

109TH CONGRESS  
1ST SESSION

# H. R. 4567

To prohibit the manufacture, processing, possession, or distribution in commerce of the poison sodium fluoroacetate (known as “Compound 1080”), to provide for the collection and destruction of remaining stocks of sodium fluoroacetate, to compensate persons who turn in sodium fluoroacetate to the Secretary of Agriculture for destruction, and for other purposes.”

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 16, 2005

Mr. DEFazio introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committees on Agriculture and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To prohibit the manufacture, processing, possession, or distribution in commerce of the poison sodium fluoroacetate (known as “Compound 1080”), to provide for the collection and destruction of remaining stocks of sodium fluoroacetate, to compensate persons who turn in sodium fluoroacetate to the Secretary of Agriculture for destruction, and for other purposes.”

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Sodium Fluoroacetate  
3 Elimination Act”.

4 **SEC. 2. IMMEDIATE PROHIBITION ON MANUFACTURE,**  
5 **PROCESSING, OR DISTRIBUTION IN COM-**  
6 **MERCE OF SODIUM FLUOROACETATE (COM-**  
7 **POUND 1080).**

8 (a) AMENDMENT OF TOXIC SUBSTANCES CONTROL  
9 ACT.—Section 6 of the Toxic Substances Control Act (15  
10 U.S.C. 2605) is amended by adding at the end the fol-  
11 lowing new subsection:

12 “(f) COMPOUND 1080.—No person may manufac-  
13 ture, process, or distribute in commerce sodium  
14 fluoroacetate (known as ‘Compound 1080’). ”.

15 (b) EFFECTIVE DATE.—The amendment made by  
16 subsection (a) shall take effect on the date of the enact-  
17 ment of this Act.

18 **SEC. 3. COLLECTION AND DESTRUCTION OF STOCKS OF SO-**  
19 **DIUM FLUOROACETATE.**

20 (a) COLLECTION.—During the 18-month period be-  
21 ginning on the first day of the first month beginning on  
22 or after the date of the enactment of this Act, the Sec-  
23 retary of Agriculture shall solicit and accept the transfer  
24 of stocks of the poison sodium fluoroacetate (known as  
25 “Compound 1080”) held in public or private ownership  
26 in the United States.

1       (b) COMPENSATION.—The Secretary of Agriculture  
2 shall compensate persons (other than a Federal agency)  
3 that transfer sodium fluoroacetate to the Secretary during  
4 the period specified in subsection (a) for the reasonable  
5 value of the sodium fluoroacetate acquired by the Sec-  
6 retary.

7       (c) DESTRUCTION.—The Secretary of Agriculture  
8 shall destroy all sodium fluoroacetate acquired under this  
9 section and all stocks of sodium fluoroacetate held by the  
10 Department of Agriculture as of the date of the enactment  
11 of this Act. The Secretary may not use sodium  
12 fluoroacetate in the Wildlife Services Program of the De-  
13 partment.

14       (d) INVENTORY.—During the period specified in sub-  
15 section (a), the Secretary of Agriculture shall conduct an  
16 inventory in an attempt to identify those persons who hold  
17 stocks of sodium fluoroacetate so that such persons are  
18 given the opportunity to transfer the sodium fluoroacetate  
19 to the Secretary under this section and to receive com-  
20 pensation for the sodium fluoroacetate. The Secretary of  
21 Agriculture shall conduct the inventory in cooperation  
22 with the Administrator of the Environmental Protection  
23 Agency and the Secretary of Homeland Security.

24       (e) FUNDING SOURCE.—Amounts appropriated to  
25 the Department of Agriculture for the Wildlife Services

1 Program shall be available to provide the compensation  
2 required by subsection (b). If such amounts are insuffi-  
3 cient to provide compensation to all persons entitled to  
4 compensation under such subsection, the Secretary of Ag-  
5 riculture shall use other funds appropriated or otherwise  
6 made available to the Department.

7 **SEC. 4. PROHIBITION ON POSSESSION OF SODIUM**  
8 **FLUOROACETATE.**

9 (a) PROHIBITION.—Whoever (other than a person  
10 acting under the authority of section 3(c)) possesses so-  
11 dium fluoroacetate shall be fined under title 18, United  
12 States Code, or imprisoned not more than two years, or  
13 both.

14 (b) EFFECTIVE DATE.—This section shall take effect  
15 at the end of the 18-month period beginning on the first  
16 day of the first month beginning on or after the date of  
17 the enactment of this Act.

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