to Hold Pesticide Cancellation Hearing For Release: March 11, 2013

On March 6th, the pesticide manufacturer Reckitt Benckiser Inc. requested a hearing in response to the EPA's notice of intent to cancel 12 of the company's D-Con mouse and rat poison products, averting the ban that otherwise would have taken effect on March 7th. The 12 D-Con products fail to comply with EPA's current safety standards and pose unreasonable risks to children, pets and wildlife. This is the

first time in more than 20 years that a company has declined to voluntarily implement EPA risk mitigation measures for a pesticide product and requested a cancellation hearing.

While EPA is confident it will prevail in the hearing, the agency is disappointed that Reckitt Benckiser's course of action will result in continued unsafe exposures of D-Con products to children, pets, and wildlife while the hearing takes place. Of the nearly 30 companies that produce or market mouse and rat poison products in the U.S., Reckitt Benckiser is the only one that has refused to adopt the safety measures that greatly reduce child, pet, and non-target wildlife exposure to mouse and rat poisons.

Consumers should be aware that the D-Con products subject to EPA's ban may be available for sale by some retailers during the course of the hearing. EPA encourages residential consumers to use only mouse and rat products that meet EPA's safety standards.

Basis for EPA's Cancellation Action

To prevent avoidable risks to children, pets, and wildlife from accidental exposures, EPA is cancelling and removing from the consumer market 12 D-Con brand mouse and rat poison products produced by Reckitt Benckiser, Inc.

After more than a decade of agency review and public involvement, EPA issued the 2009 Risk Mitigation Decision for Ten Rodenticides. To reduce the risks mouse and rat poison products pose to children, pets, and non-target wildlife, we requested in this decision document that manufacturers adopt certain risk mitigation measures by June 2011.

- To protect children, pets and wildlife, mouse and rat bait products for consumer use must be used in, and sold with, protective bait stations that can reasonably be expected not to release the rodenticide bait. Bait forms that cannot be secured in bait stations, such as pellets or powders, are prohibited in these products.
- To protect wildlife, consumer-use mouse and rat poison products also must not contain the second generation anticoagulants (brodifacoum, bromadiolone, difenacoum, and difethialone) as active ingredients.

Now, over 30 consumer-use mouse and rat poison products that meet the agency's more protective standards are commercially available. These products are effective for use against household rodents, and reduce accidental and unnecessary exposures to children, pets and wildlife. EPA has received no reports of children being exposed to bait contained in bait stations for products that incorporate the new standards.

EPA is cancelling 12 D-Con brand mouse and rat poison products because they cause unreasonable and unnecessary risks to children's health and the environment, without overriding benefits. The manufacturer, Reckitt Benckiser, Inc. has refused to adopt the agency's risk mitigation measures for these products. Without these important safety measures, the 12 D-Con products fail to meet the statutory standard for registration and should no longer be allowed on the consumer market. For more information, see the agency's [Notice of Intent to Cancel](#).

Risk Concerns with Consumer-Use Mouse and Rat Poisons

Concerns for Children

Children are particularly susceptible to accidental poisoning because they tend to play on floors and explore by putting items in their mouths. From 1993 until 2008, the American Association of Poison Control Centers received between 12,000 and 15,000 reports of rat and mouse poison exposures each year to children under six years of age.

For more than 30 years, use of a tamper resistant bait station has been a requirement for rodenticide applications made in areas accessible to children. While use of a bait station is and has been legally required, it was extremely difficult for residential consumers to purchase tamper resistant bait stations.

Concerns for Pets

Pets are particularly susceptible to accidental poisoning because many owners underestimate their pet's ability to access areas where they place mouse and rat poisons, and since most mouse and rat poison products are formulated with food grade ingredients that are attractive to many pets such as dogs. In an analysis conducted in 2011, EPA found thousands of recorded pet incidents involving rodenticides. Many of these exposures result in severe injury and death, not to mention medical costs to owners.

Rodenticides are potent mammalian poisons and when they are applied outside of tamper resistant bait stations, pet exposures can and do occur. For more than 30 years, use of a tamper resistant bait station has been a requirement for rodenticide applications made in areas accessible to pets. While use of a bait station is and has been legally required, it was extremely difficult for residential consumers to purchase tamper resistant bait stations.

Concerns for Wildlife

Non-target wildlife may be poisoned when users fail to take adequate precautions to prevent wildlife from consuming baits containing mouse and rat poisons. Requiring that mouse and rat poisons be sold with bait stations designed to make it more difficult for creatures other than mice and rats to access the mouse and rat poison reduces the likelihood of primary poisoning of non-target wildlife. For more than 30 years, use of a tamper resistant bait station has been a requirement for rodenticide applications made in areas accessible to non-target wildlife. While use of a bait station is and has been legally required, it was extremely difficult for residential consumers to purchase tamper resistant bait stations.

Secondary poisonings, where predators or scavengers consume contaminated rodents, have been well documented in large cats, birds of prey, and other species, including species listed as threatened or endangered. Certain mouse and rat poisons known as second generation anticoagulants pose particular risks of secondary poisoning because they are retained in animals' bodies to a high degree. The agency believes limiting the sale of second generation anticoagulant mouse and rat poisons from the consumer market will significantly reduce secondary poisonings of non-target wildlife.