



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

January 21, 2015

Mr. John W. Scott
President
Association of Structural Pest Control Regulatory Officials
Colorado Department of Agriculture
700 Kipling Street, Suite 4000
Lakewood, CO 80215-8000

Subject: Target Pests on Rodenticide Labeling
ASPCRO's Letters of September 24, 2014 and January 7, 2015

Dear Mr. Scott:

Thank you for your letter of September 24, 2014 on behalf of the Association of Structural Pest Control Regulatory Officials (ASPCRO) that expressed concern for the target pest restrictions on rodenticide products. Specifically, ASPCRO indicated that the steps the Office of Pesticide Programs (OPP) took to "2ee" proof these products essentially removed the availability of rodenticides from use that had historically been effectively used against pests other than the Norway rat, Roof rat and House mouse.

OPP had become aware of some instances of misuse of rodenticides against pests not on the labels. Evidently this was done to avoid restrictions on products that were labeled for those pests. Additionally, at the November 1, 2005 meeting of the State FIFRA Issues Research and Evaluation Group (SFIREG), several states expressed concern for the inconsistency on rodenticide labels in regard to use against unspecified target pests. Some registrants had developed language for their products that implied a 2ee restriction which contributed to this inconsistency as well as confusion for state enforcement personnel.

As you know, section 2ee of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) allows for the application of a pesticide against any target pest not specified on the labeling, under certain parameters. FIFRA 2ee, however, is silent on public health pests, which contradicts EPA's requirement that companies submit data to demonstrate that their products are effective against them. Registrants may not use the notification process to add label claims against any public

health pest. These pests may only be added by submittal of an application that includes efficacy data. Thus, the issue of efficacy, label inconsistency, and misuse led the Agency to take the steps to restrict the target pests on rodenticide products.

After reviewing the points made in your September letter as well as during the January 6, 2015 conference call with you and other ASPCRO leaders (Liza Fleeson, Linda Johns and Derrick Lastinger), we agree with your proposal to allow certain rodent species, specified by ASPCRO, to be added to products that are used in and around homes and other man-made structures. Since you have reported that the products have been used successfully against these pests in the past prior to the 2ee restriction, EPA is relying on your judgement and experience to support our approval of this labeling.

Registrants may submit applications to amend their labels to remove the 2ee restriction imposed by EPA and include the following text proposed by ASPCRO:

“This product may only be used to control the following rodent pests in and 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*)”

It is important to note that EPA will evaluate the amendments individually, and at our discretion supporting laboratory data may be required. Additionally, this revision cannot be applied to field-use rodenticide products.

We appreciate that ASPCRO understands why we required the target pest restriction and are pleased that we have been able to reach an agreement that we believe will meet both our needs.

Sincerely,



Meredith F. Laws
Chief, Invertebrate-Vertebrate Branch 3
Registration Division