


AB 1687 FACT SHEET

Bill No.: 1687
Author: Assemblymember Richard Bloom (D)
Contact Information: Name: Guy Strahl
Number: 916.319.2050
Cell number: 916.715.9309
Email address: guy.strahl@asm.ca.gov

AB 1687 seeks to take stronger measures to protect children, pets, and wildlife from unintentional rodenticide poisoning. The use of rodent poisons by the general public and licensed applicators leads to the deaths of wildlife and pets, and the hospitalization and illness of children. AB 1687 allows for common sense controls on these dangerous poisons. It prohibits their use to avoid causing unnecessary poisoning of non-target organisms, while still allowing their use as necessary to protect California's agricultural economy and also to protect public health and the environment.

AB 1687 is narrowly targeted on the most dangerous rodenticide uses and specifically exempts agricultural activities, which allows for rodenticides to be used to address rodent infestations affecting agriculture. If there are ever true public health or environmental emergencies that can only be addressed with rodenticides, Californians would still have the opportunity to rely upon rodenticides under section 18 of the Federal Insecticide, Fungicide, and Rodenticide Act, which allows the use of pesticides in emergency circumstances or to prevent significant economic loss or threats to the environment.[1]

This is a national concern. For example, the Texas Legislature is currently considering two bills that would require further study of one of the less dangerous rat poisons also targeted by AB 1687, the first generation anticoagulant, Warfarin. They seek to require further study before it can be used to control feral hogs due to its potential impacts on other animals.

[1] Title 40, Code of Federal Regulations, part 166; *See also* California Department of Pesticide Regulation, Section 18: Emergency exemptions, available at http://www.cdpr.ca.gov/docs/registration/guides/section18.pdf.

California has already recognized this crisis. Regulations enacted in 2014 by the California Department of Pesticide Regulation to minimize harm from one subset of rodenticides—second generation anticoagulant rodenticides—have proven ineffective. Necropsy data from the California Department of Fish and Wildlife and other scientists have demonstrated that unnecessary poisonings continue to pose a rampant threat to wildlife and pests, despite the 2014 regulations. Use of the rodenticides by licensed pest control applicators was unfortunately not restricted in 2014 and is abundant. Rodents therefore continue to consume rodenticides and pass them up the food chain to predators, continuing the deaths of wildlife and pets.

The unintentional poisoning actually decreases California's ability to control rodent infestations because it kills the natural predators that feed on rats, mice, and other rodents. The Department of Fish and Wildlife, funded by the Department of Pesticide Regulation, has an ongoing study tracking deaths before and after the 2014 DPR- reg changes. The findings are preliminary but suggestive. They show that in Year 1, deaths caused by 2nd generation anticoagulant poisons were down, but that they increased again in Year 2, post-reg. Deaths caused by 1st generation anticoagulant poisonings increased in Year 1 and barely decreased in the second year (POST (Year 2). Deaths actually *increased* over the two years for certain 2nd generation poisons compared to the pre-reg numbers. It is very unlikely that these deaths are caused, as the pest control industry lobbies have claimed, by "consumers that stockpiled 2nd generation poisons after the regulations went into effect." See the table below summarizing the situation.

Time periods

Pre-Regs: July 2013 to June 2014
Post Regs, Year 1: July 2014 to June 2015
Post Regs, Year 2: July 2015 to end of 2016

	Pre-Regs	POST (Year 1)	POST (Year 2)
Total No. of Cases	68	54	114
SECOND GENERATION (percent of animals tested positive for)			
Brodifacoum	94.%	78.%	89.%
Bromadiolone	59. %	52. %	69. %
Difethialone	10. %	28. %	34. %
Difenacoum	1.5%	7.4%	0.
FIRST GENERATION (percent of animals tested positive for)			
Diphacinone	13. %	50. %	47. %
Chlorophacinone	4.4%	11. %	9.6%
Warfarin	1.5%	5.6%	6.1%
No. of Bromethalin Cases (non-anticoagulant)	0	3	7

Rodenticides pose an unreasonable risk to children. According to safety calculations from the Environmental Protection Agency (EPA), the estimated child exposure from taking just one 5-gram bite of rodenticide bait greatly exceeds possible safe levels.[2] Between 1999 and 2009, the American Association of Poison Control Centers received reports of an average of 17,000 human exposures to rodenticides each year, with 85% of these exposures, (i.e., approximately 15,000 per year), occurring to children less than 6 years of age.[3] Between 1999 and 2003, an average of 3,617 of these cases per year were treated in a health care facility, and an average of 17 were treated in an Intensive Care Unit.[4]

Rodenticides pose an unreasonable risk to pets and domestic animals as well. Between 1999 and 2009, data indicate that rodenticides caused about 160 severe (death or major effect) domestic

[2] USEPA 2011, Draft Notice of Intent to Cancel and Denial (2011 Draft NOIC), at 16 (Nov. 2, 2011).
[3] 2011 Draft NOIC, at 18.
[4] USEPA 2008, Final Risk Mitigation Decision for Ten Rodenticides (2008 Final RMD), at 7 (May 28, 2008).

animal incidents each year, which EPA believes is a significant underestimate.[5] More than 100 pets needlessly die each year due to rodenticide exposure.[6]

It is common knowledge that rodenticides pose an unreasonable risk to wildlife. EPA's ecological incident report documents anticoagulant rodenticide residues in 27 avian species and 17 mammalian species.[7] Poisonings and deaths in California have been documented in numerous species such as eagles, hawks, falcons, owls, bobcats, mountain lions, and even the imperiled San Joaquin kit fox and northern spotted owl.[8] This study was the basis for the July 2014 CDPR regulations. The problem is so severe that over 70% of wildlife tested in California had been exposed to rodenticides.[9] A multi-year study by the wildlife rehab center WildCare in San Rafael, shows the percentage to be even higher: In 2013 – 2014, 86% of their tested wildlife patients had rat poison in their blood, and five percent died from it. From January 2015 to date, 91% of tested patients are shown to have these deadly poisons in their systems.

In AB 2657 (Bloom, 2014), the use of second generation anticoagulants was banned in all state parks, properties, and conservancies. AB 1687 would further restrict second generation anticoagulants since animals (particularly migratory raptors, etc.) move through and around state parks, and in and out of many areas where the same poisons are being used. Restricting second generation anticoagulants in state parks along has not solved our wildlife poisoning problem.

Fortunately a range of viable, cost-effective alternatives exist that can address the threat posed by rodent infestations. Integrated pest management strategies prevent infestations by sealing buildings and eliminating food and water sources, and are a necessary first step. Lethal rodent control strategies that involve snap traps, electric traps, and other non-toxic methods can then be implemented to address any infestations. Several types of less toxic rodenticides are available as well. More information on effective and affordable alternatives can be found at www.SafeRodentControl.org.

Given the overwhelming harm posed by rodenticides, the current dismantling of the Federal EPA enforcement through possible weakening of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) and the availability of cost-effective alternatives, these poisons must be better regulated to protect children, pets, and wildlife.

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[5] 2011 Draft NOIC, at 23.
[6] USEPA 2013, *Rodenticides; Notice of Intent To Cancel Registrations of, and Notice of Denial of Applications for, Certain Rodenticide Bait Products*, at 8125 (February 5, 2013).
[7] 2008 Final RMD, at 8.
[8] DPR 2013 *Memorandum: Second Generation Anticoagulant Rodenticide Assessment* from Deborah Daniels, DVM, Senior Environmental Scientist to Ann Pritchard, Chief, Pesticide Registration Branch (June 27, 2013).
[9] 2013 Memorandum.

Other contacts:

Raptors Are The Solution (RATS)

Lisa Owens Viani
Director
Raptors Are The Solution
A Project of Earth Island Institute
2150 Allston Way, Suite 460
Berkeley, CA 94702
(510) 292-5095
lowensvi@icloud.com
raptorsarethesolution@gmail.com

Poison Free Malibu

Kian Schulman RN, MSN
PoisonFreeMalibu.org
Facebook: Poison Free Malibu
Phone: 310-456-0654
poisonfreemalibu@gmail.com

Project Coyote

Camilla H. Fox
Founder & Executive Director
Project Coyote
P.O. Box 5007
Larkspur, CA 94977
Phone: 415.945.3232
info@projectcoyote.org