

Reg # 9691-28

PM-14

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Mr. Wayne A. Young  
Mammal Survey & Control Service  
6148 S.W. Valley Avenue  
Beaverton, OR 97005

Dear Mr. Young:

Subject: ORCO GOPHER BAIT  
EPA Registration No. 9691-28  
Your Progress Report of December 15, 1993 and  
Your Submission of January 6, 1994

We have reviewed your progress report for the period from September 10, 1993, to December 10, 1993. We also have considered the Strychnine Data Submitters Consortium's proposals for "bridging" Density data (Guideline No. 63-7) and Storage Stability data (Guideline No. 63-17) among certain types of Strychnine pocket gopher baits.

We have determined that we can "bridge" Density data from one product to another only if the formulations are identical or if the two products are single-grain formulations containing the same type of whole grain and a similar Strychnine concentration. As the grain used in 9691-28 corresponds sufficiently closely to one for which the Animal and Plant Health Inspection Service (APHIS/USDA) has made Density data available for citation by members of the Consortium, there are data on file with the Agency that could be "bridged" to satisfy the Density data requirement for 9691-28. The NUID number to cite for the study relevant to this product is 429707-01. As this number is mentioned in materials appended to your letter of December 15, 1993, we will consider that you have cited this study for 9691-28. Please let us know if this is unacceptable and you plan to have your own Density study run for this product. The mean bulk density for the milo-based bait tested (not identical to 8007-1) was 0.740 g/ml. If you revise this product's formula to match that which you formerly used for 9691-21 (see below), you should cite the Density data generated with that formulation.

Regarding Storage Stability, we have concluded that not only the composition but also the manufacturing process and facility can affect the retention of Strychnine on grain baits. Therefore, we have rejected the proposal for "bridging" Storage Stability data and are continuing to require formulation-specific Storage Stability data from each registrant.

CONCURRENCES

SYMBOL								
SURNAME					<b>BEST AVAILABLE COPY</b>			
DATE								

If you do not choose to amend this product's formulation, as discussed below, you must arrange to have a Storage Stability study initiated at once and must provide to us in your next progress report a schedule indicating when the study will be completed and when a report of the final results will be submitted. This report is due no later than 18 months from the date of this letter.

We have reviewed your submission of January 6, 1994. Our comments are listed below.

1. In order to use the product chemistry data which you previously submitted for your old product 9691-21, you must change the formulation of this product (9691-28) to match that which was used for 9691-21 when the data were generated. When various registrations were transferred to you from Oregon Rodent Control Outfitters (ORCO), the product which once was 9691-21 was not among them. Instead, product 5042-11, which originated with ORCO, was transferred to you. As 5042-11 was not identical in formulation to 9691-21, the chemistry data generated for 9691-21 (including an accepted Storage Stability study) cannot be applied to 9691-28 unless its formula is changed from that used for 5042-11 to that used for 9691-21 when the data were generated. To do this, you must submit an appropriately revised Confidential Statement of Formula (CSF).

Please decide whether you wish to amend the formulation of this product as discussed above or to retain the formulation which ORCO used for 5042-11 and meet the outstanding data requirements for that formulation. Inform us of your decision within 30 days of the date of this letter.

2. The proposed revised label is acceptable. When you print labels, change "decreased" to "decreases" in the second sentence of the "BAITING" directions for the "Probe Method." The heading "DIRECTIONS FOR USE" should be in larger print than that used for "USE RESTRICTIONS" and "BAITING" to make it apparent that "USE RESTRICTIONS" and "BAITING" are part of the "DIRECTIONS FOR USE."

Submit five copies of final printed labeling before you release this product for shipment.

Sincerely yours,

**BEST AVAILABLE COPY**

Robert A. Forrest  
Product Manager 14  
Insecticide-Rodenticide Branch  
Registration Division (7505C)

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

**DANGER:** Convulsive Poison! Poisonous if Swallowed. Do not breathe dust. Do not contaminate food 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. Bait exposed on soil surface may be hazardous to birds and other wildlife. Do not apply directly to lakes, streams or ponds. 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 US 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 Kid Fox, Aleutian Canada Goose, Morro Bay Kangaroo Rat, Gray Wolf, and Grizzly Bear.

**STORAGE AND DISPOSAL**

Do not contaminate water, food or feed by storage or disposal.  
**STORAGE:** Store only in original labeled container, in a cool and dry place inaccessible to children, pets and domestic animals. Do not stack containers more than three high. Do not store directly on concrete floors or concrete walls. Avoid contamination of other pesticides, fertilizers, food and feed.  
**PESTICIDE DISPOSAL:** Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide, spilled bait, or residue 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, or, if allowed by State and local authorities, by burning. If burned, stay out of smoke.

**DIRECTIONS FOR USE**

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

**USE RESTRICTIONS**

This product may be used on rangeland, pasture, cropland, and nonagricultural areas to control northern pocket gophers (*Thomomys talpoides*), Southern pocket gophers (*T. umbrinus*), mountain pocket gophers (*T. monticola*), Texas pocket gophers (*T. talpivorus*), Valley pocket gophers (*T. bottae*), Arizona pocket gophers (*T. mayanus*), Townsend's pocket gophers (*T. townsendii*), and plains pocket gophers (*Geomys bursarius*). Bait may be applied manually or by use of burrow-builder equipment.

Bait must be applied directly into underground burrow systems. Do not apply this product over food or feed crops.

**BAITING**

**ARTIFICIAL BURROW BUILDER METHOD:** Follow manufacturer's instruction for the equipment used to apply pocket gopher bait. Adjust torpedo depth to intercept main runways of natural burrow systems used by pocket gophers. Apply 1 to 2 pounds of bait per acre, spacing artificial burrows 20 to 30 feet apart and orienting them to intercept as many gopher tunnels as possible. Use this method only when soil condition is proper for formulation of good artificial burrows.

**HAND BAITING:**

**Lateral Tunnels Method:** Remove burrow plugs from the flat sides of fan-shaped pocket gopher mounds. Using a long-handled spoon, insert one teaspoon of bait into the main runways system. Close tunnel with soil. Do not permit soil to cover bait.

**Probe Method:** To locate main underground runways, use an iron bar, a commercial gopher probe, or other suitable implement and probe ground 6-12 inches away from pocket gopher mounds, starting on the flat side of the fan. When resistance on the probe decreased abruptly, probe in main runway. Insert one tablespoon of bait through probe hole and cover opening securely with sod or a rock to exclude entry of light, taking care not to permit soil to cover bait. Treat each burrow system at 2-3 locations.

One pound of bait will treat 1 to 4 acres, depending upon the density of pocket gopher burrow systems.

Submitted to EPA: JAN 6 " 1994

**RESTRICTED USE PESTICIDE  
DUE TO HIGH ACUTE TOXICITY**  
 For retail sale and use only by Certified applicators or persons under their direct supervision for those uses covered by the Certification.

ACCEPTED with COMMENTS by EPA Letter 9691-28

FEB 28 1994

This Is The Way TO KILL POCKET GOPHERS  
**POCKET GOPHER BAIT FOR POCKET GOPHERS**  
 Active Ingredient:

Strychnine Alkaloid.....  
 Inert Ingredients.....  
 Total.....

**KEEP OUT OF REACH OF CHILDREN  
DANGER**

POISON  POISON

**STATEMENT OF PRACTICAL TREATMENT**

**IF SWALLOWED:** CALL A PHYSICIAN OR POISON CONTROL CENTER. If 10 minutes has passed since poison was taken, give 1 to 2 teaspoons of vomit by touching back of throat with finger. Repeat until vomit comes down in quiet, darkened room and keep him warm and quiet. Do not give anything to unconscious person.

**IF INHALED:** Remove victim to fresh air. Apply artificial respiration if necessary.

**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 necessary.

**NOTE TO PHYSICIAN**

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

B. Administer ANTICONVULSANT DRUGS intravenously to control convulsions if difficult or impossible to stop the seizure activity without stopping respiratory ventilation mechanically. Tracheotomy may be necessary if necessary.

SEE OTHER PANEL FOR OTHER PRECAUTIONARY STATEMENTS

Mammal Survey & Control Service  
 6148 S. W. Valley Ave.  
 Beaverton, OR 97005

Net Weight

2d DRAFT label change according to EPA, changing label to 'RESTRICTED USE' and 'FOR USE'.

- Type size on final approved label
- 1. DANGER - 18 pt.
- 2. KEEP OUT OF REACH OF CHILDREN - 12 pt.
- 3. STORAGE and DISPOSAL - 12 pt.

**BEST AVAILABLE COPY**