

Roger Isom

Please see the attached comments from a coalition of several agricultural organizations.

Sincerely,

Roger A. Isom

African American Farmers of California
California Apple Commission
California Blueberry Association
California Blueberry Commission
California Cotton Ginners and Growers Association
California Wild Rice Advisory Board
Fresno County Farm Bureau
Madera County Farm Bureau
Milk Producers Council
Nisei Farmers League
Olive Growers Council of California
Olive Oil Commission of California
Western Tree Nut Association

November 7, 2025

Ms. Karen Morrison
Director
California Department of Pesticide Regulation
P.O. Box 4015
Sacramento, CA. 95812-4015

Re: ***Proposed Changes to DPR's Anticoagulant Rodenticide Regulation***

Delivered via email to Smart Comment

Dear Ms. Morrison,

On behalf of the above listed agricultural organizations we would like to thank you for the opportunity to provide comments on the California Department of Pesticide Regulation's (CDPR) proposed changes to the Anticoagulant Rodenticide Regulations. Given the magnitude of the current rodent crisis we are currently facing today, these proposed changes cause serious concerns for the agricultural industry including farmers, packing houses, nut hullers and processors, and all ag handling, processing and storage facilities.

Recently, the state has experienced unprecedented rodent infestations of a magnitude never seen before in California. According to the California Department of Food and Agriculture, the agricultural industry in the Central Valley may have experienced damages totaling more than \$310 million, and that number came out in February of this year. These damages included irrigation systems, equipment wiring, and tremendous amount of yield loss and tree and vine damage. Furthermore, we know that damages have continued since that time and are more widespread.

We also want to point out that rodent control isn't an option it is a requirement under state and federal regulations and required by most food safety schemes and demanded by buyers of our agricultural products. Here is a summary of the requirements and guidelines:

STATE LAW -

California Health & Safety Code (H&SC)

- H&SC § 114259: A food facility shall at all times be constructed, equipped, maintained, and operated as to prevent the entrance and harborage of animals, birds, and vermin, including, but not limited to, rodents and insects.
- H&SC § 114259.1: The premises of each food facility shall be kept free of vermin.
- H&SC § 114259.3: (a) Insect control devices that are used to electrocute or stun flying insects shall be designed to retain the insect within the device. (b) Insect control devices shall be installed so that the devices are not located over a food or utensil-handling area, and dead insects and insect fragments are prevented from being propelled onto or falling on non-prepackaged food, clean equipment, utensils, linens, and unwrapped single-use articles

FEDERAL LAW

Food and Drug Administration (FDA) Food Safety Modernization Act (FSMA) - Preventive Controls for Human Food (21 CFR Part 117)

- Subpart B – Current Good Manufacturing Practice (CGMP)
 - § 117.20 Plant and grounds. - (a) Grounds. The grounds about a food plant under the control of the operator must be kept in a condition that will protect against the contamination of food.
 - § 117.35 Sanitary operations - (c) Pest control. Pests must not be allowed in any area of a food plant. Guard, guide, or pest-detecting dogs may be allowed in some areas of a plant if the presence of the dogs is unlikely to result in contamination of food, food-contact surfaces, or food-packaging materials. Effective measures must be taken to exclude pests from the manufacturing, processing, packing, and holding areas and to protect against the contamination of food on the premises by pests. The use of pesticides to control pests in the plant is permitted only under precautions and restrictions that will protect against the contamination of food, food-contact surfaces, or food-packaging materials.

Food and Drug Administration (FDA) Food Safety Modernization Act (FSMA) Standards for the Growing, Harvesting, Packing, and Holding of Produce for Human Consumption (Produce Safety Rule - 21 CFR Part 112)

- § 112.128 What requirements apply regarding pest control in buildings? (a) You must take those measures reasonably necessary to protect covered produce, food contact surfaces, and food-packing materials from contamination by pests in buildings, including routine monitoring for pests as necessary and appropriate. (b) For fully enclosed buildings, you must take measures to exclude pests from your buildings. (c) For partially enclosed buildings, you must take measures to prevent pests from becoming established in your buildings (such as by use of screens or by monitoring for the presence of pests and removing them when present).

We also want to point out while they are not regulatory, many critical foreign and domestic buyers demand adherence to specific food safety schemes that go beyond state and federal

regulations. Guidelines under the British Retail Consortium (BRC) and the Safe Quality Food (SQF) Initiative are the among the most common and ridged requirements we face, and rodent control is not an option, it is necessary

FOOD SAFETY SCHEMES REQUIRED BY BUYERS

BRITISH RETAIL CONSORTIUM (BRC) Global Standard Food Safety (Issue 9)

Section 4.14:

- 4.14.1 Pest activity: "If pest activity is identified, it shall not present a risk of contamination to products, raw materials or packaging. The presence of any infestation on site shall be documented in pest management records and be part of an effective pest management program."
- 4.14.2 Pest management system: "The site shall either contract the services of a competent pest management organization or have appropriately trained staff for the regular inspection and treatment of the site to deter and eradicate infestation. The frequency of inspections shall be determined by risk assessment and shall be documented."
- 4.14.9 Records of pest management inspections, pest-proofing and hygiene recommendations and actions taken shall be maintained. It shall be the site's responsibility to ensure that all relevant recommendations made by its contractor or in-house expert are carried out in a timely manner."

Safe Quality Food (SQF) Food Safety Code – Edition 9

Module 11 – Good Manufacturing Practices (GMPs) for Processing of Food Products

Clause 11.2.4 – Pest Control / Pest Prevention Program.

- Sites must implement a documented pest prevention/control program that includes monitoring, corrective action, and verification of effectiveness.
- The program must include mapping of pest-control devices (bait stations, traps, insect lights), defined responsibilities, scheduled inspection frequencies based on risk, record-keeping of pest sightings and trends.
- The site's pest-control contractors and/or in-house personnel must be licensed or approved by the relevant local authority where required.
- The storage, application, and disposal of chemical or other control measures must be appropriately managed; mechanical, physical and chemical controls must be part of an integrated pest-management (IPM) approach.

Based on all of the above information and requirements, we feel strongly there should be no time limit on bait application. We regards to the other requirements in the regulation and as we consider the specific proposed changes, we would offer the following comments.

Section 6471.(a)

We want to ensure that all farms and orchards, along with all hullers, packing houses and ag processing facilities are continued to be allowed to use all listed products for rodent control. We believe this to be true as set forth in subsection (a) but would like to confirm that all these

operations indeed qualify for continued use.

Section 6471(c)

This provision is extremely problematic and is not supported by any scientific documentation. While under normal circumstances, one might believe that control of rodents should be accomplished within 35 days, current situations are anything but normal. Our members have been fighting, and continue to fight, unprecedented rodent infestations on a magnitude we have never experienced before. One major contributing factor is the number of abandoned vineyards, orchards and fields. While we might be able to control the immediate population in our growers' own properties, we are seeing reinfestations occurring in those areas where we don't have ongoing control.

Rodent control is a critical and necessary aspect of maintaining Good Manufacturing Practices (GMP) in food processing facilities. The FDA enforces strict regulations under 21 CFR Part 211.56(c) to ensure facilities remain free from infestations that could compromise product safety, integrity, and quality. Failure to implement effective pest control measures can result in FDA 483 observations, warning letters, product recalls, and facility shutdowns. Our facilities cannot have on again, off again rodent controls with any kind of time limit and cannot wait until there is an infestation before acting. As evidenced in the opening of this letter State and Federal regulations, along with internationally accepted food safety protection schemes mandate continuous control. Therefore, we feel strongly this limitation must be removed to ensure ongoing efficacy.

Section 6471.5 Sustainable Rodent Management Training and Plan

While we understand the need to be sustainable and safe, we do not understand, nor do we support, the requirement for a rodent management plan. Training and procedures are one thing, but writing a plan that already incorporates what we are already doing is simply and unnecessary and burdensome bureaucratic bother of little to no value. Relevant and necessary training can be supported and is the point where we draw the line.

In closing, we thank you for the opportunity to provide comments and urge you to give every consideration to the comments provided herein. Should you have any questions, please feel free to contact Roger A. Isom at (559)455-9272 or via email at roger@wtna.org.

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