



**AGRICULTURAL
RETAILERS
ASSOCIATION**

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February 13, 2023

U.S. Environmental Protection Agency
Office of Pesticide Programs
1200 Pennsylvania Ave. NW.
Washington, D.C. 20460-0001

Re: Docket EPA-HQ-OPP-2017-0750; FRL-10219-01- OCSPP

Bromadiolone, Case Number 2760 | *Bromethalin*, Case Number 2765 | *Chlorophacinone*, Case Number 2100 | *Cholecalciferol*, Case Number 7600 | *Difénaconim*, Case Number 7630 | *Diféthialone*, Case Number 7603 | *Diphacinone (and its sodium salt)*, Case Number 2205 | *Strychnine*, Case Number 3133 | *Warfarin (and its sodium salt)*, Case Number 0011 | *Zinc Phosphide*, Case Number 0026

Dear Sir or Madame:

Thank you very much for the opportunity to submit these comments on behalf of the Agricultural Retailers Association (ARA) regarding the importance of effective rodent management to our rodenticide distribution operation. Some of the proposed restrictions placed on rodenticides in the Proposed Interim Decision(s) (PID(s)) would significantly increase costs and make it nearly impossible for some of our branches to sell and distribute rodenticides to the professional and agricultural markets.

Statement of Interest

ARA is a not-for-profit trade association that represents America's agricultural retailers and distributors. ARA members provide goods and services to farmers and ranchers which include: fertilizer, crop protection chemicals, seed, crop scouting, soil testing, custom application of pesticides and fertilizers, and development of comprehensive nutrient management plans. Retail and distribution facilities are scattered throughout all 50 states and range in size from small family-held businesses or farmer cooperatives to large companies with multiple outlets.

Comments

According to the U.S. Department of Agriculture, rodents are responsible for millions of dollars in damages to field crops, stored grain and farm equipment annually. They can also spread over 60 diseases to humans, companion animals, and livestock. Removing or severely restricting rodenticides from the distribution network, would result in less product in the hands of applicators and farmers who need these crucial products within their integrated pest management programs. This will result in significant crop damage and livestock loss and jeopardize the safety of the food supply, both of which could exacerbate food cost and availability.

Specifically, ARA is concerned about the negative consequences associated with the following mitigation measures included in the PID(s):

- Restricted Use Pesticide (RUP) classification regardless of bait type. Only restricted use pesticide dealers can sell RUPs.
- The only products available as General Use Pesticides (GUPs) will be ready-to-use prefilled disposable bait stations and gummy worms or ready-to-use gel for mole control.

Restricted Use Pesticide (RUP) Classification

- Rodenticide Distributors provide important rodenticide solutions to customers. Making these products RUP would severely restrict the ability for our customers to provide their customers effective rodent control tools.
- ARA's agricultural retail members will need to determine the most economical and feasible course of action if these products are made RUP. ARA members would either need to incur the additional costs or discontinue carrying them.
- Agricultural retailers would need to comply with additional requirements for RUP products including licensing, record keeping, and checking the licensing of customers. This could require hiring additional staff and increasing personnel costs, training, costs, and administration costs to meet these RUP regulations.
- If ARA retail and distributor members determine that they do not have enough customers who are licensed to sell RUP products it would not be economical for them to stock these products for sale to farmers or pest management professionals. This loss in availability of rodenticide products will increase the rodent pressure, damage, and public health concerns resulting in increased costs to these businesses and the food products they sell.

Application Method Prohibitions

- Unless agricultural retailers obtain all the RUP licensing, the only products they will be able to sell as GUP will be ready-to-use prefilled disposable bait stations and gummy worms or ready-to-use gel for mole control.
- Non refillable bait stations are expensive and ultimately lead to more non-recyclable plastic waste. Our industry strives to provide customers with cost effective sustainable pest control solutions. Consumers generally stay away from purchasing non-recyclable, single use, plastic bait stations. ARA's distributor members share their customers' commitment to sustainable products.
- Prefilled bait stations would more than double the cost to my customers. Our industry strives to provide pest control solutions regardless of social economic status.

Conclusion

In conclusion, many of these proposed mitigation measures would hamper our industry's ability to provide responsible, affordable rodenticide products for their farmer customers and other end users. As you work to finalize the interim registration decisions for rodenticides, ARA urges the Agency to

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take into account the benefits of these products and the severe impact these mitigation measures would have on ARA members and their customers. Rodenticides play an important role in protecting property and health.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard D. Gupton". The signature is written in a cursive style with a large, prominent initial "R".

Richard D. Gupton

Senior Vice President, Public Policy & Counsel