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JUN 6 1994

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Ms. Ida Sebesta  
Sebesta Bait Mixing Plant  
P.O. Box 306  
Mitchell, SD 57301

Dear Ms. Sebesta:

Subject: SEBESTA'S GROUND SQUIRREL AND KANGAROO BAIT  
EPA Registration No. 10140-5  
Your Progress Report Dated March 10, 1994

The proposed revised label submitted on April 29, 1994, is acceptable, provided that the changes listed below are made.

1. Delete the comma from the product's name. This comma no longer is needed as only two categories of pests are being claimed.
2. The "KEEP OUT OF REACH OF CHILDREN" statement must be in at least 12-point type. It appears to be smaller.
3. Delete

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"CAUTION"

"BIRDS FEEDING ON TREATED AREAS MAY BE KILLED".

These statements are not required by the labeling guidance developed as "Appendix B" to the Strychnine Settlement agreement of 1989, and their use presents some significant problems. "CAUTION" is a direct contradiction of the signal word ("DANGER") currently required for this product. "BIRDS FEEDING ON TREATED AREAS MAY BE KILLED" can be misinterpreted. In the context of this statement, "MAY" is intended to express a possibility to be avoided. However, "MAY" also implies granting permission -- a meaning opposite to that intended by the originators of the statement.

CONCURRENCES

CONCURRENCES							
SYMBOL							
SURNAME							
DATE							

Acceptance of the label that you submitted on April 29, 1994, is granted only for the administrative purpose of bringing the labeling for 10140-5 into compliance with PR Notices 93-1, 93-3, and 93-8. As the U.S. District Court's injunction against above-ground uses of Strychnine remains in effect, it still is illegal to sell, otherwise distribute, or use this product in the U.S. If the injunction is lifted in the future, it is likely that the "ENDANGERED SPECIES" statements required for this product will change.

The Confidential Statement of Formula dated November 26, 1993, is generally acceptable, but one of the two sources of Strychnine Alkaloid listed is obsolete.

Sincerely yours,

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

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# 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.

ACCEPTED  
with COMMENTS  
in EPA Letter Date

JUN 6 1994

Under the Federal Insecticide,  
Fungicide, and Rodenticide Act  
as amended, for the pesticide  
registered under EPA Reg. No.

10140-5

## SEBESTA'S

### GROUND SQUIRREL, AND KANGAROO RAT BAIT

Active Ingredient	
Strychnine .....	0.44%
Inert Ingredients .....	99.56%
Total .....	100.00%

Net Weight 50 Lbs.

KEEP OUT OF REACH OF CHILDREN

# DANGER - POISON



#### 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 glasses 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 quiet. 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 intravenously 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.

See left side of back panel for additional precautionary statements.

SEE BACK PANELS FOR DIRECTIONS FOR USE

SEE RIGHT BACK PANEL FOR STORAGE AND DISPOSAL

MANUFACTURED & DISTRIBUTED BY  
SEBESTA BAIT MIXING PLANT

P.O. BOX 306

MITCHELL, SOUTH DAKOTA 57301

EPA REG. NO. 10140-5

EPA EST. NO. 10140-SD-1

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## RIGHT BACK PANEL

### PREBAITING

Prebaiting with untreated grain 3 to 5 days before exposing strychnine poisoned bait is recommended to improve acceptance of the toxic bait.

### BAITING

For Richardson and Franklin Ground Squirrels: Scatter a teaspoonful of bait on surface of ground near each active burrow entrance.

For Thirteen-Lined Ground Squirrels: Scatter a teaspoonful of bait at the grass edge along trails near burrows, as close to burrow opening as possible.

### KANGAROO RATS

#### USE RESTRICTIONS:

For use in the control of kangaroo rats in uncultivated agricultural areas. Do not use in nonagricultural areas. Do not use for kangaroo rat control in areas occupied by the Utah prairie dog in Garfield, Iron, Kane, Piute, Sevier and Wayne counties, Utah, or in the areas of Meeteetsee black-footed ferret colony in Wyoming. The killing of an endangered species during strychnine baiting operations may result in a fine and/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: California Condor, San Joaquin Kit Fox, Aleutian Canada Goose, Morro Bay Kangaroo Rat, Grey Wolf, and Grizzly Bear. Do not use for kangaroo rat control in areas occupied by the masked bobwhite quail in Pima and Santa Cruz Counties, Arizona. Do not apply where the Morro Bay kangaroo rat is present--in or near a 1.7 square-mile area south of Morro Bay, San Luis Obispo County, California.

### PREBAITING

Prebaiting with untreated grain 3 to 5 days before exposing strychnine poisoned bait is recommended to improve acceptance of the toxic bait.

### BAITING

SPOT BAITING: Evenly scatter 3 or 4 tablespoons of bait on bare ground near active burrow. Kangaroo rats living within 30 yards of each baiting spot are likely to find the bait. Scatter grain as much as possible to prevent one or two animals from taking all the bait. Do not place bait in piles.

### STORAGE AND DISPOSAL

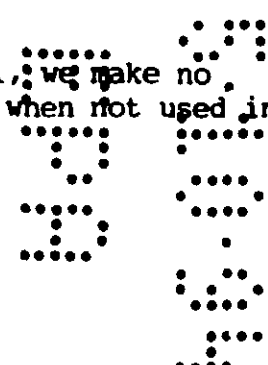
Do not contaminate water, food or feed by storage or disposal.

STORAGE: Store this product in original containers in a dry locked place away from food and feed, pets and domestic animals.

DISPOSAL: Completely empty bag and dispose of in a sanitary landfill or by incineration or, if allowed by state and local authorities, by burning.

### WARRANTY

The use of the material being beyond our knowledge and control, we make no warranty expressed or implied, as to the effects of such use, when not used in accordance with directions.



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LEFT BACK PANEL

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS & DOMESTIC ANIMALS

DANGER

CONVULSIVE POISON: Poisonous if swallowed. Do not breathe dust. Do not contaminate feed of foodstuffs. Keep away from children, pets, and domestic animals. Wash hands 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. 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 cleaning equipment or disposal of wastes.

ENDANGERED SPECIES

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 Services (Endangered Species Specialist) or the local Fish and Game Offices 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 U.S. EPA: California Condor, San Joaquin Kit Fox, Aleutian Canada Goose, Morro Bay Kangaroo Rat, Salt Marsh Harvest Mouse, Gray Wolf and Grizzly Bear.

CAUTION

BIRDS FEEDING ON TREATED AREAS MAY BE KILLED

DIRECTIONS FOR USE

IT IS A VIOLATION OF FEDERAL LAW TO USE THIS PRODUCT IN A MANNER INCONSISTENT WITH ITS LABELING.

GENERAL USE DIRECTIONS

Do not expose bait in a manner which presents a likely hazard to pets, poultry or livestock. Do not place bait in piles. Where feasible, pick up and burn or bury all visible carcasses of animals in or near treated areas. Do not use within one mile of a prairie dog colony where the presence of the black-footed ferret has been confirmed by the Fish and Wildlife Service within a five (5) year period.

GROUND SQUIRRELS

USE RESTRICTIONS:

For use to control Richardson Ground Squirrels, Franklin Ground Squirrels, and 13-Lined Ground Squirrels in uncultivated agricultural areas. Do not use in nonagricultural areas. Do not expose bait in a manner which presents a likely hazard to pets, poultry, or livestock. Do not place bait in piles. Where feasible, pick up and burn or bury all visible carcasses of animals in or near treated areas. Do not use for Ground Squirrels in areas occupied by the Utah Prairie Dog, in Garfield, Iron, Kane, Piute, Sevier and Wayne counties, Utah. Do not use for Ground Squirrel control within 200 yards of the boundaries of prairie dog colonies.

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