



September 24, 2014

Meredith Laws, Chief
Pesticide Re-Evaluation Division
Office of Pesticide Programs
USEPA Headquarters
Ariel Rios Building
1200 Pennsylvania Avenue, N. W.
Mail Code: 7508P
Washington, DC 20460

RE: Current Rodenticide Labeling Restrictions for Commensal Rodent Use Only

Dear Ms. Laws:

I write today, on behalf of the Association of Structural Pest Control Regulatory Officials (ASPCRO), to request the Environmental Protection Agency consider concerns that ASPCRO members have voiced in relation to the current rodenticide labeling language that restricts rodenticide applications to commensal rodents only.

During the implementation of the Rodenticide Mitigation Decision (RMD) in 2008, the U.S. Environmental Protection Agency (EPA) opted to institute label language that limited rodenticide use exclusively to the control of commensal rodent species (i.e. Norway rat (*Rattus norvegicus*), roof rat (*Rattus rattus*) and house mouse (*Mus musculus*)). As a result, the regulated community was left with few options for the control of populations of *Peromyscus* spp. (e.g. white footed mouse (*Peromyscus leucopus*) and the deer mouse (*Peromyscus maniculatus*)) as well as other pest rodents (e.g. pack rats (*Neotoma* spp.), cotton rats (*Sigmodon* spp.), and Polynesian rats (*Rattus exulans*)) in and around man-made structures. Often, these species are the primary pest found in and around manmade structures in the United States. Under the current label language, if any of these non-commensal rodent species are targeted by applicators, it would be a federal and state label violation, leaving applicators with no options for control.

In addition to being frequent pests, dating back to 1993 the U.S. Center for Disease Control (CDC) has confirmed that several rodent species (e.g. the deer mouse (*Peromyscus maniculatus*) and the white footed mouse (*Peromyscus leucopus*)) are the primary vector for the spread of

Hantavirus in the United States, especially in the southwest. Persons infected with Hantavirus can develop Hantavirus Pulmonary Syndrome (HPS), a severe, sometimes fatal, respiratory disease. Research indicates that many people who became ill with HPS developed the disease after frequent contact with rodents and/or their droppings around their home or a workplace. This information has led the CDC to recommend that the primary method of preventing Hantavirus Pulmonary Syndrome (HPS) is to “eliminate or minimize contact with rodents in your home, workplace, or campsite.” Elimination of these rodent species was done by the regulated industry by the use of rodenticides that may not have had these species listed on the label, but were made under the 2(ee) exception found in the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) which most states allow.

ASPCRO understands that historically it has been EPA’s position to require field efficacy data for these non-commensal species if registrants wanted to add them to the label for structural uses. As ASPCRO has spoken to registrants, the reason field testing did not occur prior to the RMD was that it was cost prohibitive and at that time it could not be economically justified for the relatively small use patterns. An additional factor, prior to the RMD end users were using these products under the 2 (ee) allowance and were having efficacious results. Therefore, there was no need to conduct field testing and incur the expense to add these species to the label. It is ASPCRO’s understanding that manufacturer laboratory tests can show efficacious results on non-commensal species.

ASPCRO members have also expressed their concern that off-label use will likely occur due to the lack of rodenticide products available to end users for non-commensal rodent control in and around manmade structures. Increased misuse requires state lead agencies to provide additional resources to investigate and take enforcement action for uses that were previously allowed and were effective in controlling non-commensal rodents, with no adverse effects, under FIFRA 2(ee). Some states, such as Arizona and Colorado, have submitted 24(c) requests to meet the need to address these use patterns. However, these individual products approved for use under a 24(c) are not necessarily available for end users to purchase at their local distributor and they will use what they can access immediately.

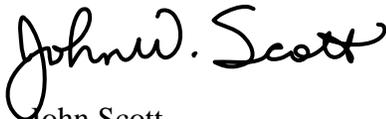
ASPCRO members have voiced a need to amend rodenticide labeling to allow use on non-commensal rodents that can pose a threat to structures and are a public health threat if not controlled. To address EPA’s data efficacy requirements, ASPCRO supports the use of manufacturer laboratory data to show product efficacy on non-commensal rodent species and requests that EPA accept this data. In addition, we submit for your consideration, the following recommendation intended to provide the regulated community with the appropriate label guidance to control pest rodents other than house mice, roof rats and Norway rats in and around manmade structures and that can also address EPA’s original intent of the RMD to avoid exposure to non-target species.

Replace the statement “This product may only be used to control Norway rats, roof rats, and house mice...” with “This product may only be used to control the following rodent pests in an around man-made structures:

House mouse (*Mus musculus*)
Norway rat (*Rattus norvegicus*)
Roof rat (*Rattus rattus*)
Cotton mouse (*Peromyscus gossypinus*)
Cotton rats (*Sigmodon* spp.)
Deer Mouse (*Peromyscus maniculatus*)
Eastern harvest mouse (*Reithrodontomys humuli*)
Golden mouse (*Ochrotomys nuttalli*)
Pack rats (*Neotoma* spp.)
Polynesian rat (*Rattus exulans*)
Meadow vole (*Microtus pennsylvanicus*)
White footed mouse (*Peromyscus leucopus*)

ASPCRO appreciates EPA’s consideration of this request and looks forward to the opportunity to work with the Agency to offer potential solutions. I am available to schedule a meeting to discuss this further, possibly in conjunction with upcoming meetings or on a conference call. If you have any questions please do not hesitate to contact me directly at 303-869-9056 or by e-mail at JohnW.Scott@state.co.us.

Sincerely,



John Scott
President
Association of Structural Pest Control Regulatory Officials

Cc: Linda Johns, ASPCRO Rodenticide Committee Chair