

10031-1

11/21/2006

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U.S. ENVIRONMENTAL PROTECTION AGENCY

Office of Pesticide Programs
Registration Division (7505P)
Ariel Rios Building
1200 Pennsylvania Ave., NW
Washington, D.C. 20460

EPA Reg. Number: 10031-1

Date of Issuance: NOV 21 2006

Term of Issuance: unconditional

NOTICE OF PESTICIDE:
Registration
[x] Reregistration
(under FIFRA, as amended)

Name of Pesticide Product:
PETERSEN'S POCKET
GOPHER KILLER I FOR
POCKET GOPHER
CONTROL ONLY

Name and Address of Registrant (include ZIP Code):

Mr. Freeman Petersen, President
Petersen Seeds Inc.
204 S. Elm Street
Gordon, NE 69343-1614

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby reregistered under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended. Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

This product is reregistered in accordance with the requirements of FIFRA.

The new Storage Stability and Corrosion Characteristics study assigned the MRID No. 468424-01 is acceptable. That study was run on a formulation very similar to the one used for this product. The test material and this product contain the same adhesive ingredient or "sticker". Acceptable Storage Stability data were supplied for the formulation previously used for 10031-1, and the only significant formulation change made to this product since then was the substitution of the new sticker for the one previously used and no longer available. The new study is applicable to this product in the sense that it shows that the new sticker is adequate in binding the active ingredient to grain. Taken together, the study assigned MRID No. 468424-01 and the previously accepted Storage Stability study for 10031-1 (MRID No. 437043-01) together are sufficient to satisfy the Storage Stability data requirement for this product.

Signature of Approving Official:

Meredith F. Laws, Chief
Insecticide-Rodenticide Branch

Date:

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This product is registered only for subterranean applications to control plains pocket gophers (*Geomys bursarius*) and northern pocket gophers (*Thomomys talpoides*) on cropland, rangelands, and noncrop areas. Collectively, these organisms are reported to occur in the following States: Arizona, Arkansas, California, Colorado, Idaho, Illinois, Indiana, Iowa, Kansas, Louisiana, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wisconsin, and Wyoming. Except for California (where this product's label prohibits its use), these are the States where use of this product would be legal under FIFRA (if also registered within the individual States) and, therefore, the only States in which it should be sold.

Replace the first sentence of the "**HAND APPLICATION:**" directions on the sheet entitled "**Pocket Gophers (*Geomys bursarius*) & Northern Pocket Gophers (*Thomomys talpoides*)**" with the text shown below.

Remove burrow plug from flat side of burrow fan or locate main underground runway by probing about 15 inches away from mound, starting on flat side of burrow fan.

The need for this change was noted in our letter of September 15, 2004.

Copies of the stamped accepted labeling are enclosed.

Before releasing this product for shipment, submit one copy of the final printed labeling, including the container label and leaflet.

If these conditions are not met, this registration will be subject to cancellation proceedings in accordance with FIFRA Section 6(e). If you have questions about this letter, contact Dr. William W. Jacobs by telephone (703-305-6406), by e-mail (jacobs.bill@epa.gov), or by FAX (703-308-0029).

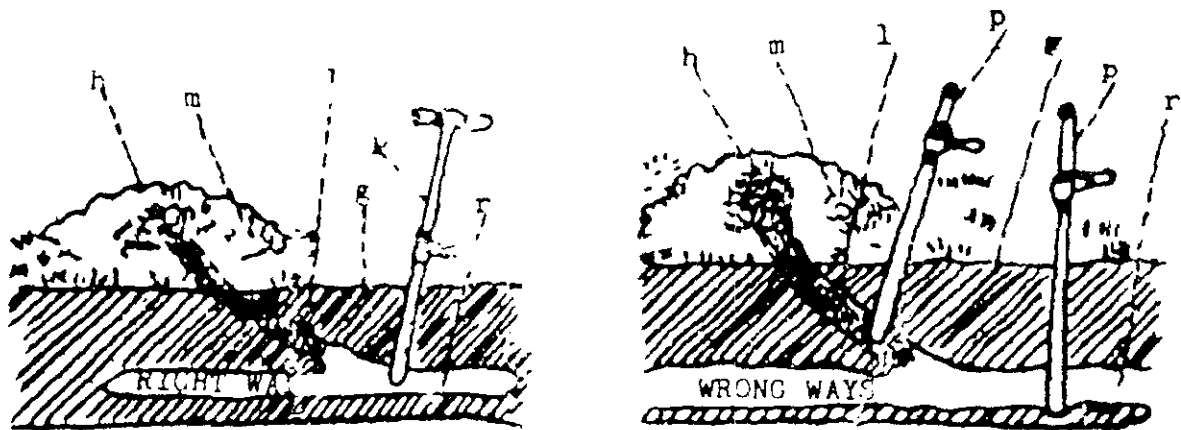
Sincerely,



Meredith F. Laws, Chief
Insecticide-Rodenticide Branch
Registration Division (7505P)

Plains Pocket Gophers (*Geomys bursarius*) & Northern Pocket Gophers (*Thomomys talpoides*).

HAND APPLICATION: Remove burrow plug from flat side of burrow fan or locate main runway by probing several inches away from the main runway. A sudden drop in the soil's resistance to the probe indicates that the main runway has been found. Using a long-handled spoon or other suitable implement, insert one level tablespoon of bait into the runway. Close opening with sod, soil, or a rock, taking care to block the entry of light. Do not permit soil to cover bait. Depending upon pocket gopher population levels, one pound of bait applied by hand will treat 1-8 acres.



Legend: h - horseshoe-like depression; m - mound; l - lateral runway; p - probe; g - ground surface; r - main runway

Results of the poisoning can be checked after about four days by opening the burrow with a shovel. If there is a pocket gopher still alive, it will plug the opening with dirt within a few hours.

MACHINE APPLICATION: (burrow builder) The effectiveness of the burrow builder depends upon the gophers finding the artificial runways and the poisoned bait. Thus, the burrows should be made at a depth that will intercept the greatest number of natural gopher tunnels. Therefore, measure the depth of gopher runways and set the machine accordingly. Adjust the machine so that it rides the ground with the wheels barely packing the soil.

The artificial runways should be spaced about 20 to 30 feet apart to insure interception of the natural burrow.

The amount of bait placement required will depend upon the spacing of the bait in the runway. About one pound of bait will treat one acre.

Experience and trials with each model burrow builder will be necessary before optimum performance can be expected.

Do not reuse empty container. Dispose of container as prescribed on its label under "STORAGE AND DISPOSAL".

ACCEPTED
with COMMENTS
to EPA (Lower Bound)

NOV 21 2006

Field Use Protocol Summary
Prevalence and Distribution
in relation to the gopher
control area EPA
10031-1

485
 NOV 21 2006
 10031-1

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.

PETERSEN'S

**Pocket Gopher Killer I
 For Pocket Gopher Control Only**

Active Ingredient - Strychnine	0.50%
Other Ingredients	99.50%
TOTAL	100.00%

KEEP OUT OF REACH OF CHILDREN

DANGER

**CONVULSIVE - POISON
 FATAL IF SWALLOWED
 DO NOT BREATHE DUST**

**KEEP AWAY FROM PETS AND DOMESTIC ANIMALS
 DO NOT CONTAMINATE FEED AND FOODSTUFFS**



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 plus socks;
- goggles or face shield; and
- dust/mist filtering respirator (MSHA/NIOSH approval 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 clothes.

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

PHYSICAL or CHEMICAL HAZARDS

Do not use or store near heat or open flame

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 apply where runoff is likely to occur. 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 an endangered species during strychnine baiting operations may result in a fine and or imprisonment 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 and grizzly bear.

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 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, preferably mouth-to-mouth. 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.

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 Plains Pocket Gophers (*Geomys bursarius*) and Northern Pocket Gophers (*Thomomys talpoides*) in subterranean applications on rangeland, pasture, cropland, and noncrop areas. This product must be applied, using methods prescribed on this label, directly into pocket gophers' underground tunnels or into artificial burrow systems made by burrow-builder machines. DO NOT PLACE BAIT ON OR ABOVE THE GROUND SURFACE. DO NOT APPLY THIS PRODUCT OVER FOOD OR FEED CROPS. 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. Do not use this product in California.

HAND APPLICATION: Remove burrow plug from flat side of burrow fan or locate main underground runway by probing about 15 inches away from mound, starting on flat side of burrow fan. A sudden drop in the soil's resistance indicates that the main runway has been found. Using a long-handled spoon or other suitable implement, insert one teaspoon of bait into the runway. Close opening with sod, soil, or a rock, taking care to block the entry of light. Do not permit soil to



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BURROW-BUILDER APPLICATION: Follow manufacturer's instructions for the equipment used to apply this bait. Make artificial burrows the same depth as natural tunnels. Space artificial burrows about 20 to 30 feet apart. Apply 1 to 2 pounds of bait per acre. Adjust machine so that it rides the ground with wheels barely packing soil. Apply only when soil condition is proper to insure formation of a good artificial burrow. Spilled baits must be picked up or buried. When not in use, do not leave bait in the dispensing mechanism of machine. Before using, see further instructions pertaining to this application method on the sheet of paper attached to the end of the bag.

STORAGE and 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 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.

Mfg. PETERSEN SEEDS INC., 204 South Elm Street, Gordon, NE 69343
 EPA Reg. No. 10031-1 50 lbs. Net Wt.

Phone: (308) 282-1523
 EPA Est. No. 10031-NB-1

NOTICE

Buyer assumes all risks of use, storage or handling of this material not in strict accordance with directions given herewith.