

70701  
SHAUGHNESSY NO.

REVIEW NO.

EEB BRANCH REVIEW

DATE: IN 9-12-85 OUT 1-29-86

FILE OR REG. NO. 54649-EUP-R

PETITION OR EXP. PERMIT NO. \_\_\_\_\_

DATE OF SUBMISSION 8-30-85

DATE RECEIVED BY HED 9-11-85

RD REQUESTED COMPLETION DATE 12-02-85

EEB ESTIMATED COMPLETION DATE 11-29-85

RD ACTION CODE/TYPE OF REVIEW 750

TYPE PRODUCT(S): I, D, H, F, N, R, S Avian Repellent

DATA ACCESSION NO(S). \_\_\_\_\_

PRODUCT MANAGER NO. W. Miller (16)

PRODUCT NAME(S) Scare Crow Corn Chips

COMPANY NAME \_\_\_\_\_

SUBMISSION PURPOSE Proposed EUP for use on sunflowers to  
repel redwing, rusty, and yellow-headed  
blackbirds, common grackles, and starlings

SHAUGHNESSY NO.	CHEMICAL & FORMULATION	% AI
<u>70701</u>	<u>Capsicum</u>	<u>.5</u>
_____	<u>Inerts</u>	<u>99.5</u>
_____	_____	_____
_____	_____	_____

EEB REVIEW

100 Submission Purpose and Label Information

100.1 Submission Purpose and Pesticide Use

The registrant (H.G.C., Inc.) seeks an Experimental Use Permit to apply the bird repellent, Scare Crow Corn Chips, to sunflower fields in North Dakota.

100.1.1 Proposed EUP Program

100.1.1.1 Objective (Excerpted from submission)

The product will be applied to test fields of sunflowers. The target test species are redwing, rusty, and yellow-headed blackbirds, common grackels, and starlings. The principal testing to be done at this time is in the area of effectiveness of the product for its intended purposes as a bird repellent. Approximately 5000 acres will be treated.

100.1.1.2 Data Duration

The EUP would be for 1 year. The desired months of pesticide application are September and October.

100.1.1.3 Amount Shipped, Geographic Distribution

The product will be applied in North Dakota only. Twenty-five thousand pounds will be shipped.

100.2 Formulation Information

Active Ingredient

capsicum . . . . .	0.5%
Inerts . . . . .	99.5%

100.3 Application Methods, Directions, Rates

This bait contains capsicum on cracked corn. Birds are repelled from a field after consuming the bait and experiencing a hot sensation associated with the food in a field.

(The following is excerpted directly from the label)

#### General Recommendations

It is not necessary to treat the complete field with Scare Crow Corn Chips. The target bird's habits can be changed by treating the area in which the target birds are roosting, except in water. Treatment around sloughs or bodies of water is very beneficial in moving birds out of the area.

#### Directions for Use

Apply at the rate of 1-3 lbs per acre. Apply by air with dry spreader attachment. Spread evenly for full field coverage. Use Scare Crow Corn Chips at first sign of crop damage from target birds and repeat in 10 days to 2 weeks if heavy rains occur or they return.

#### Hand Baiting Method

When bird damage reaches 100 damaged heads, or when at least 100 feeding target birds are observed in a field, hand baiting may be initiated. Enough bait to complete one pass through a field should be carried in a suitable container. Walking the center of the row to be treated, alternately throw bait to the right and left with five (5) paces between throws. In situations where bird damage is occurring in strips or "hot" spots, rather than treating the entire field treat only that area in which the damage is occurring.

Scare Crow Corn Chips are applied to sunflower fields when the sunflowers heads are in the dough shape, or when the yellow petals on the outside ring of the sunflower head pop off.

#### 100.4 Target Organisms

Redwing, rusty, and yellow-headed blackbirds, common grackles, and starlings.

#### 100.5 Precautionary Labeling

Do not apply directly to water. Do not contaminate streams, lakes, or ponds with this material.

101 Hazard Assessment

101.1 Discussion

This avian repellent will consist of cracked corn containing 0.5 percent capsicum by weight. The formulated product would be applied at a maximum rate of 3 lbs per acre.

101.2 Likelihood of Adverse Effects to Nontarget Organisms

The formulation of 0.5 percent cracked corn bait would result in a bait containing 5000 ppm of active ingredient (capsicum).

Data are not provided to indicate the weight of cracked corn granules. However, it can be assumed that the maximum weight per granule would be approximately 0.189 g assuming 2400 cracked corn granules/lb). This would indicate that each granule would contain 44 mg of capsicum.

There are no available toxicity data upon which to base an assessment of hazard to nontarget fish and wildlife. As noted in an earlier review of a bird repellent containing oleoresin capsicum, while the active ingredient is a formulation food seasoning, hazard to nontarget fish and wildlife cannot automatically be assumed to be proportional to human toxicity. Red pepper extract is extremely irritating to skin and mucous membranes and may produce toxic symptoms. Therefore, basic toxicity data are required to support registration of this product.

101.3 Endangered Species

It is not possible to assess the risk to endangered species posed by the use of this pesticide until basic toxicity data are submitted.

101.4 Adequacy of Toxicity Data

The following data set is required in order to assess the potential hazard of this proposed

use to fish and wildlife. These studies should be conducted using the technical grade of active ingredient:

1. Eight-day dietary LC<sub>50</sub> using an upland game bird (bobwhite quail) and a species of waterfowl (mallard duck).
2. Acute oral LD<sub>50</sub> using bobwhite quail.
3. Acute 96-hour LC<sub>50</sub> using a warmwater fish species (bluegill sunfish) and a coldwater fish species (rainbow trout).
4. Acute 48-hr LC<sub>50</sub> using a freshwater invertebrate Daphnia magna.

101.5 Adequacy of Labeling

A label statement must be incorporated to read "Do not apply directly to water or wetlands (swamps, bogs, marshes, and potholes). Do not contaminate water by cleaning of equipment or disposal of wastes."

102 Classification

Use category classification will be deferred pending the receipt of requested data.

103 Conclusion

EEB has reviewed the proposed Experimental Use Permit (EUP) for Scare Crow Corn Chips as a bird repellent on sunflower fields. EEB concludes that the proposed EUP provides for minimal hazards to nontarget organisms. Prior to full section 3 registration, however, the data described in section 101.4 must be provided.

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