

Please submit response to:  
Derrick Lastinger, Program Director  
Structural Pest Section  
Georgia Department of Agriculture  
19 Martin Luther King, Jr. Drive SW  
Atlanta, GA 30334-4201

January 27, 2012

Richard Keigwin, Director  
Pesticide Re-Evaluation Division  
Office of Pesticide Programs  
US EPA Headquarters  
Ariel Rios Building  
1200 Pennsylvania Avenue, N. W.  
Mail Code: 7508P  
Washington, DC 20460

Dear Mr. Keigwin,

We write today on behalf of the Association of Structural Pest Control Regulatory Officials (ASPCRO) to confirm our understanding regarding revisions to the label language for professional and agricultural rodenticide labels and clarify the upcoming revisions to rodenticide labels and to more clearly define the term “man-made structure.”

Throughout the last several months ASPCRO and US EPA staff have discussed problems with the language on current rodenticide labels that reads: “Do not apply further than 50 feet from buildings.” As we’ve mentioned previously, many sites where rodent control is essential do not contain a ‘building’, as traditionally defined, close to the area of treatment or contain any building at all.

While ASPCRO members appreciate EPA’s commitment to the protection of secondary and non-target wildlife and the definitiveness and enforceability of a specific distance as opposed to the ambiguous phrase “in and around,” we believe the label must provide additional flexibility to certified applicators and persons working under their direct supervision, so effective rodent management strategies can continue to be utilized. To that end, extending the distance to 100 feet and replacing the term “building” with “man-made structure” still adequately safeguards the ecosystem while also allowing for uses of rodenticides that are necessary to protect food, property and public health from destructive and potentially dangerous rodent infestations.

While ASPCRO firmly believes the term “man-made structure” is a better alternative to the more inflexible “building,” we also think it is vital to provide guidance to the regulatory community – especially state lead agencies - as well industry stakeholders. Per our discussions, we understand these products 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 plants, industrial and commercial buildings, dumpsters and permanent 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.

The term “man-made structures” specifically excludes a fence line of any material, meaning that it would be a label violation to place rodenticide next to such objects, if they are not within 100 feet of a “man-made structure.”

To address the use restrictions in outdoor, non-crop areas including areas more than 100 feet from man-made structures, first generation anticoagulants and non-anticoagulant products may be applied to rodent burrows to control Norway rats, roof rats and house mice, provided that infestations of the commensal rodents (Norway rat, roof rat or house mice) have been confirmed. Bait must be placed deeply in active Norway/roof rat burrows using only loose pellets or meal formulation. Because commensal rodent infestations may occur in areas farther than 100 feet from 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.

ASPCRO believes the descriptions above accurately reflect our discussions and the intent of the upcoming revision to the rodenticide labels. We have attached an Appendix which summarizes our understanding of the pending label revisions. We respectfully request feedback on this matter in order to confirm ASPCRO's assumption.

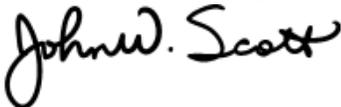
ASPCRO feels another key component to the success and implementation of the risk mitigation measures is support of product stewardship efforts. Agricultural, industrial, institutional, and urban stakeholders with a need for adequate rodent management will require access to educational support about effective rodent management. We feel a cooperative effort by ASPCRO Rodenticide Committee, US EPA and key industry stakeholders in this process will provide a means for supporting development of the necessary components including best management practices, outreach materials, and resources.

In closing, ASPCRO extends its deepest appreciation to you, Neil, Rusty, John, and Laura for working with ASPCRO over the last several months on this very important issue. As always, we appreciate your time and attention, and support of state lead agencies.

Sincerely,



Derrick Lastinger  
President, ASPCRO  
Program Director, Georgia Department of Agriculture



Vice-President, ASPCRO  
Co-Chair, ASPCRO Rodenticide Committee  
Program Manager, Colorado Department of Agriculture



Bonnie M. Rabe  
Co-Chair, ASPCRO Rodenticide Committee  
Division Director, New Mexico Department of Agriculture

cc: Chuck Andrews, AAPCO President; Steve Dwinell SFIREG Chair; Bob Rosenberg, NPMA

ASPCRO Letter to EPA  
Rodenticide Labels

Appendix A

- 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 plants, industrial and commercial buildings, dumpsters and permanent 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.

- On all first-generation anticoagulants and non-anticoagulants professional and agricultural labels

This product may be applied to rodent burrows to control Norway rats, roof rats and house mice, provided that infestations of the commensal rodents (Norway rat, roof rat or house mice) have been confirmed. Bait must be placed 6 inches or more in active Norway/roof rat burrows using only loose pellets or meal formulation. Because commensal rodent 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