

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



OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

February 5, 2004

Avitrol Corporation
7644 East 46th Street
Tulsa, OK 74145-6370

Attention: Mr. Kelly Swindle

300
17 5-753280

Subject: Avitrol Concentrate
EPA Reg. No. 11649-10
Our letter of October 9, 2003
Your letter of November 13, 2003

Purpose The purpose of this submission is to revise your label in accordance with PR Notice 2001-1 according to our last letter, October 9, 2003.

Label review The labeling submitted with the above letter, under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) is acceptable, provided you submit one (1) copy of final printed labeling to us, with the following change, before you ship your product.

1. Modify the reason under "RESTRICTED USE PESTICIDE" to "Due to Acute Avian Toxicity and Acute Oral Toxicity".
2. Revise the first sentence of your "Hazards to Humans and Domestic Animals" text as follows: "Fatal if swallowed."
3. In your "First Aid" text, add the following after "IF SWALLOWED" and before "IF IN EYES":

If on skin or clothing	<ul style="list-style-type: none"> •Take off contaminated clothing. •Rinse skin immediately with plenty of water for 15-20 minutes. •Call a poison control center, doctor, or 1-800-424-9300 immediately for treatment advice.
------------------------	---

Existing stocks

Stocks of existing labels may be used for eighteen (18) months.

Consequence for non-compliance If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6(e). Your release for shipment of the product constitutes acceptance of these conditions.

Questions If you have questions about this letter, please contact me at 703-305-5407 (by phone), 703-305-6596 (by fax), or peacock.dan@epa.gov (by E-Mail).

Sincerely yours,



Daniel B. Peacock, Biologist
Insecticide-Rodenticide Branch
Registration Division (7504C)

Letter Dan Peacock, Disk135,A:\Avitrol\11649-10, revised label, 1-4-2004.wpd

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS & DOMESTIC ANIMALS

DANGER: Poisonous if swallowed. Harmful if absorbed through skin. May cause eye irritation. Do not breathe dust. Do not get in eyes, on skin, or on clothing.

ENVIRONMENTAL HAZARDS

Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark.

This pesticide is toxic to birds and fish. Wildlife feeding on treated bait may be killed. Do not contaminate water by cleaning equipment or disposal of waste. Do not feed to livestock or poultry. Do not mix with grain for livestock or poultry feed.

Pick up and dispose of dead birds by burial.

DIRECTIONS FOR USE

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

USE RESTRICTIONS

Do not apply to food or feed crops. Do not use where stored food or feed (such as grain or meat) might become contaminated.

Avitrol must not be exposed in any manner that may endanger desirable and protected bird species. If there is a question of such hazard, consult local, state and federal game authorities before undertaking bird management with Avitrol.

Investigate local laws that may prohibit the use of any toxic chemical in bird control.

Applicators must wear protective clothing, including long sleeves, gloves and respirators when using this product.

STORAGE & DISPOSAL

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

Storage: Store only in original container in a cool, dry location inaccessible to children and pets. Store apart from food or animal feed and protect against rodent penetration of the carton. Store apart from other pesticides, fertilizers, food or feed that may cause cross-contamination of odor or insect infestation.

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: Fiber Drums with Liners: Completely empty liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into application equipment. Then dispose of liner in sanitary landfill or by incineration if allowed by State and local authorities. If drum is contaminated and cannot be reused, dispose of in the same manner.

RESTRICTED USE PESTICIDE DUE TO ACUTE AVIAN TOXICITY

For 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.



Active ingredient: 4-Aminopyridine	25.0%
Inert ingredients:	75.0%
Total	100.0%

Avitrol is a poison with flock alarming properties used for the control of Gulls at, in, near or in the vicinity of Sanitary Landfills, Airports and structures where Gulls feed, nest, roost or roost, in such a way that a part of a flock may react and frighten the rest away. Birds that react and alarm a flock usually die.

Herring Gulls (*Larus argentatus*), as are all Gulls, are protected by law and treaty. Both Federal and State permits are required to use the Avitrol method of Gull control.

Avitrol Lot No. _____

**KEEP OUT OF REACH OF CHILDREN
DANGER POISON
FIRST AID**

Have label with you when obtaining treatment advice.

If swallowed	<ul style="list-style-type: none"> • Call a poison control center, doctor, or 1-800-424-9300 immediately for treatment advice. • Have person sip a glass of water if able to swallow. • Do not induce vomiting unless told to do so by the poison control center or doctor.
---------------------	--

If in eyes	<ul style="list-style-type: none"> • Hold eye open and rinse slowly and gently with water for 15-20 minutes. • Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. • Call a poison control center, doctor or 1-800-424-9300 immediately for further treatment advice.
-------------------	---

ACCEPTED with COMMENTS in EPA Letter Dated:

Manufactured By
AVITROL CORPORATION

644 East 46th Street
Tulsa, Oklahoma 74145-6370

(918) 622-7763 • (800) 633-5069

EPA Reg. No. 11649-10

EPA Est. No. 649-OK-1

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

11649-10

PREBAITING DIRECTIONS

This product must not be applied where nontarget birds are feeding. Careful observations of the birds' feeding habits must therefore be made to establish proper feeding locations and to determine that no nontarget birds are feeding on the prebait.

Prebaiting with bread is essential to the effective deterrence of birds with Avitrol. Tossing bread squares into the air sometimes attracts the birds. Bread tossed from a very slowly moving vehicle is often readily accepted. Bait can also be effectively broadcast by a person on foot. In this case it is desirable to wear the same hat and clothing each time. Immediately after the bait is applied, move away from the area. Early morning placement, before natural feeding occurs, is best. Continue prebaiting until the pest birds have established their feeding pattern.

BAIT PREPARATION

To prepare the bait, cut each of two (2) standard slices of fresh bread into 12 equal pieces. Open and place into the plastic bag in which a portion of the product purchased was shipped; close by twisting the top entrapping as much air as possible. Tumble and shake the contents until all the powder is evenly distributed over the pieces of bread with none remaining on the walls of the bag. Handle treated bait with a gloved hand and remove with soap and water any of the powder that may have adhered to the skin.

DILUTION DIRECTIONS

Prior to baiting, mix one part (24 squares) bread treated with Avitrol Concentrate with 10 additional parts (240 squares) of untreated bread of similar size. Use rubber glove if mixing is done by hand.

BAITING DIRECTIONS

To obtain minimal mortality, the distribution of Avitrol should be limited to scattered spot placements that will provide feeding opportunities only for the necessary number of target birds. After the birds' feeding pattern has been established through prebaiting, replace untreated bait with diluted treated bait only at sites where the target birds are actively feeding. Do not apply treated bait to inactive feeding sites. Where uneaten bait may be a hazard to other birds or animals, it should be picked up at the end of each day. Do not allow Avitrol treated bread to remain in unprotected places where it may be mistaken for food by people or animals. This product must not be applied where nontarget bird species are feeding. For each application of bait in flocks of over 5,000, broadcast the 264 bread squares (24 treated and 240 untreated) prepared from one bag of powder among eight widely separated sites. For flocks fewer than 5,000, use half of the above quantity. Repeat treatment until bird numbers have been reduced to acceptable levels on the premises. Note that retreatment may also be necessary after rainfall.

Notice: Buyer and/or user assumes all risks of use and/or handling of these materials contrary to label instructions.