

A Brief History and Current State of Vertebrate Trapping in the Structural Pest Control Industry

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Trapping nuisance vertebrate pests has been an integral part of the structural pest control industry since its earliest days. When the Structural Pest Control Act was first promulgated in the 1930s trapping as part of a management strategy of nuisance vertebrate pests such as opossums, raccoons, skunks, squirrels, and birds was a common practice of the industry. The Structural Pest Control Act was focused then and continues to focus on the regulation of pest management as an integrated process rather than focusing on pesticides or other limited forms of control. Vertebrate pest management and trapping as one management tool has continued to be an integral part of the Branch 2 structural pest control industry right into the new millennium.

In 1995 a group of unlicensed structural animal trappers approached Assemblywoman Valerie Brown about sponsoring legislation (AB 568), which would allow them to practice their business of structural animal trapping without having to obtain a Branch 2 license from the Structural Pest Control Board (SPCB). After some heated debate and difficult compromise on both sides of the issue, AB 568 was signed into law creating the ability for animal trappers to work without having to have a Branch 2 SPCB license. In creating this exemption the SPCB still empowered and regulated its licensees in this activity while allowing for some to practice this activity without holding a SPCB license.

In February 2002 Senator Byron Sher introduced SB 1645 which broadened the scope of who needs to obtain a trapping license from the Department of Fish & Game. At the time, the Department of Consumer Affairs and Pest Control Operators of California (PCOC) inquired about this legislation and were assured that it would not affect the empowerment and authority of the SPCB and its licensees. It would appear that this legislation was directed at the new class of trappers who were using the 1995 exemption in the Structural Pest Control Act created by Assemblywoman Brown's AB 568. After the implementation of SB 1645 the Department of Fish & Game (DF&G) interpreted the new law to require that SPCB licensees obtain a DF&G trapping license in addition to their existing SPCB license. During the time since the implementation of SB 1645 the DF&G has maintained the position that SPCB licensees must obtain a DF&G trapping license, while the SPCB, PCOC, and the California Department of Pesticide Regulation (CDPR) have all maintained that SPCB and CDPR licensees do not need a DF&G trapping license to trap vertebrate pests. The DF&G, SPCB, PCOC, and CDPR have been working for two years to resolve this conflict in law through regulation or legislation. In 2003, Assemblyman Rudy Bermudez introduced legislation (AB 1312) which was later amended to address this issue by clarifying that SPCB licensees were exempt from the DF&G licensure requirements as it pertains to structural pest control trapping. In 2004 as AB 1312 was pursued legislatively the DF&G assured PCOC, SPCB, and CDPR that this issue could be more easily resolved through regulation rather than by legislation. PCOC and the SPCB went to numerous DF&G hearings throughout the state testifying in favor of the proposed regulations which would have addressed most of our concerns. Unfortunately however, in the fall of 2004 DF&G withdrew the proposed regulations and suggested that we again pursue resolution of this problem through legislation. At that point however the 2003-2004 session was ending as was AB 1312. As a result as the

new legislative session began in January 2005 Assemblyman Bermudez introduced new legislation (AB 87), which clarifies that licensees of the SPCB and CDPH are exempted from the DF&G licensing requirements.

Throughout this regulatory and legislative process, several groups have advocated that SPCB licensees should not be involved in the trapping industry. Both the animal rights group Fund for Animals, and trappers who earned their exemption from the SPCB through Assemblywoman Brown's AB 568 have argued that DF&G licensees should be the only professionals involved in trapping vertebrate pests, rather than licensed pest management professionals. Unfortunately these groups look at the issue of vertebrate pests only from the perspective of the narrow focus of trapping rather than the larger perspective of managing these animals. Trapping is but only one aspect to the appropriate management of these urban vertebrate pests. Rather than the narrow focus of trapping, which is the focus of DF&G trappers, SPCB licensees are trained and licensed professionals who deal with the complete and complex process of managing these animals as pests in the urban structural environment.

Management of vertebrate pests in structural and urban environments involves changing the habitat, food sources, access to the structure and other issues all as integral aspects of the management of these vertebrate pests. Trapping is but one management tool which may or may not be applicable or useful in each given management situation. Rather than limiting themselves to trapping, SPCB licensees address all of other issues, which are necessary to long-term management of the pest problem. By eliminating harborage and access to food and water, trapping is often not even necessary. The issue of ectoparasites is also a crucial aspect of the management of vertebrate pests in the urban environment, which is ignored by DF&G trappers. Wild animals are hosts to a wide variety of ectoparasites, which can at a minimum be a great nuisance to consumers, and at worst can pose real health threats to pets and humans. Fleas, mites, ticks, and bedbugs are all pests which frequently end up in and around urban structures as a result of vertebrate pests living in structures or in the immediate vicinity of structures. Managing these ectoparasites is a part of the management of vertebrate pests which is addressed by SPCB licensees but not by those whose sole interest and authority is in trapping alone.

While the PCOC and the SPCB have always maintained that SPCB licensees do not need to obtain a DF&G trappers license to trap vertebrate pests which are behaving as structural pests, both the PCOC and SPCB have also always recognized that SPCB licensees need to comply with applicable DF&G laws and regulations regarding the safe and humane trapping of vertebrate pests. There are laws which govern how such animals may be trapped, what kinds of traps may be used, the frequency of monitoring traps, the accepted method of euthanizing the trapped animal and where such animals may be released. While this article does not come close to covering all of the laws and industry standards we will highlight some of the key issues.

One of the areas where PCOC finds ourselves in complete agreement with DF&G, SPCB, and animal rights activist groups is that the trapping of vertebrate pest needs to be done humanely and in compliance with all applicable laws, regulations and industry standards. These laws have been put in place to ensure trapping is done in as humane manner as possible while also protecting human health.

While pest management professionals use “kill” traps for commensal rodents, gophers and moles, the industry uses box-type live traps (Tomahawk, Havaheart) almost exclusively for larger vertebrate control. This type of trap enables the pest management professional to release the animal without harm.

For purposes of practical distinction I break vertebrate structural pest control pests into several general categories: commensal rodents, non-commensal rodents (including moles which are not actually rodents), birds, bats, and other nuisance vertebrate pests. The rest of this article will focus on the rules and guidelines governing the use of the trapping of “*other nuisance vertebrate pests*” and some “non-commensal rodents” such as squirrels using box-type live traps.

Monitoring of traps: One of the core standards of live trapping is to ensure that the animal does not spend an excess amount of time confined in the trap. As such the longstanding industry practice and law (DF&G §4152, DF&G §4180 DF&G §465.5(2)) requires traps be checked at least daily and all animals removed. In cases where the pest management professional may not be able to check the trap each day (over weekends or holidays) then the trap should be removed or disabled.

What may be trapped and when? While there are many applicable DF&G codes which apply and need to be followed; one code is applicable for most structural/urban vertebrate pests. DF&G §4152 states “*Except as provided in Section 4005, nongame mammals and black-tailed jackrabbits, muskrats, and red fox squirrels that are found to be injuring growing crops or other property may be taken at any time or in any manner in accordance with this code by the owner or tenant of the premises or employees thereof, except that if leghold steel-jawed traps are used to take those mammals, the traps and the use thereof shall be in accordance with subdivisions (a),(b), and (d) of Section §4004.....Persons taking mammals in accordance with this section are exempt from the requirements of Section 3007. Raw furs, as defined in Section 4005, that are taken under this section, may not be sold.*”

Section §3007 states that under normal circumstances a license is required: “Every person who takes any bird or mammal shall procure a license or permit therefor.”

Disposition of trapped animals: We have two options; “*Immediate dispatch or release*” F&GC §465.5 (1) “*Immediate Dispatch or Release. All furbearing and nongame mammals that are legal to trap must be immediately killed or released. Unless released, trapped animals shall be killed by shooting where local ordinances, landowners, and safety permit. This regulation does not prohibit employees of federal, state, or local government from using chemical euthanasia to dispatch trapped animals.*”

Many consumers and some within the pest management profession feel that relocation of animals is a good strategy. While in some rare and unique circumstances the DF&G may direct that trapped animals may be relocated, relocation is generally illegal. The relocation of wildlife is both against best practices, and illegal in California and most other states. F&GC §679(f)(4) “*These regulations do not authorize any person, facility or organization to accept, possess or relocate nuisance wildlife. Any healthy wildlife trapped in towns or cities or removed from under buildings or otherwise taken or trapped because of human/animal conflict shall be immediately released in the area where trapped or disposed of as directed or authorized by the department. Any such wildlife*

that has been determined by a veterinarian to be so seriously ill that it cannot be treated shall be euthanized and tested as directed by the appropriate county public health agency or the department.”

The rationale against relocation is multifaceted: pest animals are typically being trapped because they are damaging property and/or pose a health threat. By relocating the animal, the animal is likely to become a pest to another consumer. Relocated animals often are unable to find food sources as readily as in their “home” environment where they have been trapped. This is especially true if the animal has learned to rely upon scavenging off humans, and the animal is relocated to a non-urban environment. Another important reason for not relocating animals is the potential for spreading disease. Geographically limited interaction between different populations of animals helps to limit the spread of disease, but when humans artificially move animals from one area to another they are potentially moving a disease to a population of animals which would not have otherwise been exposed to it.

Release or Euthanasia: For many reasons the easiest and perhaps in most cases the best option is to release the trapped animal. Obviously unless other pest management steps are implemented the released animal will most assuredly continue with its behavior which prompted the consumer bringing in a professional to begin with. All reasonable steps for management will have to have been put into place such as removal of food sources (pet food, bird food etc.), and sealing up garbage cans and garbage storage areas. Other obvious pest management strategies need to have been taken to seal up openings into the structure which could allow the animal to re-enter the structure or subarea, as well. If the animal is obviously diseased it is against the law (*DF&G §680(b) and other sections*) to release, and must be euthanized. If the animal is habitually damaging livestock such as chickens then said animal is a prime candidate for euthanasia rather than release. Obviously chicken coops and other kept animal shelters should be subject to vertebrate proofing to minimize the ability of predator vertebrate pests from gaining access. There are other factors which may dictate that euthanasia is the better strategy than releasing in certain circumstances.

Implementing Humane Euthanasia: F&GC section §465.5 states, “*Unless released, trapped animals shall be killed by shooting where local ordinances, landowners, and safety permit.*” In cases where firearms are not reasonable or legal, then the animal should be euthanized by a method approved by the American Veterinary Medical Association (AVMA). The AVMA Panel on Euthanasia published a report in 2000, which outlines acceptable means of euthanasia. The AVMA categorized euthanasia methods into four categories: “Inhalant agents,” “Noninhalant pharmaceutical agents,” “Physical methods,” and “Adjunctive methods.” Noninhalant pharmaceutical agents may only be applied by veterinarians, and adjunctive methods are those which don’t ensure death, and are intended to be done in conjunction with another method. Therefore pest management professionals are restricted to applicable inhalant agents and physical methods.

While there are several AVMA approved inhalation agents which a pest control professional could get his hands on, the most logical choice is carbon dioxide (CO₂). The entire trap with the animal inside is placed inside a chamber and CO₂ is released into the chamber resulting in a humane death. Various vendors sell specially manufactured euthanasia chambers, or one may be constructed by the pest

management professional. One popular option is to convert a large commercial picnic cooler as a euthanasia chamber. Only bottled CO₂ should be used, and the procedures dictated by the AVMA should be followed. PCOC offers a course to its members on how to euthanize trapped animals following AVMA guidelines.

Historically it was a common practice for pest management professionals and government agencies to use carbon monoxide generated by automobile exhaust to euthanize trapped animals. This method is not acceptable by the AVMA guidelines. Even if this practice were still legal, a variety of other ethical, legal and practical considerations ranging from concerns from OSHA to problems with efficacy also make this practice no longer practical.

There are a number of acceptable physical methods for euthanasia including penetrating captive bolt, gunshot, "blow to the head," electrocution, decapitation and others. Not all methods are acceptable for all size animals, and not all methods are reasonable given we are dealing with wild animals in traps. For the animals and settings we are discussing we are limited to the penetrating captive bolt and shooting the animal in the head with a firearm as the only two potentially practical physical methods. The captive bolt option is not very practical in many if not most circumstances, as the device must be placed against the animal's skull. Using a firearm is neither practical nor legal in urban settings, though in rural settings it can be a legal and practical tool for the pest management professional.

Clearly of all the options the most practical method, and far and away most commonly used means of euthanasia by pest management professionals and other professionals involved in animal trapping is placing the entire box-type live trap into a CO₂ chamber. The second option available in a rural setting would be the use of a firearm to shoot the animal in the head.

There are many other important factors pest management professionals need to keep in mind when trapping. Take steps to ensure worker health and safety, through the wearing of appropriate gloves and other personal protective equipment to prevent bites from the animals, as well as taking steps to minimize exposure to disease spread by ectoparasites and bodily fluids. Euthanized animals should be double bagged and placed in a secure trash receptacle until it can be taken to a landfill. Furs may not be taken from these trapped animals; only DF&G licensed fur dealers (*DF&GC §4180 and other codes*) or others specifically licensed by the DF&G for this purpose may take furs from trapped animals.

As with any specialty within the structural pest control industry, licensees are strongly encouraged to educate themselves and keep abreast of all applicable laws to ensure that they are providing the most professional service to the public as possible. PCOC has a variety of resources to aid our members in vertebrate pest management training.