

4271-10

6/7/2010

1066



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

JUN 07 2010

Mr. Mike Jackson
R&M Exterminators, Inc.
South 24212 D St.
Cheney, WA 99004

Subject: Notification of Change to Storage and Disposal per PR Notice 2007-4
Pocket Gopher Bait with Strychnine 1-10 Formulation on Oats
EPA Registration No. 4271-10

Dear Mr. Jackson:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated May 17, 2010 for:

**EPA Registration No. 4271-10 Pocket Gopher Bait with Strychnine 1-10
Formulation on Oats**

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and finds that the label change requested falls within the scope of PRN-2007-4. The label has been date-stamped "Notification" and will be placed in our records.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying the batch of the pesticide distributed and sold be placed on nonrefillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.

If you have any questions, please contact me directly at 703-305-5967 or via e-mail at gaines.jennifer@epa.gov.

Sincerely,

A handwritten signature in black ink that reads "Jennifer Gaines".

Jennifer Gaines
Wildlife Biologist
Insecticide-Rodenticide Branch
Registration Division (7505P)
Office of Pesticide Programs

2060



United States Environmental Protection Agency Washington, DC 20460

Registration Amendment Other (checked)

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number, 2. EPA Product Manager, 3. Proposed Classification, 4. Company/Product Name, 5. Name and Address of Applicant, 6. Expedited Review.

NOTIFICATION JUN 07 2010

Section - II

Amendment - Explain below, Resubmission in response to Agency letter dated, Notification - Explain below, Final printed labels in response to Agency letter dated, "Me Too" Application, Other - Explain below.

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

Notification per PR Notice 2007-4. One label copy with revised Container disposal (shaded text) and added batch code. Notification statement attached. Not subject to PRIA fees.

Section - III

1. Material This Product Will Be Packaged In: Child-Resistant Packaging, Unit Packaging, Water Soluble Packaging, 2. Type of Container, 3. Location of Net Contents Information, 4. Size(s) Retail Container, 5. Location of Label Directions, 6. Manner in Which Label is Affixed to Product.

Section - IV

1. Contact Point (Name, Title, Telephone No.), Certification, 2. Signature, 3. Title, 4. Typed Name, 5. Date, 6. Date Application Received (Stamped).

3 of 6

NOTIFICATION

JUN 07 2010

Notification per PR Notice 2007-4

<p>RESTRICTED USE PESTICIDE DUE TO HAZARD TO NONTARGET ORGANISMS For retail sale to and use only by Certified Applicators or persons under their direct supervision and only for those uses covered by the Certified Applicator's Certification.</p>
--

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



(Text & symbol in red)

FIRST AID

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 the back of the throat with finger. Repeat until vomit fluid is clear. Have patient lie down in a quiet, darkened room and keep him warm and quiet. If person is unconscious, do not give anything by mouth and do not induce vomiting.

IF INHALED: Remove victim to fresh air. If not breathing, give artificial respiration. Get medical attention.

IF IN EYES: Hold eyelids open and flush with steady, gentle stream of water for 15 minutes. Get medical attention.

IF ON SKIN: Wash with plenty of soap and water. Get medical attention.

NOTE 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.

NOTICE: 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.

4096

FOR ADDITIONAL PRECAUTIONARY STATEMENTS SEE BACK PANEL.

Mfg. By: R & M Exterminators, Inc.
24212 South "D" Street
Cheney, WA 99004

EPA Reg. No. 4271-10
EPA Est. No. 4271-WA-1

NET CONTENTS 25 LBS.

PRECAUTIONARY STATEMENTS

HAZARD TO HUMANS and DOMESTIC ANIMALS

DANGER: Convulsive poison! Fatal if swallowed or inhaled. Harmful if absorbed through skin. Do not get in eyes or on clothing. Avoid contact with skin. Do not breathe dust. Do not apply this product in a way that will contact any person or pet. Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet. Remove contaminated clothing and wash clothing before reuse.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Applicators and other handlers must wear:

- long-sleeved shirt and long pants
- cotton gloves
- shoes plus socks

When loading more than 3 lbs (1.4 kg) of bait into mechanical application equipment and when disposing of non-rigid containers (e.g., bags), handlers must wear:

- long sleeved shirt and long pants
- waterproof gloves
- shoes and socks
- goggles or face shield; and
- dust/mist filtering respirator (MSHA/NIOSH approved number prefix TC-21C), or a NIOSH approved respirator with any N, P, R, or HE filter.

Follow manufacturer's instructions for cleaning and maintaining PPE. If there are no such instructions, use detergent and hot water. Keep and wash PPE separately from other laundry.

USER SAFETY RECOMMENDATIONS

Users should remove clothing immediately if pesticide gets inside. Then, wash thoroughly and put on clean clothing.

Remove PPE immediately after handling this product. Wash the outside of waterproof gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

ENVIRONMENTAL HAZARDS

This product is toxic to fish, birds and other wildlife. Do not allow bait to be exposed on soil surface. 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: gray wolf, grizzly bear, Morrow Bay kangaroo rat, salt marsh harvest mouse and San Joaquin kit fox.

DIRECTIONS FOR USE

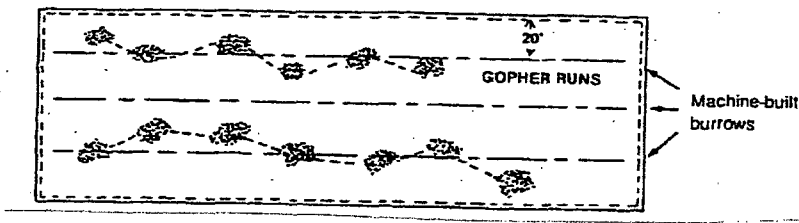
It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

USE RESTRICTIONS: This product may only be used in underground applications to control northern pocket gophers (Thomomys talpoides) in orchards, alfalfa fields, hay fields, pastures, rangelands, and noncrop areas. Bait must be applied directly into pocket gophers' underground tunnels or into artificial burrow systems using the methods prescribed on this label. Do not apply this product above the ground surface. Do not apply this product over food and feed crops. Pick up and properly dispose of spilled bait. Do not apply this product in a way that will contact workers, other persons, pets, or domestic animals. Keep pets and other people out of the area during application.

BAITING DIRECTIONS:

HAND BAITING: 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. Depending upon the density of burrow systems, one pound of bait will treat one to eight acres.

ARTIFICIAL BURROW-BUILDER METHOD: When treating extensive areas, BURROW BUILDERS may be used. Follow manufacturer's instruction 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 runs as possible at right angles. Apply bait at rates of 1 to 2 pounds per acre, using a 20' to 30' row-spacing interval. Apply only when soil condition is proper to ensure formation of a good artificial burrow.



STORAGE AND DISPOSAL

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

PESTICIDE 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, spilled bait, 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 HANDLING: Nonrefillable container. Do not reuse or refill this container. Offer for recycling, if available. 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.

BATCH CODE: _____