

AB 1788 (Bloom)

California Ecosystems Protection Act

Fact Sheet

PROBLEM

Regulations enacted in 2014 by the California Department of Pesticide Regulation (DPR) to minimize harm from one subset of rodenticides—Second Generation Anticoagulant Rodenticides (SGARs)—by prohibiting their use by consumers, have proven ineffective. Necropsy data performed by the California Department of Fish and Wildlife and other scientists have demonstrated that these toxins have been poisoning California ecosystems, and continue to pose a rampant threat to children, pets, and wildlife. First generation anticoagulant rodenticides (FGARs) are also harmful, though non-target lethal poisoning is more widespread with SGARs. To reduce the impacts of SGARs and FGARs, this legislation will ban SGARs throughout the state and ban use of FGARs on all state-owned properties.

While SGARs are now banned for consumer use, licensed pest control applicators were given an exemption in 2014 that allowed their continued use of these rodenticides. Upper-level predators that consume poisoned rodents—hawks, owls, bobcats, foxes, mountain lions, and others—are frequently secondarily poisoned. Wildlife are also poisoned when they directly consume the bait, as are children and household pets.

EPA's ecological incident report documents anticoagulant rodenticide residues in 27 avian species and 17 mammalian species. 70 to 95% of certain populations of other predator species, such as the northern spotted owl, bobcats, mountain lions, have been found to be exposed to anticoagulant rodenticides in California. Exposure levels have been noted in other species of owls, hawks, eagles, vultures, foxes, raccoons, coyotes, bobcats, and others. Notably, poisonings and deaths in California have been documented in multiple at-risk species: Fishers (a candidate for listing under the Federal ESA); San Joaquin kit foxes (Federal Endangered and California Threatened) the northern spotted owl (Federal Threatened), and the Humboldt marten (California Endangered).

This unintentional poisoning decreases California's ability to control rodent infestations because it kills the natural predators that feed on rats, mice, gophers, ground squirrels, and other rodents. Additionally, new studies have shown that anticoagulant rodenticides can not only cause death but also significant "sublethal" effects—including impacts on genes that regulate the immune system.

Rodenticides, including anticoagulants, also pose an unreasonable risk to children. Between 1999 and 2009, the American Association of Poison Control Centers (AAPCC) received reports of an average of 17,000 human exposures to rodenticides each year, with 85% of these exposures, (i.e., approximately 15,000 per year), occurring to children less

than 6 years of age. Between 1999 and 2003, an average of 3,617 of these cases per year were treated in a health care facility, and an average of 17 were treated in an Intensive Care Unit.

Rodenticides, including anticoagulants, pose an unreasonable risk to pets and domestic animals as well. Between 1999 and 2009, data indicate that rodenticides caused about 160 severe (death or major effect) domestic animal incidents each year, which EPA believes is a significant underestimate. 50,696 reports of dog poisonings occurred in 2014 according to the AAPCC.

SUMMARY

AB 1788 seeks to take stronger measures to protect children, pets, and wildlife from unintentional rodenticide poisoning by banning the use and sale of 2nd generation anticoagulant rodenticides statewide and the use of 1st generation anticoagulant rodenticides on state-owned property.

EXISTING LAW

July 2014 the Department of Pesticide Regulation instituted a regulation that banned the sale of SGARs to consumers. Additionally, it specified that only licensed exterminators could use SGARs and set new standards and requirements for the application of SGARs.

AB 2657 (Bloom) bans all use of SGARs in state wildlife areas, state parks and other state wildlife sensitive areas. It was signed by the Governor in 2014.

BACKGROUND

Existing laws, including the more restrictive July 2014 DPR rules banning consumer use of SGARs, have been found inadequate for the purposes for which they were intended, protecting wildlife from exposure. Data on wildlife exposure collected by the Department of Fish & Wildlife (DFW) before and after July 2014 show no improvement.

Furthermore, a comprehensive study by DFW focusing on 111 mountain lions in 2016 detected FGARs in 73% from 33 counties and SGARs in 92% from 35 counties. This clearly illustrates the widespread disastrous consequences of the continuing use of anticoagulant rodenticides.

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