

5517070  
305/18

January 16, 1997

Mr. Harold L. Jackson  
R & M Exterminators, Inc.  
South 24212 D Street  
Cheney, WA 99004

Dear Mr. Jackson:

Subject: Pocket Gopher Bait Containing Strychnine 1-10  
Formulation on Cats  
EPA Registration No. 4271-10  
Your Submission of February 28, 1996

As the proposed revised Confidential Statement of Formula (CSF) for 4271-10 dated "2-28-96", seems to describe a formulation different from that used to generate Storage Stability data for this product, new Storage Stability data would have to be generated if this CSF were accepted. As you might not have been aware of this circumstance when you submitted the proposed revised CSF dated "2-28-96", we have decided not to consider accepting it until you tell us whether you wish to keep the current formulation so that the Storage Stability test does not have to be repeated or that you want to use the new formulation even though you understand that, by switching to it, you would be obligated to submit new Storage Stability data.

We accepted your CSF dated "9-10-95" on October 23, 1996, and did not require at that time that a new CSF be submitted. Due to its similarity to CSFs previously on file for this product, we have been under the impression that the CSF dated "9-10-95" accurately describes the bait for which the Storage Stability data that we accepted for this product were generated. If that is a false impression, you must modify this product's formulation to correspond to that which was used in the Storage Stability test for 4271-10.

The proposed revised label submitted on February 28, 1996, could not be accepted at that time because we had not resolved a conflict between the text of the 1989 Strychnine Settlement Agreement and the label changes directed by subsequent EPA actions such as PR Notices 93-3 and 93-8. This problem was removed this past fall when the decision to the 1989 Strychnine Settlement Agreement was amended to permit label changes to be made consistent with EPA's mission and objectives. Consequently, we now are in a position to consider label changes for Strychnine products. Due to the District Court Injunction of LSCC, however, such changes can only be considered for below ground uses.

CONCURRENCES

SYMBOL							
SURNAME							
DATE							

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We have reviewed your proposed revised label submitted on February 28, 1996. The label submitted on that date is acceptable provided that you comply with the conditions stipulated below.

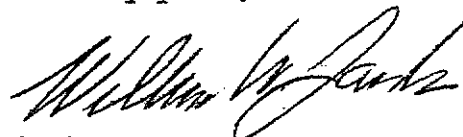
1. In the "RESTRICTED USE PESTICIDE" box, change "DUE TO HIGH ACUTE TOXICITY" to "DUE TO HAZARD TO NONTARGET ORGANISMS". The latter wording is adapted from text in 40 CFR, §152.175, which pertains to burrow-builder applications of Strychnine baits.
2. To the "USE RESTRICTIONS" paragraph of the "DIRECTIONS FOR USE", add the sentences shown immediately below.

"Do not apply this product above the ground surface. Do not apply this product over food or feed crops."

3. Submit one copy of final printed labeling for our files before releasing this product for shipment.

If you have any questions regarding the content of this letter, you may call me at 703-305-6406.

Sincerely yours,



William W. Jacobs  
Acting Product Manager 14  
Insecticide-Rodenticide Branch  
Registration Division (7505C)

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### PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS **DANGER**

**Convulsive Poison!** Poisonous if swallowed. Do not contaminate feed and foodstuffs. Keep away from children, pets and domestic animals. Wash thoroughly with soap and water after handling and before eating or smoking. Clean clothing should be used daily.

### ENVIRONMENTAL HAZARDS

This product is toxic to fish, birds and other wildlife. Baits exposed on soil surface may be hazardous to birds and other wildlife. Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water by cleaning of equipment, or disposal of wastes.

### ENDANGERED SPECIES CONSIDERATIONS

**NOTICE:** The killing of a member of an endangered species during strychnine baiting operations may result in a fine under the Endangered Species Act. Before baiting, the user is advised to contact the Regional U.S. Fish and Wildlife Service (Endangered Species Specialist) or the local Fish and Game Office for specific information on endangered species. Strychnine baits should not be used in the geographic ranges of the following species except under programs and procedures approved by the USEPA: Aleutian Canada goose, gray wolf, grizzly bear, Morro Bay kangaroo rat, salt marsh harvest mouse and San Joaquin kit fox.

### DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

### USE RESTRICTIONS

For control of the northern pocket gopher, *Thomomys talpoides*. For underground use only in orchards, alfalfa fields, hay fields, pasture land, range land, and non-crop areas.

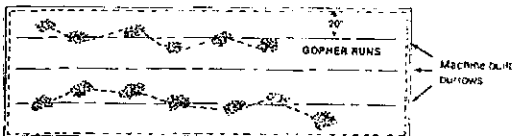
### BAITING DIRECTIONS

#### HAND BAITING

Bait must be placed into pocket gopher runways. Remove burrow plug from the flat side of the burrow fan. Using a long-handled spoon, insert one teaspoon of bait into the main runway system. Close tunnel with soil in such a manner that soil will not cover bait. One pound of bait will treat five to eight acres.

### ARTIFICIAL BURROW-BUILDER METHOD

When treating extensive areas, "BURROW BUILDERS" may be used. Follow manufacturer's instructions for the equipment used to apply gopher bait. Make sure that machine-built burrows intersect pocket gopher burrows at the depth at which gophers have been tunneling. For greater efficiency of treatment, machine-built burrows should intersect as many gopher tunnels as possible at right angles. Apply bait at a rate of 1 to 2 pounds per acre, using a 20' to 30' row spacing interval. Apply only when soil condition is proper to insure formation of a good artificial burrow.



### RESTRICTED USE PESTICIDE

DUE TO HIGH ACUTE TOXICITY

For retail sale to an individual only by Certified Applicators or persons under their direct supervision and only for those uses covered by the Certified Applicator's Certification.

## POCKET GOPHER BAIT

CONTAINING

## STRYCHNINE

## 1-10 FORMULATION ON OATS

ACTIVE INGREDIENT: STRYCHNINE .....	0.5%
INERT INGREDIENTS .....	99.5%
TOTAL .....	100.0%

KEEP OUT OF REACH OF CHILDREN

**DANGER**  **POISON**

### STATEMENT OF PRACTICAL TREATMENT

**IF SWALLOWED: CALL A PHYSICIAN OR POISON CONTROL CENTER IMMEDIATELY!**

If less than ten (10) minutes have passed since the poison was taken, give 1 or 2 glasses of water and induce vomiting by touching back of throat with finger. Repeat until vomit fluid is clear. Have patient lie down in quiet, darkened room and keep him warm and quiet. Do not induce vomiting or give anything by mouth to an unconscious person.

**IF INHALED** - Remove victim to fresh air. Apply artificial respiration if indicated.

**IF ON SKIN** - Remove contaminated clothing and wash affected areas with soap and water.

**IF IN EYES** - Flush eyes with plenty of water. Get medical attention if irritation persists.

### NOTICE TO PHYSICIAN

A. Administer 100% OXYGEN by positive pressure to provide as much pulmonary gas exchange as possible, despite seizures.

B. Administer ANTICONVULSANT DRUGS intravenously to control convulsions.

**CAUTION:** It may be difficult or impossible to stop the seizure activity without stopping respiration. Be prepared to maintain pulmonary ventilation mechanically. Tracheotomy may be necessary if seizures are prolonged.

FOR ADDITIONAL PRECAUTIONARY STATEMENTS SEE BACK PANEL.

MFG. BY: R & M EXTERMINATORS, INC.  
24212 SOUTH "D" STREET  
CHENEY, WA 99004

EPA EST. NO.: 4271-WA-1  
EPA REG. NO.: 4271-10

NET CONTENTS 25 LBS.

### STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal.

**STORAGE:** Store only in original container, in a dry place inaccessible to children, pets and domestic animals.

**PESTICIDE DISPOSAL:** Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide, spray material, or rinsate is a violation of Federal law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

**CONTAINER DISPOSAL:** Completely empty bag by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into application equipment. Then dispose of bags in a sanitary landfill or by incineration if allowed by state and local authorities.

### WARRANTY

Seller warrants that this product conforms to the chemical description of the label and is reasonably fit for the purposes referred to in the directions for use. Seller makes no other warranties, express or implied, including FITNESS or MERCHANTABILITY. In no case shall the seller be liable for consequential, special, or indirect damages resulting from the use or handling of this product. The foregoing is a condition of sale by the Seller and is acceptable as such by the buyer.

ACCEPTED  
with COMMENTS  
in EPA Letter Dated

JAN 16 1997

Under the Federal Insecticide,  
Fungicide, and Rodenticide Act  
as amended, for use pesticide  
registered under EPA Reg. No.  
4271-10