

S520072
300/18

March 12, 1997

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

Dear Mr. Petersen:

Subject: PETERSEN'S POCKET GOPHER KILLER III
EPA Registration No. 10031-3
Your Submission of December 21, 1994

The label submitted for this product on December 21, 1994 is acceptable, provided that the changes listed below are made.

1. At the top of the label, change the explanation for classification as a "RESTRICTED USE PESTICIDE" from "DUE TO HIGH ACUTE TOXICITY" to "DUE TO HAZARD TO NONTARGET ORGANISMS". The latter statement conforms with the text indicated in 40 CFR, §152.175 for Strychnine pocket gopher baits which may be applied by use of burrow builders.
2. Move the statement "Do not apply directly to water . . . high water mark" from the "HAZARD TO HUMANS and DOMESTIC ANIMALS" paragraph to the "ENVIRONMENTAL HAZARDS" paragraph, where it will replace the "Do not apply directly to lakes . . . streams" sentence. The revised "ENVIRONMENTAL HAZARDS" paragraph should read as indicated below.

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 the cleaning of equipment or disposal of wastes.
Notice: The killing of an . . . ENDANGERED SPECIES. [Keep current text for this paragraph.]

CONCURRENCES

SYMBOL							
SURNAME							
DATE							

3. In the "NOTE TO PHYSICIAN", change "CAUTION:" to "NOTICE:" so as not to have a conflict with the label's required signal word "DANGER".

The language in the 1989 Strychnine Settlement Agreement Decision precluded us from accepting the label changes when they originally were proposed. An amendment to that decision issued on September 30, 1996, now permits us to consider such changes.

Sincerely yours,



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

393

RESTRICTED USE PESTICIDE

DUE TO HIGH ACUTE TOXICITY

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.

PETERSEN'S

Pocket Gopher Killer III For Pocket Gopher Control Only

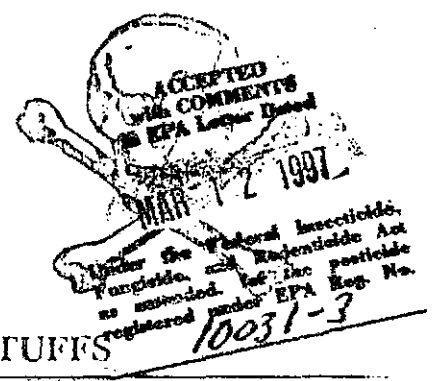
Active Ingredient - Strychnine	0.50%
Inert Ingredients	99.50%
TOTAL	100.00%



**KEEP OUT OF REACH
OF CHILDREN
DANGER
CONVULSIVE - POISON
POISONOUS IF SWALLOWED
DO NOT BREATHE DUST**

**KEEP AWAY FROM CHILDREN
PETS AND DOMESTIC ANIMALS**

DO NOT CONTAMINATE FEED AND FOODSTUFFS



PRECAUTIONARY STATEMENTS HAZARD to HUMANS and DOMESTIC ANIMALS

Convulsive Poison! Poisonous if swallowed. Do not breathe dust. Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean water mark. Keep away from children, pets, and domestic animals. Wash thoroughly with soap and water before eating or smoking. Clean clothing should be used daily. Do not touch with bare hands; wear gloves while handling bait.

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 lakes, ponds, or streams. Do not contaminate water by cleaning of equipment or disposal of wastes.

Notice: The killing of an endangered species during strychnine baiting operations may result in a fine or imprisonment under the Endangered Species Act. Strychnine baits should not be used in the geographic ranges of the following species except under programs and procedures approved by the U.S. EPA: Gray wolf and grizzly bear. Refer to product label for use restrictions to protect ENDANGERED SPECIES.

PHYSICAL or CHEMICAL HAZARDS

Do not use or store near heat or open flame.

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 cups 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 covered. 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.

NOTE TO PHYSICIAN

Administer 100% oxygen by positive pressure to provide as much pulmonary gas exchange as possible, despite seizures. Administer ANTICONVULSANT DRUGS liberally 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.

DIRECTIONS FOR USE

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

USE RESTRICTIONS: For plains pocket gophers, (*Geomys bursarius*) and northern pocket gophers (*Thomomys talpoides*) in range land, pasture, crop land, and noncrop areas. Do not use this product to control animals other than pocket gophers. This product must be applied directly into pocket gophers' underground burrow systems. Do not apply this product on or above the surface of the ground in any crop or noncrop area. Do not use this product in California.

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 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 density, one pound of bait applied by hand will treat 1/8 acres. (See further directions attached to end of bag before applying.)

MACHINE APPLICATION: (burrow builder) Follow manufacturer's instructions for the equipment used to apply gopher bait. Make artificial burrows same depths as natural burrows. Rows should be 20 to 30 feet apart. Apply 1 to 2 lb. of bait per acre. Adjust machine so that it rides the ground with wheels barely packing soil. Apply only when soil conditions are 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. Refer to instructions attached to end of bag before applying.

Mfg. PETERSEN SEEDS INC., Gordon, Nebr 69343

EPA Reg. No. 10031-3

50 lbs. Net WL

EPA Est. No. 10031-3B

STORAGE and 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, 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 in the nearest EPA Region 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 bag in a sanitary landfill or by incineration if allowed by State and local authorities.

NOTICE

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

BEST AVAILABLE COPY