From:	David Beaudreau
To:	Russell Wasem
Subject:	Rodenticides
Date:	Tuesday, February 12, 2013 4:27:00 PM
Attachments:	Risk Mitigation Decision - Rodenticides.pdf

Hi Rusty,

I had a question from ACE. They were reviewing the RMD and had a specific question about it.

An ACE supplier has presented them with 4 lb. and 9 lb. containers of first generation 2 oz. block rodenticides to stock in our distribution centers and make available to all retailers. The products appear to have been approved by the US EPA and contain the labeling statements required by the Risk Mitigation Decision (RMD) dated 6/24/2008. Neither container includes a bait station.

In the RMD, EPA divides first generation anticoagulant products into 2 categories: "Consumer Size" products and Products for Agricultural Use and Professional Applicators (PCO). The differentiating factor between the two categories is the product size. "Consumer size" products are packaged in 1 lb. or less. Ag/PCO products are packaged in 4 lbs or more. So, these products would fall under the Ag/PCO category.

While the RMD states that restrictions apply to " first-generation anticoagulants or nonanticoagulant rodenticide products ***intended*** for agricultural use or for use by professional applicators (pest control operators)", the RMD does not place any terms or conditions on the sale or distribution of these items solely to Ag/PCO purchasers. In fact, the only condition listed in the Label Table (pg. 34) is that the product may not be sold in packaging that holds less than 4 lbs of bait. In contrast, the conditions listed in the same table for second-generation anticoagulants in units 8 lbs or greater states that it is "Prohibited for sale in stores oriented towards Residential Consumers: Grocery, Drug, Hardware and Home Improvement. Acceptable for Sale in Stores Oriented toward Agricultural Consumers: Farm, Agricultural, Tractor Stores."

They would like to know if ACE can sell 4 lb and 9 lb containers of first-generation anticoagulants to all of their retailers, or if they must limit distribution to agricultural stores. While the RMD does not specifically limit distribution to residential consumers (it does limit distribution for 2nd generation), it does classify the products based on their intended customer, so we are wondering if you can provide some clarification or guidance on this. I have attached a pdf which has highlighted sections that refer to these questions.

Thanks,
David