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Environmental
Protection Agency

Pest Control Device Rodex 4000

Date December 3, 2001

ENF Letter ENF 01-53

Distribution County agricultural commissioners

Approval

original signed by

Scott T. Paulsen, Chief
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(916) 324-4100

Background

This letter addresses the use and monitoring of the pest control device, Rodex 4000, U.S. EPA Establishment Number 073-472-ID-001. This equipment is a pest control device that delivers a mixture of propane and oxygen to produce an explosion inside a burrow with the intent of killing rodents. U.S. EPA is currently exploring the feasibility of reclassifying devices like Rodex 4000 that are delivery systems for substances as pesticides. An enforcement case review was conducted by Mr. Bill Jacobs of the U.S. EPA Washington D.C. office. In the review, Mr. Jacobs recommended that the device be banned from use within five hundred feet of buildings. No resolution of this issue is expected in the near future. Currently the product is classified as a device and therefore regulatory authority of its' use is limited.

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Pest Control Device Rodex 4000, continued

1. Question What regulations would apply to the use of this product?

Answer In addition to Department of Pesticide Regulation (DPR) licensing and County Agricultural Commissioner (CAC) registration requirements for pest control businesses, this device would need to be used in a careful and effective manner as required by the California Code of Regulations (3CCR) Section 6600. DPR's structural device registration requirements are not applicable to this device.

2. Question Does DPR or CAC inspection authority include the use of pest control devices?

Answer Yes. 3CCR Section 6140 allows the Director of DPR or the CAC to inspect or sample in order to determine compliance with regulations, "pertaining to pesticides and pest control operations."

3. Question Can the CACs count the monitoring of Rodex 4000 as an inspection on Report 5?

Answer No. DPR does not have a pest control device inspection form. The department considers the monitoring of pest control device use a low priority activity. If a CAC inspector, in the course of performing inspections or looking for pesticide operations, observes the use of a pest control device, the time spent could be reported on Report 5 in XL Surveillance Hours. Time spent verifying compliance with pest control business license and registration should be reported on Report 5 in Section XIV B "Other Licensed Hours." Report the activity, including the hours it took to complete, on the back of Report 5. As the instructions state, Other Licensed Hours will not be reimbursed, unless the activity is specified on the back of the report.

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Pest Control Device Rodex 4000, continued

4. Question Do any provisions of the Healthy Schools Act, Education Code Sections 17608 – 17613 (i.e. notification, warning signs or use records) apply to the use of Rodex 4000?

Answer *No. The Healthy Schools Act requirements apply to the use of pesticides not pest control devices. Information regarding the hazards or effectiveness of this product may be forwarded to Mr. Tom Babb, Associate Environmental Research Scientist at (916) 323-2743. Mr. Babb is the lead person for the Healthy Schools Act IPM program for the Department's Pest Management and Licensing Branch.*

Further Questions Please contact your Senior Pesticide Use Specialist or Liaison with any further questions or concerns.

cc: Mr. Daniel J. Merkley, Agricultural Commissioner Liaison
Mr. Tom Babb, Associate Environmental Research Scientist