



February 13, 2023

Mary Reaves, Director
Pesticide Re-Evaluation Division
Office of Pesticide Program
U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW
Washington, D.C. 20460-0001

Re: RUP classification for all First Generation and Second Generation Anticoagulants (FGAR and SGARs), Bromethalin, and Cholecalciferol products sold in packages \geq 4lbs. Zinc Phosphide products classified RUP. **Docket EPA-HQ-OPP-2017-0750; FRL-10219-01- OCSPP**

Dear Director Reaves:

Thank you for the opportunity to provide comments on the Environmental Protection Agency's proposed interim decisions (PID) for rodenticides used by the restaurant industry. We are concerned that some of the proposed restrictions placed on rodenticides in the PID could increase costs and make it harder to effectively control rodent populations, jeopardizing the public health.

Founded in 1919, the National Restaurant Association is the leading business association for the restaurant industry, which comprises nearly 1 million restaurant and foodservice outlets and a workforce of 14.5 million employees. Together with 52 state associations, the National Restaurant Association creates a network of professional organizations dedicated to serving every restaurant through advocacy, education, and food safety.

Rodents can cause significant risks to restaurant and foodservice facilities including public health concerns, food loss, and contamination. While we appreciate the Agency's efforts to protect human health and the environment, we are concerned that severely restricting rodenticides from integrated pest management programs could endanger the safety of the food supply, exacerbating food shortages and availability.

The use of rodenticides is often a key component of the pest management plan that restaurants often use to protect their employees and customers. Significant restrictions on the use of these products could lead to increases in diseases transmitted directly by rodents such as Salmonellosis caused by food or water contaminated by rodent urine and feces.

Specifically, we are concerned about the following measures included in the PID(s).

- All professional structural products classified as Restricted Use Pesticides (RUPs).
- For field rodent and non-structural use site applications, carcass searches and reporting will be required/ mandatory. All other professional use applications carcass search will be advisory.
- Cancellation of reusable consumer bait stations (11b or less) and refills.

The change to make all rodenticides Restricted Use Products (RUP) could limit the ability to control rodents in and/or around many restaurants, leading to population growth and infestations that can cause health risks to our employees and customers.

Additionally, making these products restricted use could impact the ability to apply baits. For example, in a state where “direct supervision” is on-site or within visual line of sight, “newer” technicians (with as much as three years of experience) would not be able to apply rodent baits. This situation would impact service availability and labor costs.

Our members have also raised concerns that the requirement to have a Certified Applicator on site could lead to service issues. The new requirement may require more than one employee on site and some states require years of experience before a person can apply and test for certified applicator status. This could lead to:

- Reduced options in rodent escalation protocols;
- Increased time to resolution when infestations occur;
- Potential expense to clients to find and remove carcasses, or;
- Reduced options on service.

Restaurants currently have rodent management plans that combine sanitation and structural controls along with responsible use of rodenticides when appropriate. The use of these rodenticides as part of the integrated pest management program ensures that rodent populations are kept at manageable levels and are not allowed to grow. We are concerned that the loss of the products that we rely on will lead to unnecessary infestations, increase health risks for employees and customers and further increase the cost of food.

Additionally, many restaurant and foodservice facilities rely on professional pest control services to preserve the integrity of the facility. Some professional pest control services may not apply RUPs due to the increased burdens of training, record keeping, and other associated costs.

The proposal also indicates a required follow up for the applicator to search the area for two weeks to find and remove visible rodent carcasses. This requirement is problematic because often restaurant owners do not see carcasses, as the rodent will hide underground or in attics to seek shelter. Therefore, this requirement could result in additional time, costs, and labor without the intended outcome.

Finally, some restaurants currently use refillable and/or reusable bait stations to handle minor rodent issues and do not need to hire a pest service company for an isolated rodent issue. Allowing the issue of these refillable bait stations can help with cost control issues as well.

Non refillable bait stations are significantly more expensive than refillable stations. Prefilled bait stations would more than triple the cost with far less control of dangerous rodents. The limited use and applications for non-refillable bait stations further restricts a restaurant’s ability to control isolated rodent issues.

In conclusion, a number of the proposed mitigation measures would hamper our members' ability to protect their restaurants, employees, and customers from rodents that can damage property and carry disease. As you work to finalize the interim registration decisions for rodenticides, we urge the Agency to take into consideration the impact these mitigation measures would have on restaurants throughout the country.

Thank you for your consideration of our comments. We look forward to continuing to work with you on this important issue.

Sincerely,



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National Restaurant Association



Laura Abshire
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