



November 7, 2025

Dr. Karen Morrison, Director
 Department of Pesticide Regulation
 1001 I Street (P.O. Box 4015)
 Sacramento, CA 95812-4015
Submitted via SmartComment portal

RE: Anticoagulant Rodenticide Mitigation Informal Public Comment

Dear Dr. Morrison,

In response to requests for comments regarding the Department of Pesticide Regulation's (DPR) draft proposed mitigation regulations for anticoagulant rodenticides, comments provided in this letter reflect common viewpoints of the agricultural organizations and coalitions (herein referred to as "organizations") that have signed below. We appreciate the opportunity to comment on the importance of the use and availability of rodenticides and provide input on this proposed regulation.

IMPORTANCE OF ANTICOAGULANT RODENTICIDES TO INTEGRATED PEST MANAGEMENT AND FOOD SAFETY PROGRAMS

In recent years rodent pests have increasingly proliferated urban, rural and agricultural spaces throughout the state. In fall 2024, severe rat infestations in almond orchards and farm facilities impacted an estimated 112,000 acres in the western Central Valley. These infestations led to yield loss due to damaged trees, wire cleaning and repair to trucks and harvesters, drip line replacement, and new tree plantings, at an estimated cost of \$109.4 million to \$310.5 million.¹

These infestations impact public health; spread disease; damage infrastructure; impact food safety and security; and destroy property. Effective management of rodent infestations is essential to all Californians as we address the unprecedented challenges this surge of rodents create, and we appreciate DPR's efforts to address this issue.

Under the Federal Food Safety Modernization Act (FSMA), food facilities must implement proactive pest management to mitigate contamination risks. The Human Food Facilities regulations (21 CFR §117) explicitly require the exclusion of rodents and other pests from all areas of food plants. Facilities must take effective measures to prevent pests from entering manufacturing, processing, packing, and holding areas to protect against food contamination.

The Produce Safety Rule (21 CFR §112) requires measures to protect covered produce, food contact surfaces, and food-packing materials from pest contamination in buildings, including routine pest monitoring (21 CFR §112.128). Additionally, pre-harvest assessment requirements (21 CFR §112.83(b) and §112.112) mandate that fresh produce growers visually examine fields and crops for signs of contamination and avoid harvesting produce likely contaminated with animal excreta or areas with significant crop destruction due to animal intrusion. With rodent infestations increasing at unprecedented levels, anticoagulant rodenticides are an essential tool for California agriculture to meet these food safety rules.

Throughout this regulatory development process, we urge DPR to ensure continued access to a variety of effective anticoagulant rodenticides as a critical component of integrated rodent pest management to effectively protect public health and the environment. Management programs that integrate non-chemical rodent control strategies such as trapping, sealing, sanitization, habitat modification, and more must be coupled with targeted use of anticoagulant rodenticides, which this proposed regulation supports.

¹ Goodhue, R., Mace-Hill, K., & Raburn, S (2025). CDFA Memo: Rat Damage in Almond Orchards. University of California, Davis, California Department of Food and Agriculture.
https://www.cdfa.ca.gov/oefi/opca/docs/2025_0211_Preliminary_analysis_of_rat_damage_in_almonds.pdf

RECOMMENDATIONS

We offer the following recommendations for amendments to this draft regulation, and request that DPR refrain from adding further restrictions on anticoagulant rodenticides, uses, or formulations in its revisions.

Application Periods

The current draft regulation proposes application duration restrictions of 35 consecutive days and a combined application duration of no more than 105 days within a calendar year, except in certain circumstances when using first generation anticoagulant rodenticides. We are unaware of any research substantiating the effectiveness of mitigating rodent pest management in 35-day durations, and in our experience, especially given the current rodent population, 35 days is not a sufficient timeframe. We would appreciate DPR providing citations for research that substantiates the effectiveness of the proposed duration restrictions.

Rigid duration limits may undermine effective rodent management on farms, particularly when ongoing infestations demonstrate that such restrictions are insufficient. The challenge is compounded when farms are adjacent to fallowed or unmanaged properties that serve as rodent harboring habitat, or in situations where a storage site is adjacent to a field is left unmanaged. These neighboring areas allow rodent populations to proliferate unchecked, creating persistent sources of reinfestation that undermine otherwise effective management efforts.

We want to be sure that this rule does not create situations of under-control in highly sensitive settings (i.e., farms, food handling, processing, food contact materials and storage areas), potentially leading to burgeoning rodent populations and health risks. Flexibility in application timing will be necessary to align management to real-world rodent cycles. We recommend that all outdoor and indoor agricultural settings be excluded from duration restrictions for all types of anticoagulant rodenticides.

Streamlined Approach, Aligning to Current Reporting Requirements

The proposed regulation reclassifies all anticoagulant rodenticides, both first- and second generation, as restricted materials. Previously, only second-generation rodenticides held this designation. This change alone represents a significant shift, as it extends California's existing restricted material requirements to all anticoagulant rodenticide applications.

Under current law, applying restricted materials requires submitting a permit application to a County Agricultural Commissioner (CAC) that includes:

- Treatment areas, including their location and size
- Crops or commodities involved
- Pest problems being addressed
- Names of restricted pesticides proposed for use
- Application methods
- A map or description of the surrounding area identifying any sites potentially affected by pesticide use

The CAC may then require the applicant to evaluate alternative pest control methods or impose additional permit conditions to ensure safe application.

Though legislative and regulatory decisions are implemented one by one, their collective economic impact on California agriculture grows incrementally. A recently published study tracking costs for a California lettuce grower documented a 1,366% spike in regulatory costs from 2006 to 2024, accompanied by a 44.4% increase in production costs during those same years (Hamilton and McCullough, 2025).²

We believe the restricted material designation for all anticoagulant rodenticides will sufficiently document the need for their use, ensure consideration of alternative and integrated pest management strategies, and allow for timely deployment of these critical products and a Sustainable Rodent Management Plan is not necessary.

Should DPR proceed with Sustainable Rodent Management Plan (Plan) requirements, these should complement, not duplicate, the existing restricted material permitting process. New requirements should demonstrably improve rodent control outcomes while reducing non-target wildlife exposure, not simply add to the administrative burden.

The current restricted material permit process already mandates comprehensive documentation and CAC review. Any additional requirements must not create redundancy that hampers timely response to rodent infestations, particularly when pressure spikes suddenly or outbreaks occur across multiple property locations.

² L. Hamilton and M. McCullough, (2025). Two Decades of Change: Evolving Costs of Regulatory Compliance in the Produce Industry. Cal Poly Digital Commons, page 3. https://digitalcommons.calpoly.edu/agb_fac/163/

We encourage DPR to clarify how the proposed Plan requirements generate new, actionable information that meaningfully enhances decision-making beyond what the existing permit system provides. An effective Plan should:

- Reference and build upon existing application requirements rather than repeating them
- Focus exclusively on elements that deliver tangible decision-making benefits
- Avoid imposing additional compliance costs, paperwork, and delays without corresponding value

While we support DPR's effort to balance effective pest management with wildlife protection, streamlined and complementary procedures are essential to effectively maintaining this balance in practice.

If Plans are Required, Allow for Electronic or Hard-Copy Versions

The current draft regulation requires that each business location, certified commercial applicator or operator of the property must have a written general Plan and maintain records for all locations where ARs are applied, and keep available the plan for inspection for two years. Recognizing that businesses employ varied recordkeeping systems, we recommend that DPR explicitly authorize both electronic storage (including cloud-based systems) and hard-copy formats for Plans. Format flexibility will enable more efficient Plan maintenance, updates, and access while accommodating diverse operational needs.

If Plans are Required, Clarify Plan Responsibility Language

We encourage DPR to amend Sustainable Rodent Management training and Plan requirements to provide greater clarity and consistency, illustrating that part (B) is only required when the operator of the property is the entity managing the Plan.

Section 6471.5

In section (b)(B), we propose the following language be added for clarity (suggested new language in italics):

In circumstances where the operator of the property manages the plan the operator of the property must provide a copy of their general Sustainable Rodent Management Plan and records to any hired business applying anticoagulant rodenticides on their property.

Educational Curriculum Must Be Made Available in a Timely Fashion

To ensure successful implementation, any curriculum and training courses associated with this regulation must be approved and fully operational well in advance of the regulation's effective date. This proactive timeline is critical for two key reasons: to prevent any interruption to applications essential for addressing pest infestations and to enable comprehensive stakeholder engagement and effective management of this critical issue.

CONCLUSION

Based on the critical need for anticoagulant rodenticides as part of an integrated rodent management strategy, we urge DPR to adopt a regulation that incorporates the clarifications requested in this letter without imposing additional use restrictions.

Thank you for your consideration of our comments. We look forward to working with you as this regulation is developed. Please contact us if you have any questions.

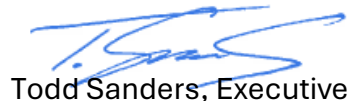
Sincerely,



Zachary Fraser, President & CEO
American Pistachio Growers



Emily Rooney, President
Agricultural Council of California



Todd Sanders, Executive Director
California Apple Commission
California Blueberry Association
California Blueberry Commission
California Wild Rice Advisory Board
Olive Growers Council of California
Olive Oil Commission of California



Scott Dahlman, Director of State
Government Affairs
CropLife America



Ruthann Anderson, President/CEO
California Association of Pest Control
Advisers



Casey D. Creamer, President/CEO
California Citrus Mutual



Daniel Hartwig, President
California Fresh Fruit Association



Rick Tomlinson, President
California Strawberry Commission



Robert Verloop, Executive Director/CEO
California Walnut Commission

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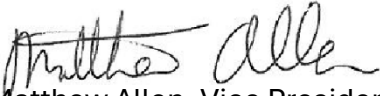
Christopher Valadez, President
Grower-Shipper Association of Central
California



Jon Gaeta, Director of State Affairs
RISE (Responsible Industry for a Sound
Environment)



Kirti Mutatkar, President/CEO
United Ag



Matthew Allen, Vice President, State
Government Affairs
Western Growers Association