RESOLUTION NO. 2012-114

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELMONT OPPOSING THE SALE AND PURCHASE 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 Belmont residents.

NOW, THEREFORE, the City Council of the City of Belmont resolves as follows:

SECTION 1. that the Council urges Belmont businesses to stop the sale of rat and mouse poisons that would be prohibited under the US EPA’s Risk Mitigation Decisions for Ten Rodenticides

SECTION 2. that the Council of the City of Belmont urges Belmont residents to avoid buying the above products, and to use less-toxic rodent control methods

SECTION 3. that the Council of the City of Belmont 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

SECTION 4. that the Council of the City of Belmont urges the California Department of Pesticide Regulation to cancel or refuse to renew registration of the above products

* * *

ADOPTED October 9 2012, by the City Council of the City of Belmont by the following vote:

Ayes: Lieberman, Braunstein, Feierbach, Wozniak
Noes: None
Absent: Warden
Abstain: None

ATTEST:

__________________________________  ______________________________________
City Clerk                                Vice Mayor

APPROVED AS TO FORM:

____________________________________
City Attorney
Dear Mayor Warden and City Council Members,

I would like to suggest that Belmont pass a resolution discouraging the use of rodent poisons for rodent control. The various brands of poison come in little dishes that appear like food to both rodents all other animals (including pets and other wildlife). The rodent consumes the food and wanders off to die. The poisoned rodent is easy prey for Raptors because he is moving at a slower pace and Hawks and Owls are attracted to the easy meal. After eating the poisoned rodent, the Raptors usually die from ingesting the poison themselves.

There are many other rodent control methods which are effective and do not cause the trickle-up spiral of death. Several other Bay Area cities, such as San Francisco, Richmond, Albany, El Cerrito, Berkeley and Emeryville, have adopted such resolutions. Also the County of Marin has passed a Rodent Poison Resolution. These resolutions urge businesses and resident to use other means of rodent control, such as snap traps, etc. The resolutions include a brief description of the dangers of rodent poisons to the environment, pets and all wildlife, and a list of alternative methods of handling rodent problems.

I would greatly appreciate it if the City of Belmont would consider passing such a resolution. I have attached a copy of the City of San Francisco’s Rodent Control Resolution as a potential guideline for a similar resolution for the City of Belmont. Also attached are two informative posters I put together.

Thank you for your consideration of this important matter.

Patricia Lindberg

Resident of Belmont
SAN FRANCISCO RODENT POISON RESOLUTION

"Don't Take the Bait" Campaign

What is the "Don't Take the Bait" campaign?

The San Francisco Department of the Environment is asking City retailers and consumers to avoid buying or selling certain kinds of common rat and mouse baits, which the US Environmental Protection Agency has determined pose an "unreasonable risk" to children, pets, and the environment.

What is the problem with these rat and mouse baits?

- The baits in question are high-volume products sold widely to consumers. When predators like hawks or owls eat a poisoned rat, the predator may be poisoned.
- They are also highly toxic to any mammals – including children and pets. 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.
- The US EPA determined that these products pose an "unreasonable risk" in 2008, after years of evaluation and scientific review. Under federal law, pesticides that pose an "unreasonable risk" should not be legal for sale. At that time, US EPA gave manufacturers three years to remove them from the market. The deadline for removal was June 4, 2011.
- The baits' manufacturers have challenged the way the US EPA planned to cancel these products. The EPA must now follow a very lengthy procedure called a formal cancellation process. This could keep the products on the shelves for years.

Which manufacturers have not complied with the US EPA's safety requirements?

- Rackitt Benckiser Inc. (makers of D-Con, Fleaject, and Mimas brand products)
- Spectrum Group (makers of Hot Shot brand products)
- Liphotech Inc. (makers of Generation, Maki, and Rozol brand products)

What is City government doing about it?

- San Francisco's Department of the Environment has followed the issue closely for 8 years, submitting comment letters to the US EPA and other regulators. The City's Integrated Pest Management Program severely restricted the use of these active ingredients on City properties in 2007.
• The Department sent letters in September to 130 local retailers asking them to voluntarily stop selling the products. Cooperating businesses will be issued a thank-you letter or poster to acknowledge that they care about their customers’ health.

• The Department is now beginning outreach directly to consumers urging them to use safer methods of managing rodents, and not to purchase the “unreasonable risk” products.

What are other governments doing?

• So far, the Marin Municipal Water District, Contra Costa County, City of Santa Monica, and City of Boulder, CO are taking action on this issue. New York City has indicated they may conduct outreach on the products, and the states of Kansas and New York plan to discontinue the products this year.

What are local retailers doing about it?

• As of November 10 2011, 37 retailers in San Francisco have pledged to discontinue the rat bait products in question. For an up-to-date list, see https://sfetoxicsreduction.wufoo.com/reports/sf-environment-recognizes-retail-leaders/.

Are there safer, effective ways to control rats and mice?

Yes! Visit www.ipm.ucdavis.edu/PDF/QT/Ants.pdf for more details:

• Seal holes inside and outside buildings to prevent entry by rats and mice.

• Keep areas clean and free of crumbs and water. Seal food in rodent-proof containers.

• Use snap-traps instead of baits whenever possible – a lot of them, and set at night.

• In extreme cases, call a qualified professional. We recommend companies that are certified by EcoWise (www.ecowisecertified.org) or GreenShield (www.greenshieldcertified.org).

• There are also safer bait products available, listed on the EPA website at http://www.epa.gov/pesticides/mice-and-rats/rodent-bait-station.html

• if your property is in San Francisco, visit SF Department of Public Health or call 415-252-3805 to learn what you can do or report complaints of rodents or overgrown vegetation (which creates a habitat for rodents).

Does this remove an essential tool for public health?
No. This issue was considered by the EPA in its mitigation decision. Similar baits will still be available to professional pest control operators, who are better trained in using the products carefully.

Which products should be avoided?

EPA # 3282-3 D-CON CONCENTRATE KILLS RATS & MICE
EPA # 3282-4 D-CON READY MIXED KILLS RATS & MICE
EPA # 3282-9 D-CON MOUSE PRUFK KILLS MICE
EPA # 3282-15 D-CON PELLETS KILLS RATS & MICE
EPA # 3282-65 D-CON MOUSE PRUFK II
EPA # 3282-66 D-CON PELLETS GENERATION II
EPA # 3282-74 D-CON BAIT PELLETS II
EPA # 3282-81 D-CON READY MIXED GENERATION II
EPA # 3282-85 D-CON MOUSE-PRUFK III
EPA # 3282-86 D-CON BAIT PELLETS III
EPA # 3282-87 D-CON II READY MIX BAITS III
EPA # 3282-88 D-CON BAIT PACKS III
EPA # 7173-247 GENERATION MEAL BAIT PACKS
EPA # 7173-283 DIFETHIALONE BAIT STATION
EPA # 7173-285 DIFETHIALONE 6G PASTE PL PKS
EPA # 8945-39 RID-A-RAT RAT & MOUSE KILLER
EPA # 8945-125 HOT SHOT SUDDEN DEATH BRAND MOUSE KILLER
EPA # 8945-128 HOT SHOT SUDDEN DEATH BRAND RAT KILLER II
EPA # 8945-127 HOT SHOT SUDDEN DEATH BRAND RAT & MOUSE KILLER
EPA # 8945-129 HOT SHOT SUDDEN DEATH BRAND MOUSE KILLER BAIT STATION

How can I help?

- Vendors who would plan to discontinue the above products can get credit for their action by signing the pledge at: https://sfetoxicsreduction.wufco.com/forms/publicly-to-protect-kids-pets-from-rodent-baits/

Where can I get more information?

- The details on this whole issue can be found on the EPA’s website at: http://www.epa.gov/pesticides/mice-and-rats/

- The Department of the Environment will post periodic updates on the campaign at www.sfenvironment.org/lpm.
- Download San Francisco's "Don't Take the Bait" flyer

- For other questions, contact the Department at (415) 355-3700
HELP TO SAVE OUR HAWKS, EAGLES AND OWLS

DON'T TAKE THE BAIT!

The Environmental Protection Agency has determined that these products pose unreasonable health and safety risk to children, pets, and wildlife.

NO LOOSE PELLETS!

Products Subject to EPA Cancelation

For more information please visit SFEvironment.org/IPM or call (415) 335-3700.
Let's look after our beautiful Owls and Hawks along with all the other innocent wild ones who depend upon us for their protection.

Please do not use any Rat and Mouse poison or any other poisonous product which the rodent would eat or ingest.

Thank you!
Do Not Use Mouse and Rat Poisons Pellets or Blocks

These products not only kill rodents, they also kill the raptors who feed on the poisoned rodents.
Don’t worry, I have you covered. Leave the rodent control to me, not to d-con.