

November 12, 2010

Office of Pesticide Programs (OPP)  
Regulatory Public Docket (7502P)  
Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, D.C. 20460-0001

RE: Comments to Docket ID number EPA-HQ-OPP-2010-0734  
Registration Review; Pesticide Dockets Opened for Review and Comment  
Fluoracetic Acid Derivatives (3073); Sodium Cyanide (8002)  
Federal Register Volume 75, Number 183, Pages 57782-57785

The American Sheep Industry Association (ASI), the trade organization representing the nation's sheep farms and ranches, supports the continued registration of sodium cyanide (8002) and sodium fluoroacetate (3073) for predator control purposes.

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. Impacts on non-target species and the environment are also limited by the use restrictions.

The M-44 is critical for coyote control in the United States. In fact, over the past ten years the M-44 is the second most effective tool in coyote control, second only to aerial control of coyotes. The maximum annual use by WS between 1988 and 1991 was 220 pounds of sodium cyanide. In FY2000, 68 pounds were used. In comparison, the mining industry used more than 200 million pounds of sodium cyanide annually to concentrate ores. WS policy directs M-44 use in more remote and limited locales where predation has occurred, with posted signs to warn the public of their presence. Sodium cyanide is identified as one of the most humane pesticides in the environment, as it degrades to non-detectable levels in about 24 hours, and has low mobility.

The LPC, a collar containing Compound 1080 is placed on a sheep or goat, only affects a predator that is biting the throat of the livestock, representing the most targeted specific method of livestock protection ever developed. The maximum annual use by WS between 1988 and 1991 was .05 pound of Compound 1080 and 0.87 pounds in FY2000. Between 2000 and 2004, WS used 475 to 525 collars each year.

WS relies on these chemicals to selectively remove predators in proximity to livestock only when and where they can be safely used. On public land, interagency meetings between the land

managing agency and WS are held annually to help identify when and where they can be safely used.

WS employs an Integrated Pest Management approach in which multiple strategies are used. Lethal methods are used only when determined to be the most effective and humane method.

The U.S. Department of Agriculture National Agricultural Statistics Service (NASS) latest survey of sheep loss clearly defines the loss of sheep killed by predators as larger than any other cause including sheep dying from respiratory disease, old age or lambing problems. NASS documented a \$127 million loss to the sheep, goat, and cattle industry as a result of predation. In FY04, predators killed 25.6 sheep and lambs every hour, a total of 224,200 sheep and lambs. This represents 37.3 percent of all losses.

WS assistance to protect sheep in 16 western states provides benefits that are 2.4 times the cost of providing the program. Results of a National Wildlife Research Center (NWRC) economic study indicated that for every \$1 California counties invest in WS they save between \$6.50 and \$10.00 in wildlife damage and replacement program costs.

Livestock producers use many of the nonlethal tools recommended by Wildlife Services and others. NWRC devotes approximately 75 percent of its budget to research on nonlethal methods. Farmers and ranchers spent \$199.1 million on nonlethal controls to control predators according to the 2005 NASS Cattle Death Loss report. These include altered husbandry practices, guard dogs, scaring devices, the use of herders, and fladry. Without an effective predator management program, combining lethal and nonlethal methods, losses to predators would be significantly higher.

Unlike loss due to weather and age, over which producers have little control, loss to predators can be addressed through nonlethal and lethal tools. Just as producers use veterinarians and medicine to respond to illness as a cause of loss, they use nonlethal and lethal tools to respond to predator loss. Each tool is useful in its own manner but all have a place in successful predation management. LPC with Compound 1080 can be used in more areas where other controls, such as trapping, are not viable alternatives. M44s are more suited in more remote areas.

In 2007, a group petitioned EPA to initiate cancellation of the registrations for sodium cyanide and sodium fluoroacetate. In consultation with WS, U.S. Fish and Wildlife Service, Department of Interior, Department of Homeland Security, and others, EPA categorically addressed and denied the claims made by the petitioners. In the conclusion statement of the decision document, EPA made several statements that are relevant to the intent of this docket. Below are excerpts from the January 16, 2009 letter from the Office of Prevention, Pesticides and Toxic Substances to Ms. Wendy Keefover-Ring with Carnivor Protection Program:

*EPA does not believe that the information or arguments put forward by Petitioners warrant cancellation of these registrations...*

*As to the argument that proper use of the M-44 and 1080 LPC poses unreasonable risks to the environment, EPA finds the petition unpersuasive for a number of reasons...*

*... Petitioners argue that predator control programs are ineffective in substantially reducing predator populations, and that reducing predator populations can have negative effects on ecosystems. Even if true (and the arguments appear, at least at first blush, to be somewhat mutually inconsistent), given that the great majority of lethal predator control in the United States does not involve either the M-44 or 1080 LPC (approximately 12% and 0.04% respectively (See Ref. 15 at 1) it is not clear at all that granting the petition would have much impact...*

*Petitioners also argue that the risks presented by these registrations are unreasonable because of homeland security concerns and the ESA. As discussed earlier, EPA does not believe that it is obligated under the ESA to cancel these registrations, and EPA (and the Department of Homeland Security agrees) that cancellation is not necessary from a homeland security perspective.*

*While Petitioners also argue that there are no benefits associated with the use of these predacides, EPA finds that there do appear to be benefits associated with these registrations... EPA believes that these pesticidal uses do have value as a last resort to prevent depredation of specific herds or flocks...*

On behalf of the farm and ranch families of our nation that produce lamb and wool we appreciate the opportunity to comment and urge the Agency to continue the registrations of sodium cyanide and sodium fluoroacetate for predator control.