

# 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. To reduce the impacts of SGARs, this legislation will put in place a state-wide moratorium on the use of SGARs, until DPR finishes its reevaluation of SGARs.

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 establishes a moratorium on the use of SGAR's while DPR, in cooperation with CDFW, continues to conduct the reevaluation of SGAR's. AB 1788 provides for a public health exemption in case of a public health emergency and provides exemptions for certain state agencies.

#### 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.

#### SPONSORS

Animal Legal Defense Fund  
Center for Biological Diversity  
Raptors Are the Solution (RATS)

## SUPPORT

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- Argyle Civic Association
- Arroyos & Foothills Conservancy
- Bel Air Skycrest Property Owners' Association
- CalPIRG
- California Association of Professional Scientists
- California Council for Wildlife Rehabilitators
- California Environmental Health Initiative
- California League of Conservation Voters
- California Urban Streams Partnership
- California Wildlife Center
- Californians For Pesticide Reform
- Center for Food Safety, The
- Citizens for Los Angeles Wildlife (CLAW)
- City of Agoura Hills
- City of Los Angeles
- City of Malibu
- City of Moorpark
- City of Thousand Oaks
- Clean Water Action
- Coastal Coordination Program, The Ocean Foundation
- Conejo Valley Audubon Society
- Cougar Conservancy
- Crop Project
- Defenders of Wildlife
- Dixie Canyon Association
- Endangered Habitats League
- Environment California
- Environmental Protection Information Center
- Environmental Working Group (EWG)
- Escondido Creek Conservancy, The
- Federation Of Hillside And Canyon Associations
- Friends Committee on Legislation of California
- Friends of Griffith Park
- Friends of Harbors, Beaches and Parks
- Friends of The Inyo
- Friends of The La River
- Friends of The Santa Clara River
- FYXX Foundation
- Golden West Humanitarian Foundation
- Griffith Park Advisory Board
- Hills for Everyone
- Humane Society Of The United States; The
- In Defense Of Animals
- Indivisible Ventura
- Injured & Orphaned Wildlife
- Kind Traveler
- Land Trust of Santa Cruz County
- Law Offices Of Rosemary Ward
- Los Angeles Councilmember Paul Koretz, 5<sup>th</sup> District
- Los Angeles Councilmember David Ryu, 4<sup>th</sup> District
- Los Angeles County Board of Supervisors
- Los Padres Forestwatch
- Malibu Coalition for Slow Growth
- Malibu Monarch Project
- Malibu Open Space Alliance
- Mayor of Richmond Tom Butt
- Mendocino Coast Audubon Society
- Mendocino Wildlife Association
- Midpeninsula Regional Open Space District
- Mountain Lion Foundation
- Mt. Diablo Audubon Society
- National Association for Wildlife Emergency Services
- National Parks Conservation Association
- National Wildlife Federation
- Native Animal Rescue
- Ojai Wildlife League
- Pacific Forest Trust
- Paw Project, The
- Planning and Conservation League
- Poison Free Agoura
- Poison Free Calabasas
- Poison Free Malibu
- Project Coyote
- Public Land Alliance Network Plan
- Sacramento Heron And Egret Rescue
- San Diego Audubon Society
- San Diego Humane Society and SPCA
- San Fernando Valley Audubon Society
- San Francisco SPCA
- Santa Clara Valley Open Space Authority
- Santa Cruz Bird Club
- Santa Monica Mountains Fund
- Santa Susana Mountain Park Association
- Save Chatsworth, Inc.
- Sea and Sage Audubon Society
- Sierra Club of California
- Social Compassion In Legislation
- Sonoma County Wildlife Rescue
- Topanga Creek Watershed Committee
- The Nature Conservancy
- Transition Pasadena
- The River Otter Ecology Project
- Ventura Audubon Society

- Wholly H20
- Wildfutures
- Wildearth Guardians
- Wildlife Research Institute, Inc