

13808-8

8/1/2012

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON D C 20460

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

AUG 1 2012

S 921171
360/1155

S 921170
360/1135

Mr Brad Berven
South Dakota Department of Agriculture
523 East Capitol
Pierre SD 57501

Dear Mr Berven

Subject M-44 CYANIDE CAPSULES
EPA Registration No 13808-8
Submissions of March 16, 2012 and July 31, 2012

Labeling submitted for this product is accepted under the provisions of the Federal Insecticide Fungicide and Rodenticide Act (FIFRA) as amended. The elements of labeling accepted via this letter include the label submitted on March 16 2012 for the individual M-44 capsules used for EPA Reg No 13808-8 plus the second versions of the container label and the bulletin of use restrictions for this product that were submitted separately on July 31 2012.

The change indicated below should be made to the bulletin of use restrictions before it is circulated.

- 1 In the last sentence of the second paragraph of Use Restriction 8 the period between the postal zip code and the telephone area code should be changed to a comma.

Submit two copies of all 3 elements of final printed labeling (container label, capsule label, and use restriction bulletin) before releasing this product for shipment under the labeling accepted via this letter. Product released for shipment after July 31, 2013 must bear the labeling accepted via this letter. Note the type size requirements for the signal word ('DANGER') and **KEEP OUT OF REACH OF CHILDREN** that are indicated on the enclosure. The type size requirement for the signal word also applies to **RESTRICTED USE PESTICIDE** where it appears at the top of the center panel.

If these conditions are not complied with this registration will be subject to cancellation in accordance with FIFRA section 6(e).

You may contact Dr William W Jacobs at 703-305-6406 or jacobs.bill@epa.gov if you have any questions regarding this letter

Sincerely yours

A handwritten signature in black ink that reads "Venus Eagle". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Venus Eagle
Product Manager (01)
Insecticide-Rodenticide Branch
Registration Division (7505P)

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PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

DANGER

Sodium Cyanide may be fatal if swallowed or inhaled. Use only with adequate ventilation and do not breathe the gas or dust. When handling setting or checking M 44 cyanide capsules always have at least six pearls of Amyl Nitrite readily available in case sodium cyanide is swallowed or inhaled.

While handling sodium cyanide capsules protect hands with gloves and shield eyes to prevent eye burns and skin irritation. Wash thoroughly before eating or smoking.

Do not use in areas frequented by humans or domestic dogs.

ENVIRONMENTAL HAZARDS

This pesticide is TOXIC TO WILDLIFE. Keep out of lakes ponds or streams. Do not contaminate water by cleaning of equipment or disposal of wastes. The M 44 ejector device cannot be used in areas inhabited by endangered canids and felids.

CHEMICAL HAZARDS

Contact with acid liberates poisonous and flammable hydrogen cyanide gas.

DISTRIBUTED BY
SOUTH DAKOTA DEPARTMENT
OF AGRICULTURE
523 EAST CAPITOL
PIERRE SD 57501

EPA REG No 13808 8
EPA EST No 56228 ID 1

RESTRICTED USE PESTICIDE
Due to High Acute Toxicity
And the need for highly specialized applicator training

For retail sale to and distribution to and use only by Certified Applicators who have taken the required additional training who are certified specifically to use M 44 Sodium Cyanide Capsules in M 44 ejector units and for whom the South Dakota Department of Agriculture assumes a supervisory role with respect to the use of this product.

M-44 CYANIDE CAPSULES
FOR USE ONLY IN SOUTH DAKOTA

For use in the M 44 ejector device to control coyotes (*Canis latrans*) red fox (*Vulpes vulpes*) gray fox (*Urocyon cinereoargenteus*) and wild dogs that (1) are suspected of preying upon livestock and poultry (2) are suspected of preying on federally designated threatened or endangered species or (3) are vectors of a communicable disease.

ACTIVE INGREDIENT	
Sodium Cyanide	91.06 /
INERT INGREDIENTS	
	8.94 /
TOTAL	
	100.00 /
_____ Capsules Net Weight _____	

KEEP OUT OF REACH OF CHILDREN

DANGER POISON

STATEMENT OF PRACTICAL TREATMENT
IF SWALLOWED CALL A PHYSICIAN OR POISON CONTROL CENTER IMMEDIATELY!

IF SWALLOWED OR INHALED Prompt treatment is of the utmost importance. Carry patient to fresh air. Have him lie down. Patient should breathe the contents of an Amyl Nitrite pearl 15-30 seconds each minute if necessary until five pearls have been used. Use artificial respiration if breathing has stopped. Remove contaminated clothing but keep patient warm. **CALL A PHYSICIAN IMMEDIATELY!**

IF ON SKIN Immediately flush with plenty of water.

IF IN EYES Immediately flush with plenty of water and call a physician.

SEE LEFT PANEL FOR ADDITIONAL PRECAUTIONARY STATEMENTS

ACCEPTED
AUG 1 2012

Under the Federal Insecticide, Fungicide,
and Rodenticide Act, as amended, for the
pesticide registered under

EPA Reg No 13808-8

DIRECTIONS FOR USE

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

For use in specific situations to reduce canids (coyotes red fox gray fox and wild dogs) that (1) are suspected of preying on livestock and poultry (2) are suspected of preying on federally designated threatened or endangered species or (3) are vectors of communicable disease. For use on pastures range land and forest land only. Do not place in areas where food crops are planted.

IMPORTANT

Before handling or placing M 44 cyanide capsules or M 44 ejector devices consult the Use Restriction Bulletin for specific use directions additional precautions information on endangered species warning signs and antidotal measures.

WARNING SIGNS

Bilingual (Spanish/English) warning signs must be posted in the general area and at the application site.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE Store M 44 cyanide capsules under lock and key in a dry place away from food domestic animals and acids. Do not contaminate feed or food stuffs.

PESTICIDE DISPOSAL Dispose of defective and used M 44 capsules by burial in a safe location in the field or at a proper landfill site. Incineration may be used instead of burial for disposal of used capsules. Place capsules in an incinerator or refuse hole and attend the burn until the contaminated material is completely consumed. If burned stay out of smoke.

CONTAINER DISPOSAL Cardboard outer box Nonrefillable container Do not reuse or refill this container. Offer for recycling if available. If recycling is not available dispose of container by burial at a safe location in the field or at a proper landfill site. Styrofoam inner container Nonrefillable container Do not reuse or refill this container. Dispose of container by burial at a safe location in the field or proper landfill site. Contact the South Dakota Department of Environment and Natural Resources for guidance in disposing of containers at approved waste disposal facilities.

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**DANGER
POISON**

M-44 Cyanide capsules
EPA REG No 13808-8
Contains Sodium Cyanide - 91.06 %
South Dakota Dept. of Agriculture
Pierre SD 57501

ACCEPTED
AUG 1 2012

**Under the Federal Insecticide, Fungicide,
and Rodenticide Act, as amended, for the
pesticide registered under**

EPA Reg No 13808-8

rec'd 3/15/12

M-44 SODIUM CYANIDE USE RESTRICTION BULLETIN 13808-8
South Dakota Department of Agriculture
EPA Registration No 13808-8

- 1 Use of the M-44 device shall conform to all applicable federal state and local laws and regulations
- 2 Applications shall be subject to such other regulations and restrictions as may be prescribed from time to time by the U S Environmental Protection Agency (EPA)
- 3 Each applicator of the M-44 device shall be trained in (1) safe handling of the capsules and device (2) proper use of the antidote kit, (3) proper placement of the device, and (4) necessary record keeping
- 4 M-44 devices and sodium cyanide capsules shall not be sold or transferred to or entrusted to the care of, any person not supervised or monitored by the South Dakota Department of Agriculture
- 5 The M-44 device shall only be used to take wild canids (1) suspected of preying on livestock and poultry (2) suspected of preying on Federally designated threatened or endangered species, or (3) that are vectors of a communicable disease
- 6 The M-44 device shall not be used solely to take animals for the value of their fur
- 7 The M-44 device shall only be used on or within 7 miles of a ranch unit or allotment where losses due to predation by wild canids are occurring or where losses due to predation by wild canids can be reasonably expected to occur based upon recurrent prior experience of predation on the ranch unit or allotment Full documentation of livestock depredation, including evidence that such losses were caused by wild canids, will be required before applications of the M-44 are undertaken This restriction is not applicable to government-run programs in which wild canids are controlled to protect Federally designated threatened or endangered species or are vectors of a communicable disease
- 8 The M-44 device shall not be used in (1) in areas within national forests or other Federal lands set aside for recreational use, (2) in areas where exposure to the public and family pets is probable (3) in prairie dog towns, or (4) except for the protection of Federally designated threatened or endangered species in National or State Parks, National or State Monuments, Federally designated wilderness areas and wildlife refuge areas

Areas set aside for recreational uses as described in subsection (1) of this use restriction, include areas where and when there are scheduled recreational events, areas identified on maps with 'recreation' in the title, areas where developed or known camping occurs areas near designated or known recreational trail heads, and designated or known vehicle access sites Prior to M-44 deployment, applicators must determine whether this use

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restriction affects their intended M-44 use Contact the South Dakota Department of Agriculture (SDDA) Agriculture Services Division, 523 East Capitol, Pierre, South Dakota 57501 (605) 773-4432, for assistance in determining whether the intended use would be in an area prohibited by this restriction

9 The M-44 device shall not be used in areas where threatened or endangered animal species might be adversely affected Each applicator shall obtain a map prepared by or in consultation with the U S Fish and Wildlife Service (USFWS) which clearly indicates these areas The M-44 device shall not be used in areas occupied by Federally listed experimental populations as set forth in the most current versions of maps that have been prepared and approved by USFWS At the time of application, the applicator must be in possession of the most current map, if such a map exists, that covers the application site If a map from the USFWS covering the application site does not exist then the M-44 applicator must, prior to application, consult with USFWS to determine whether the application site is in an area occupied by listed animal species Any use of the M-44 thereafter must be consistent with any conditions or limitations provided by USFWS through such consultation To obtain the most current information, the applicator must contact the U S Fish and Wildlife Services, Ecological Service Field Supervisor Pierre Ecological Services Field Office 420 South Garfield Ave , Pierre, South Dakota 57501, (605) 224-8693

10 One person other than the individual applicator shall have knowledge of the exact placement location of all M-44 devices in the field

11 In areas where more than one governmental agency is authorized to place M-44 devices, the agencies shall exchange placement information and other relevant facts to ensure that the maximum number of the M-44 s allowed is not exceeded

12 The M-44 device shall not be placed within 200 feet of any lake, stream, or other body of water, provided that natural depression areas which catch and hold rainfall only for short periods of time shall not be considered bodies of water for purposes of this restriction

13 The M-44 device shall not be placed where food crops are planted

14 The M-44 device shall be placed at a 50-foot distance or at such a greater distance from any public road or pathway as may be necessary to remove it from the sight of persons and domestic animals using any such public road or pathway

15 The maximum density of M-44 s placed in any 100 acre pastureland areas shall not exceed ten (10), and the density in any one (1) square mile of open range shall not exceed twelve (12)

16 No M-44 device shall be placed within 30 feet of a livestock carcass used as a draw station No more than four M-44 devices shall be placed per draw station, and no more than five draw stations shall be operated per square mile

17 Supervisors of applicators shall check the records, warning signs, and M-44 devices of each applicator at least once a year to verify that all applicable laws regulations, and restrictions are being strictly followed

18 Each M-44 device shall be inspected by the applicator at least once every week, weather permitting access, to check for interference or unusual conditions and shall be serviced as required

19 Damaged or nonfunctional M-44 devices shall be removed from the field

20 An M-44 device shall be removed from an area if after 30 days, there is no sign that a target predator has visited the site

21 All persons authorized to possess and use sodium cyanide capsules and M-44 devices shall store such capsules and devices under lock and key

22 Used sodium cyanide capsules shall be disposed of by deep burial, or at a proper landfill site Incineration may be used instead of burial for disposal Place the capsules in an incinerator or refuse hole Attend burn until capsules are completely consumed Capsules may be incinerated using either wood or diesel fuel

23 Bilingual warning signs in English and Spanish shall be used in all areas containing M-44 devices All such signs shall be removed when M-44 devices are removed

a Main entrances or commonly used access points to areas in which M-44 devices are set shall be posted with warning signs to alert the public to the toxic nature of the cyanide and to the danger to pets Signs shall be inspected weekly to ensure their continued presence and ensure that they are conspicuous and legible

b An elevated warning sign warning persons not to handle the device shall be placed within 25 feet of each individual M-44 device

24 Each authorized or licensed applicator shall carry an antidote kit on his person when placing and/or inspecting M-44 devices The kit shall contain at least six pearls of amyl nitrate and instructions on their use Each authorized or licensed applicator shall also carry on his person instructions for obtaining medical assistance in the event of accidental exposure to sodium cyanide

25 In areas where the use of the M-44 device is anticipated, local medical people shall be notified of the intended use The notification may be through a poison control center local medical society the Public Health Service, or directly to a doctor or hospital They shall be advised of the antidotal and first-aid measures required for the treatment of cyanide poisoning It shall be the responsibility of the supervisor to perform this function

26 Each authorized M-44 applicator shall keep records dealing with the placement of the

device and the results of each placement. Such records shall include, but need not be limited to

- a The number of devices placed
- b The location of each device placed
- c The date of each placement, as well as the date of each inspection
- d The number and location of devices which have been discharged and the apparent reason for each discharge
- e Species of animals taken
- f All accidents or injuries to humans or domestic animals