

PM 04 35975-2

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U.S. ENVIRONMENTAL PROTECTION AGENCY  
Office of Pesticide Programs  
Registration Division (7505C)  
401 "M" St., S.W.  
Washington, D.C. 20460

EPA Reg. Number:

35975-2

Date of Issuance:

NOV 14 1997

NOTICE OF PESTICIDE:  
         Registration  
  X   Reregistration

(under FIFRA, as amended)

Term of Issuance:

Name of Pesticide Product:

M-44 CYANIDE CAPSULES

Name and Address of Registrant (include ZIP Code):

Dr. D. Owen James  
Acting State Veterinarian  
Montana Department of Livestock  
P.O. Box 2020001  
Helena, MT 59620-2001

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 registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act.

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.

Based upon your response of September 6, 1995, to the Reregistration Eligibility Decision (RED) document issued for Sodium Cyanide and your subsequent submission of October 14, 1997, EPA has reregistered the product identified above. This action is taken under the authority of §4(g)(2)(C) of the Federal Insecticide, Fungicide and Rodenticide Act, as amended. Reregistration under this section does not eliminate the need for continual reassessment of pesticides. EPA may require submission of data at any time to maintain the registration of your product.

The Confidential Statement of Formula (CSF) dated October 10, 1997, both claims the product to be a 100% repack of another registered formulation and presents information on most but not all of the formulation of 35975-2. As we find the 100% repack information to be accurate and sufficient, we have accepted this CSF despite its inclusion of extraneous material.

Signature of Approving Official:

Date:

NOV 14 1997

The use restriction bulletin submitted with your letter of October 14, 1997, and the capsule label included in your 8-months response to the Reregistration Eligibility Decision (RED) document for sodium cyanide are acceptable. The text and format of the container label submitted on October 14, 1997, must be modified as indicated below.

1. Delete ", who are certified specifically" from the wording in the "RESTRICTED USE PESTICIDE" box. Thus changed, the text in the box will read as indicated below.

### RESTRICTED USE PESTICIDE

DUE TO INHALATION HAZARD TO HUMANS  
AND THE NEED FOR HIGHLY SPECIALIZED  
APPLICATOR TRAINING

For retail sale and distribution to and use only by Certified Applicators who have taken the required additional training to use M-44 Cyanide Capsules in M-44 ejector units and in this regard are supervised and monitored by the Montana Department of Livestock and the Montana Department of Agriculture.

While I understand from our telephone discussion on October 9, 1997, that M-44 applicators are trained and certified with specifically for this use, our Certification and Training staff have concerns about the wording that we originally prescribed to you. The text indicated above is acceptable to them. I apologize for our confusion.

2. Add "or Federally designated threatened or endangered species" to the end of the first "sentence" of the second paragraph of the "DIRECTIONS FOR USE". As amended, that "sentence" will read

For use in specific situations to reduce canids (coyotes, red fox, gray fox, and wild dogs) that depredate livestock and poultry or Federally designated threatened or endangered species.

3. Although the remainder of the content of the container label submitted on October 14, 1997, is acceptable, its proposed format is at odds with the recommendations and requirements of 40 CFR, §156.10. Restore the label to the format that was used for the on the container label that was accepted on June 21, 1994. To do this:

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- a. move the "STORAGE AND DISPOSAL" text from the bottom of the center panel to a position on the right panel below the "DIRECTIONS FOR USE" and above your name and address;
- b. move the claim paragraph and ingredient statement from the top of the right panel to a position on the center panel between the "RESTRICTED USE PESTICIDE" box and the box which begins with "KEEP OUT OF REACH OF CHILDREN".

For your convenience, I have enclosed a "cut-and-paste" copy of a the container label reformatted and modified as discussed above. The type sizes and faces used on the container label accepted on June 21, 1994, seem to be more legible and appropriate than those used on the container label submitted on October 14, 1994. If space considerations prompted your changing the label's format, note that deleting the text as indicated from the "RESTRICTED USE PESTICIDE" box probably will save one line on the center panel. You could also save a line by presenting the name of the product only once on the center panel (see enclosed cut-and-paste copy).

Stamped copies of the accepted labeling elements are enclosed for your records.

Submit two copies of each element of final printed labeling: the container label, the capsule label, and the use restriction bulletin. Modify the container label as indicated above.

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

Sincerely yours,



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

**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 out 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 may not be used in area inhabited by endangered canids or felids.

**CHEMICAL HAZARDS**

Contact with acid liberates poisonous and flammable hydrogen cyanide gas.

**RESTRICTED USE PESTICIDE**

DOE TO INHALATION HAZARD TO HUMANS AND THE NEED FOR HIGHLY SPECIALIZED APPLICATOR TRAINING

For retail sale and distribution to and use only by Certified Applicators who have taken the required additional training, who are specifically trained to use M-44 ejector units, and in this regard are supervised and monitored by the Montana Department of Livestock and the Montana Department of Agriculture.

**M-44 CYANIDE CAPSULES**

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 depredate livestock and poultry or Federally designated threatened or endangered species.

Active Ingredient:	
Sodium Cyanide	91.06%
Inert Ingredients	8.94%
Total	100.00%

**KEEP OUT OF THE REACH OF CHILDREN**

**DANGER**  **POISON**

**STATEMENT OF PRACTICAL TREATMENT.**

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 SIDE PANEL FOR ADDITIONAL PRECAUTIONARY STATEMENTS.

**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 dog) that depredate livestock and poultry. 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 N-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**

**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.

**Disposal** - Dispose of defective and used M-44 capsules by burial in a safe location in the field or at a proper land fill site.

Montana Dept. Of Livestock  
Capitol Complex  
PO Box 202001  
Helena, Montana 59620-2001  
EPA Reg. No. 35975-2  
EPA Est. No. 56228-ID-1

Capsule net weight 48.5 Grams

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**PRECAUTIONARY STATEMENTS**

**HAZARDS TO HUMANS AND DOMESTIC ANIMALS**

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Inert Ingredients	..... 8.94%
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Capitol Complex  
PO Box 202001  
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EPA Reg. No. 35975-2  
EPA Est. No. 56228-ID-1

Capsule net weight 48.5 Grams

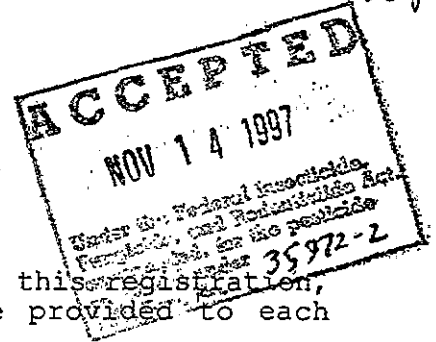
ACCEPTED  
with COMMENTS  
in EPA Letter Dated  
NOV 14 1997  
Under the Federal Insecticide,  
Fungicide, and Rodenticide Act  
as amended, for the pesticide  
registered under EPA Reg. No.  
35975-2



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M-44 Sodium Cyanide  
Use Restriction Bulletin  
Montana Department of Livestock  
(EPA Registration No. 35975-2)



This Bulletin is an essential part of the label for this registration, and a copy including the carton label is to be provided to each applicator.

1. Use of the M-44 device shall conform to all applicable Federal, State, and local laws and regulations.
2. Applicators shall be subject to such other regulations and restrictions as may be prescribed from time to time by the U.S. Environmental Protection Agency.
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; (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 Montana Department of Livestock and/or Montana Department of Agriculture.
5. The M-44 device shall only be used to take wild canids: (1) suspected of preying upon livestock or poultry, or (2) suspected of preying on Federally designated threatened or endangered species.
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 in instances where actual livestock losses due to predation by wild canids are occurring or, based on documented prior experience indicating a recurring or seasonal predator problem in a specific area, where actual livestock losses due to wild canid predators can reasonably be expected to occur. In each case an evaluation will be made and documented so as to include livestock losses and evidence of depredating species prior to application of M-44 devices. This restriction is not applicable when wild canids are controlled to protect Federally designated threatened or endangered species.
8. The M-44 device shall not be used in: (a) National or State Parks; (b) National or State Monuments; (c) Federally designated wilderness areas; (d) Wildlife refuge areas; (e) Areas within national forests or other Federal lands specifically set aside for recreational use; (f) prairie dog towns; and (g) Areas where exposure to the public and family pets is probable.
9. The M-44 device shall not be used in areas where threatened or endangered animal species might be adversely affected. Each applicator shall be issued a map which clearly indicates such areas.

10. One person other than the individual applicator shall have knowledge of the exact 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 insure that the maximum number of M-44 devices is not exceeded.
12. The M-44 device shall not be placed within two hundred (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 in areas where food crops are planted.
14. The M-44 device shall be placed at least fifty (50) feet distance or at such 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 density of M-44 devices used shall be the minimum necessary to reduce losses as a rule, but the maximum density of M-44 devices in any 100 acre pasture land shall not exceed ten (10), and in any one square mile of open range shall not exceed twelve (12).
16. No M-44 device shall be placed within thirty (30) feet of a livestock carcass used as a draw station; no more than four (4) M-44 devices shall be placed at any single draw station; and no more than three (3) draw stations shall be operated in any one square mile of area.
17. The Montana Department of Livestock and/or Montana Department of Agriculture 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 a week to check for interference or unusual conditions and shall be serviced as required.
19. Damaged or non-functional M-44 device shall be removed from the field.
20. An M-44 device shall be removed from an area if, after thirty (30) days there is a cessation of losses due to target predators in the area.



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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.
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 insure their continued presence and insure that they are conspicuous and legible.
  - b. An elevated sign shall be placed within twenty-five (25) feet of each individual M-44 device warning persons not to handle the 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 (6) pearls of amyl nitrite 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 all areas where the use of the M-44 device is anticipated, local medical people shall be notified of the intended use. This 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 treatment of cyanide poisoning. It shall be the responsibility of the supervisor to perform this function.
26. Each 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 dates of each placement, inspection and removal.
  - 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.