

Jim Jones  
Acting Assistant Administrator  
Office of Chemical Safety and Pollution Prevention  
Environmental Protection Agency  
Ariel Rios Building  
1200 Pennsylvania Avenue N.W.  
Mail Code: 7101M  
Washington, DC 20460

August 6, 2012

**RE: Cancellation of rodenticide products that do not conform to EPA's risk mitigation measures**

Dear Assistant Administrator Jones,

We write to urge the Environmental Protection Agency (EPA) to take the final steps necessary to remove from the consumer market certain rodenticide products due to the unacceptable risks they pose to children, pets, and non-target wildlife. We respectfully request a meeting with you to discuss EPA's next steps in the cancellation of these exceptionally harmful products.

In 2008, after more than a decade of painstakingly thorough agency review and public input, EPA issued its Risk Mitigation Decision for Ten Rodenticides, in which the Agency told rodenticide companies to adopt certain mitigation measures that would protect people and animals from accidental poisoning. Most pest-control product manufacturers acted responsibly and made the necessary safety improvements, encasing their rat poisons in bait stations that prevent access by children and pets, and restricting the sale of "second generation" rodenticides that cause fatal hemorrhaging in owls, Bald Eagles and other wildlife. New rodent control products that meet the Agency's safety criteria are now widely available, effective, and affordable, and pose significantly less risk to people and the environment.

As part of its Risk Mitigation Decision, EPA made clear that rodenticides not conforming to the new risk mitigation measures would be in violation of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and would face cancellation by the Agency. Three companies, Reckitt Benckiser, Liphatech, and Spectrum Brands, flouted the Agency's directives, continuing to market their poisons as loose pellets and pastes rather than in bait stations, and to sell to residential consumers the most toxic formulations.

EPA scientists forwarded their draft Notice of Intent to Cancel (NOIC) the non-conforming rodenticides to the Scientific Advisory Panel in November, 2011, and consulted with the Departments of Agriculture and Health and Human Services. Under section 6(b) of FIFRA, the

next step for EPA is to issue its Notice of Intent to Cancel the registrations of d-Con, Hot Shot, Rid-a-Rat and Generation, based on these products' unreasonable adverse effects on the environment.

We are disheartened to see these large corporate entities blatantly ignoring the risk mitigation measures that are the result of years of scientific research and risk assessment by EPA scientists. Companies were given ample time to adjust their product formulations. The EPA's risk mitigation measures were developed in response to wildlife concerns as well as human health dangers, including more than 10,000 calls to poison control centers annually due to accidental ingestion of rat poison by children. Corporate defiance by Reckitt Benckiser, Liphatech, and Spectrum Brands constitutes an enormous drain on Agency time and taxpayer dollars, with tragic consequences for children, wildlife, and pets.

We note that President Obama's scientific integrity memorandum, issued in 2009, reassured the American public that this administration would honor the integrity of the scientific process and that moneyed interests would no longer drive US government decision-making.

“Science and the scientific process must inform and guide decisions of my Administration on a wide range of issues, including improvement of public health, protection of the environment, increased efficiency in the use of energy and other resources, mitigation of the threat of climate change, and protection of national security.”

Therefore, we urge you to proceed with your Notice of Intent to Cancel rodenticide products that cause unreasonable risk to the environment. In addition, we are calling on you to issue an order for emergency suspension under FIFRA section 6(c), based on the imminent hazard to human health and to wildlife. Owls and other raptors, as well as dogs and cats, face gruesome deaths from these chemicals, and children are being poisoned. Our organizations speak on behalf of people who care about a safe and healthy environment for kids, wildlife, and pets. The Center for Biological Diversity's alert appealing to EPA to get these lethal poisons off the shelves has generated over 7,300 signatures and over 6,000 emails thus far. Nearly 5,000 American Bird Conservancy (ABC) supporters recently wrote to the recalcitrant companies urging them to switch to safer alternatives. ABC's president, Dr. George Fenwick, has corresponded with Reckitt Benckiser, as well (attached).

It is our hope that you will meet with us and our partner organizations in the National Pesticide Reform Coalition to discuss next steps in the rodenticide cancellation process. Please have a member of your staff contact Cynthia Palmer to set up a meeting, [cpalmer@abcbirds.org](mailto:cpalmer@abcbirds.org), tel. 202-234-7181.

Sincerely,

Cynthia Palmer  
Manager, Pesticides Program  
American Bird Conservancy

Jay Feldman  
Executive Director  
Beyond Pesticides

Nan Wishner  
Board Member  
California Environmental Health Initiative

Jonathan Evans  
Toxics and Endangered Species Campaign  
Director, Staff Attorney  
Center for Biological Diversity

Caroline Cox  
Research Director  
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Hungry Owl Project

Barbara Salzman  
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Marin Audubon Society

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Camilla H. Fox  
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Project Coyote

Diana Post, VMD  
Executive Director  
Rachel Carson Council

Lisa Owens Viani  
Director  
Raptors are the Solution (RATS)

Jeffrey L. Lincer, Ph.D.  
Executive Director  
Researchers Implementing Conservation  
Action

Stockton Buck  
Rodenticide Free Project

Shani Kleinhaus  
Environmental Advocate  
Santa Clara Valley Audubon Society

Theo Colborn, Ph.D.  
President  
TEDX (The Endocrine Disruption  
Exchange)

Brent Plater  
Executive Director  
Wild Equity Institute

Attachment: American Bird Conservancy reply to Reckitt Benckiser, May 8, 2012.

cc: Lisa Jackson, Administrator, EPA

Steven Bradbury, Director, Office of Pesticide Programs, EPA

Rick Keigwin, Jr., Director, Pesticide Re-Evaluation Division, EPA