



February 4, 2019

Office of Pesticide Programs Docket
Environmental Protection Agency Docket Center (28221T)
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Re: ASI Comments to Docket ID number EPA-HQ-OPP-2010-0752-0095
Registration Review Proposed Interim Decisions for Several Pesticides; Sodium Cyanide (3086);
Sodium Fluoroacetate (3073)

The American Sheep Industry Association (ASI) appreciates the opportunity to comment on the Registration Review Proposed Interim Decisions for Several Pesticides; Sodium Cyanide (3086); Sodium Fluoroacetate (3073) for predator control. ASI has been the national trade organization representing the interests of nearly 90,000 sheep ranchers located throughout the country who produce America's lamb and wool since 1865. ASI is a federation of forty-five state sheep associations representing a diverse industry.

The American Sheep Industry Association requests that the Environmental Protection Agency (EPA) renew the registration of Sodium Cyanide and Sodium Fluoroacetate without additional restrictions on distance of placement or placement near frozen bodies of water.

The registrations for these predator control tools are supported by the U.S. Department of Agriculture, Animal and Plant Health Inspection Services, Wildlife Services (WS). Sodium Fluoroacetate (Compound 1080) is delivered via the "Livestock Protection Collar" (LPC) and Sodium Cyanide through a spring-loaded device called the "M-44". These tools are utilized for control of coyotes, foxes and feral dogs that prey upon livestock and poultry, threatened or endangered species, or vectors of communicable disease. The use is highly target animal specific, used only in limited applications and in compliance with the regulations of the EPA and local jurisdictions. Unauthorized access is prevented through the EPA use restrictions that were developed in the registration process.

We agree with the majority of the findings in the EPA's Sodium Cyanide Proposed Interim Registration Review Decision Case Number 3073. Specifically, citing that the lawful use of these registered products does not result in adverse effects to the environment, aquatic organisms or human health. Further, that the use of these products provides substantial benefits to the producers of sheep, goats and cattle and that the absence of these products would result in increased loss of livestock to predation.

Predation results in one of the largest costs to U.S. livestock producers and wildlife predators cause more than \$137 million annual in death loss to livestock. As the Proposed Interim Decision notes, livestock producers utilize both lethal and non-lethal methods of predator control

and continue to seek new methods to protect livestock. Livestock producers utilize livestock protection dogs, herders, fencing and fladry to discourage predation. Despite these efforts, livestock losses to predators remain a primary concern for producers. The National Agricultural Statistics Services documented in 2004 that predators killed 25.6 sheep and lambs every hour and a total of 224,200 sheep and lambs, accounting for over 37% of all losses. Sheep and lambs have no defense to predation other than to flee. Livestock losses to predators are not only gruesome but diminish the economic viability of the industry. Therefore, effective predator control relies on utilization of the full suite of methods available, lethal and non-lethal.

The M-44 using sodium cyanide is a critical tool for coyote control in the United States. The M-44 has consistently proven to be one of the most valuable tools for coyote control, second only to aerial control of coyotes. In western states, where the terrain allows for effective aerial control, the M-44 sodium cyanide device accounts for 20-30% of total coyote takes. Importantly, that number rises significantly in eastern states where ground cover and terrain diminish or nullify the effectiveness of aerial control of coyotes. In these states, the M-44 sodium cyanide device accounts for in excess of 70% of coyote takes. The M-44 sodium cyanide device has a proven track record of protecting livestock and the environment. Sodium cyanide is one of the most humane pesticides available and degrades in the environment to non-detectable levels in about 24 hours and has low mobility.

The Livestock Protection Collar (LPC) containing sodium fluoroacetate (Compound 1080) is the most target specific method of livestock protection ever developed. Relying on the predator (coyote) actually biting the neck of the target livestock, it remains a valuable tool for livestock producers. Without the LPC and M-44 sodium cyanide device, it is a fact that many sheep producers would no longer continue to raise sheep. That is why the preservation of these tools without unnecessary and arbitrary use restrictions is so critical to the sheep industry. Specifically, we ask that the agency reconsider Proposed Use Restriction 8 and Proposed Use Restriction 12.

ASI holds that there is no scientific or public health justification for a distance restriction on the placement of the M-44 sodium cyanide device on private property. While we defer to the internal guidance on placement developed by WS, codifying that guidance through a label use restriction reduces the agency's potential future flexibility to make decisions in the best interest of sheep producers and the public based on scientific information. Given the low mobility of sodium cyanide and low frequency of incidence, ASI requests the agency not include a label restriction on distance and additional notification.

ASI further believes that Proposed Use Restriction 12, with the addition on placement within 200 feet of a body of water "*even if frozen*" lacks scientific evidence and should not be included. Livestock producers understand and support the existing label claim that M-44 sodium cyanide devices not be placed near certain bodies of water as these features may attract larger numbers of wildlife and may increase the potential of a non-target species passing the location. However, that risk is severely diminished when these features are frozen. Current label and agency guidance require these devices to be inspected weekly, providing ample opportunity to respond to changing weather conditions. The addition of Proposed Use Restriction 12 only serves to

further hinder the ability of WS agency to make decisions that are in the best interest of protecting livestock and public health.

In conclusion, the nation's sheep producers and members of ASI appreciate the agency's thorough review and Proposed Interim Decision. We urge the agency to renew the registration of Sodium Cyanide and Sodium Fluoroacetate without the addition of Proposed Use Restrictions 8 or 12.