

5042-34

12-30-2008

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

DEC 30 2008

Ms. Irene Boone, Agent for RCO International, Inc.
Regulatory Services, Inc.
17220 Westview Road
Lake Oswego, OR 97034

Subject: Label Notification for Pesticide Registration Notice 2007-4

Dear Ms. Boone,

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated July 17, 2008 for the product RCO Avalon Mixed Grain Gopher Bait (EPA Registration Number 5042-34). The Registration Division (RD) has conducted its review of this request for its applicability under PRN 2007-4 and finds that the label changes requested fall within the scope of PRN 2007-4. The label submitted with the application has been 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 call me directly at 703-305-6249 or Steve Schaible of my staff at 703-308-9362.

Sincerely,

A handwritten signature in black ink, appearing to be "Linda Arrington".

Linda Arrington
Notifications & Minor Formulations Team Leader
Registration Division (7505P)
Office of Pesticide Programs

Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0080. Approval expires 2-28



United States
Environmental Protection Agency
 Washington, DC 20460

Registration
 Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number RCO International Inc/ 5042-34	2. EPA Product Manager John Hebert	3. Proposed Classification <input type="checkbox"/> None <input checked="" type="checkbox"/> Restricted
4. Company/Product (Name) RCO Avalon Mixed Grain Gopher Bait	PM# 7	
5. Name and Address of Applicant (Include ZIP Code) RCO International Inc. PO Box 191, Harrisburg, OR 97446 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ NOTIFICATION _____ Product Name _____ DEC 8 0 2008 _____	

Section - II

<input type="checkbox"/> Amendment - Explain below. <input type="checkbox"/> Resubmission in response to Agency letter dated _____ <input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____ <input type="checkbox"/> "Me Too" Application. <input type="checkbox"/> Other - Explain below.
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Explanation: Use additional pages if necessary. (For section I and Section II.)

Notification of label change per PR Notice 2007-4. Statement attached. One label with revisions shaded.

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			<input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input checked="" type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____
* Certification must be submitted		If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt. No. per container		
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 5,15,30, 50 lb		5. Location of Label Directions E On label	
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled			<input checked="" type="checkbox"/> Other <u>pressure label</u>		

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Irene Boone	Title Agent for RCO International Inc.	Telephone No. (Include Area Code) 503/675-8525
Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment, or both under applicable law.		6. Date Application Received (Stamped)
2. Signature 	3. Title Agent for RCO International, Inc.	
4. Typed Name Irene Boone	5. Date 07-11-08	



REGULATORY SERVICES INC.

PRODUCT: RCO Avalon Mixed Grain Gopher Bait, EPA Reg. No. 5042-32

COMPANY: RCO International Inc.

DATE: 07/11/08

SUBJECT: Notification of label change per PR Notice 2007-4

This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA regulations at 40 CFR § 156.10, 156.140, 156.144, 156.146 and 156.156. No other changes have been made to the labeling or Confidential Statement of Formula for this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if the amended label is not consistent with the requirements of 40 CFR § 156.10, 156.140, 156.144, 156.146, and 156.156, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

Irene Boone, Agent for RCO International, Inc.

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(FRONT PANEL)

RESTRICTED USE PESTICIDE
 DUE TO HAZARD TO NONTARGET ORGANISMS
 For retail sale to and use only by Certified Applicators or persons under the direct supervision of a Certified Applicator, and only for those uses covered by the Certified Applicator's certification.

**RCO AVALON
 MIXED GRAIN GOPHER BAIT**

For MECHANICAL BURROW BUILDER & MANUAL APPLICATIONS

ACTIVE INGREDIENT:	
Strychnine Alkaloid	0.50%
INERT INGREDIENTS:.....	99.50%
TOTAL	100.00%

KEEP OUT OF REACH OF CHILDREN

NOTIFICATION

DANGER

DEC 30 2008

POISON (Red skull and crossbones)

PELIGRO

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle. (If you do not understand label, then find someone to explain label in detail before using this product.)

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

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

In case of accidental injection or concerns with possible non-target injection, please have product label available when contacting a poison control center or doctor, or going for treatment. The National Pesticide Information Center can also be reached for emergency treatment information at 1-800-858-7378.

SEE LEFT SIDE PANEL FOR ADDITIONAL PRECAUTIONARY STATEMENTS.

Manufactured by: RCO International, Inc.
PO Box 191, Harrisburg, OR 97446

EPA Reg. No.: 5042-34
EPA Est. No.: 67442-OR-2

NET CONTENTS: 5 lb, 15 lb., 30 lb, & 50 lb.

(Left Side panel)

**PRECAUTIONARY STATEMENTS
HAZARDS 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 disposing of non-rigid containers (e.g. bags) or loading of more than 3 lbs. of bait into mechanical application equipment, handlers must wear:

- long-sleeved shirt and long pants
- waterproof gloves
- shoes plus socks
- goggles or face shield, and
- dust/mist filtering respirator (NIOSH/MSHA approval number prefix TC-21C), or a NIOSH approved respirator with and 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.

Users should 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.

(Side panel continued)

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 the cleaning of equipment or disposal of wastes. Do not apply directly to food or feed crops.

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: California condor, San Joaquin kit fox, Morrow Bay kangaroo rat, gray wolf and grizzly bear.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store excess materials in original labeled container in a cool, dry area. Do not stack containers more than three high. Rotate containers end to end at least once a month. Keep containers away from children, pets and domestic animals.

Avoid contamination of other pesticides, fertilizers, food and feed.

PESTICIDE DISPOSAL: Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide, spray mixture, 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: Non refillable 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. If burned, stay out of smoke.

(Right side panel)

DIRECTIONS FOR USE

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

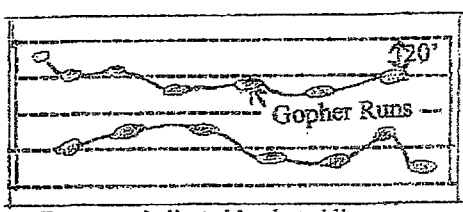
USE RESTRICTIONS:

This product may only be used in below-ground (only) applications in rangelands, pastures, croplands, forests, and non-agricultural areas to control the following types of pocket gophers: *Thomomys* spp. and *Geomys* spp.

This product may only be applied by use of a tractor-operated mechanical burrow builder, by probe-assisted hand-held bait dispensers, or by standard manual hand baiting techniques, as prescribed on this label. Bait must be deposited directly into the pocket gopher's natural below ground tunnels or into an artificial underground tunnel created by the burrow-builder unit. Always check for uniform closure of tunnel created by the burrow-builder unit press wheel. A poorly made tunnel is no tunnel to a gopher. Never apply this bait above ground or for any purpose other than as directed by this product label. Do not apply this product over food or feed crops. Do not apply this product in a way that it will contact workers, other individuals and domestic animals or wildlife. Keep pets out of area when baiting. See baiting directions below.

APPLICATION DIRECTIONS FOR BURROW BUILDERS:

Burrow builders construct artificial underground tunnels and automatically place bait into them in a single operation. A coulter disc opens the way for a subsoiler shank. At the bottom of the shank is a pointed tube or "torpedo". The torpedo creates the artificial burrow. Bait is dropped in preset quantities through an outlet in the rear underside of the torpedo. Close-set rubber tire or tires behind the subsoiler shank close the cut soil above the burrow. Always consult the manufacturer's directions for the specific burrow builder equipment to be used. Adjust the torpedo to the average depth of pocket gopher runways. Make sure that soil is damp enough to hold formed tunnels. Cut artificial burrows at 20 to 25 foot intervals. Orient artificial burrows to intercept gophers' natural underground runways (See diagram). Pick up or bury any spilled bait. Apply at rates of one to three pounds of bait per acre by the burrow-builder method.



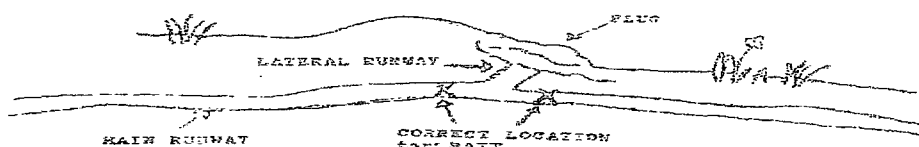
Treatment indicated by dotted lines

APPLICATION DIRECTIONS FOR MANUAL BAITING:

Locating Runways: Pocket Gophers throw out low, fan-shaped dirt mounds on either side of their underground runways. Short lateral tunnels connect the mounds to the main runway. Except when a pocket gopher is throwing out dirt, its lateral tunnels are plugged with soil at the mound, often creating a horseshoe-shaped depression. Pocket gophers may be controlled by placing bait in the main runway, after it is located through probing around the mound (see diagram below). To locate a gopher's main runway, probe about 6-8 inches around the mound, starting on the plugged side. When runway is entered, resistance on probing device will decrease abruptly.

Hand Application: After locating the main tunnel system, remove probe and enlarge the probe hole, if necessary, to accommodate the depositing of bait (see diagram below). Drop a teaspoonful of bait through probe opening, taking care not to spill bait on soil surface. Make 2-7 below-ground placements of bait per active tunnel system, based upon the apparent length of the visible tunnel system. Cover opening with a rock, clump of soil or other objects that will exclude light. Take care not to permit dirt to fall down and cover bait. Pick up and properly dispose of any spilled bait.

Applications with Hand-operated Bait-dispensing Equipment: Always refer to the instructions for the specific equipment being used. Set the equipment so that each bait placement will be approximately one teaspoonful. Place bait in the main underground runway (see diagram below). Refer to the directions for **Locating Runways:** (above) for proper techniques to locate main tunnel system. Make 2-7 bait placements throughout active tunnel system, based upon the apparent length of the visible tunnel system. Cover the baited openings with a rock, clump of soil or other objects that will exclude light. Take care not to permit dirt to fall down and cover bait. Pick up and properly dispose of any spilled bait.



Treatment Rates for Manual Applications: When applied as directed above, one pound of bait will treat from one to eight acres, depending upon the density of pocket gopher activity.

Monitoring Pocket Gopher Activity: One pocket gopher may construct up to 3 mounds per day and over 200 mounds per year. Check burrow systems for current activity by opening main runways and/or by flattening all mounds. Mark disturbed burrows with flagging and return to the site approximately 48 hours later. Where there are live pocket gophers, opened tunnels will be repaired and new mounds may be constructed. These procedures may be used before treatment to monitor the initial level of pocket gopher activity and after treatment to assess the results of the treatment and to determine whether and where follow-up treatments are needed.

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NOTICE: Because RCO Inc. has no control over storage, handling and conditions of use, which are of critical importance, RCO Inc, makes no representation of warranty, either expressed or implied, for results due to misuse, improper handling or storage of this material. RCO Inc. does not assume any responsibility for injury to persons, crops, animals, soil or property arising out of misuse, improper handling or storage of this material.

NOTIFICATION

DEC. 30 2008