



AB 1322 – California Ecosystems Protection Act of 2023

Summary:

The California Ecosystems Protection Act of 2023 aims to place greater restrictions on some of the most dangerous rodenticides, which cause widespread poisoning of wildlife, while maintaining short and long term exceptions to protect public health, agriculture, and the environment.

Background:

In 2020, the state passed the California Ecosystems Protection Act of 2020 (AB 1788) to minimize unintended poisonings from one subset of particularly dangerous rodenticides—Second Generation Anticoagulant Rodenticides (SGARs)—by placing a moratorium on certain uses until more comprehensive restrictions were developed. Despite the implementation of AB 1788 in 2021, recent evidence from the California Department of Fish and Wildlife (CDFW) suggests there is still widespread exposure and deaths to wildlife from SGARs and other rodenticides. A 2022 CDFW study found that 70% of the tested animals had exposure to anticoagulant rodenticides, including SGARs.

Another subset of rodenticides, first generation anticoagulant rodenticides (FGARs), includes diphacinone, which is the most frequently detected FGAR in nontarget wildlife. For example, in a 16-year study of urban bobcats in Los Angeles, diphacinone was detected in approximately 30 percent of the blood samples tested. Exposure to diphacinone can result in both lethal and sublethal effects on nontarget wildlife, including severe skin diseases and decreased immune system response.

In 2017, the Department of Pesticide Regulation (DPR) was asked to reevaluate both first and second generation anticoagulant rodenticides. DPR refused to reevaluate FGARs, including diphacinone, and agreed to reevaluate SGARs only. In September 2022, California's First District Court of Appeals rejected DPR's failure to reevaluate the ongoing registration of diphacinone and it continues to be widely used.

Anticoagulant rodenticides continue to result in an unreasonable number of public health incidents with over 3,000 human poisonings in 2021 and at least 2,300 of those involving children under 6 years according to the American Association of Poison Control Centers.

Rodenticides also pose an unreasonable risk to pets and domestic animals as well. Between 1999 and 2009, rodenticides caused about 160 severe death or major poisonings in domestic animal incidents, which EPA believes is a significant underestimate.

Numerous safer alternatives to SGARs and diphacinone are available. Exclusion, sanitation, and physical controls are the most sustainable long term rodent control solution. Fertility control products have also proved effective and are now widely available. As of 2019, there were over 125 different rodenticide products registered for use in California that were not diphacinone or SGARs. Rodenticides can also be counterproductive to rodent control by poisoning and killing natural predators that help regulate rodent populations throughout California.

AB 1322: As amended on 4/25/2023

AB 1322 adds diphacinone to the existing rodenticide moratorium to better protect wildlife from unintentional rodenticide poisoning, while maintaining exceptions for its use to protect public health, water supplies and agriculture. It also requires that the Department of Pesticide Regulation enact stronger, permanent restrictions on second generation anticoagulant rodenticides and diphacinone to limit unintended wildlife poisonings.

Support:

Center for Biological Diversity

Raptors Are The Solution

Animal Legal Defense Fund

Amah Mutsun Tribal Band

Brentwood Alliance of Canyons & Hillside

California Chaparral Institute

California Environmental Health Initiative

California Urban Streams Partnership

California Wildlife Center

California Wildlife Foundation/California Oaks
Channel Islands Restoration
Citizens For Los Angeles Wildlife (CLAW)
Coastal Ranches Conservancy
Conservation society of California
Oakland Zoo
Ecologistics
Endangered Habitats League
Felidae Conservation Fund
Friends of Griffith Park
Hills for Everyone
Humane Wildlife Control
Klamath Siskiyou Connectivity Project
Kyotousa
Morro Coast Audubon Society
Mountain Lion Foundation
Panthera
People for the Ethical Treatment of Animals (PETA)
Poison Free Agoura
Poison Free Conejo Valley
Poison Free Malibu
Preserve Wild Santee

Project Coyote
Project San Benito County
San Bernardino Valley Audubon Society
Santa Barbara Audubon Society
Santa Susana Mountain Park Association
Social Compassion In Legislation
The Cougar Fund
The River Otter Ecology Project
Urban Wildlife Research Project
Ventana Wilderness Alliance
Voters for Animal Rights
Wildcare
Wildfutures
Wildlands Network
Wildlife Emergency Services and Wisdom Good Works
Golden Gate Raptor Observatory

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