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35978-1 10-2-97 Packet

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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: 35978-1
Date of Issuance: October 2, 1997

NOTICE OF PESTICIDE:
Registration
 Reregistration

Term of Issuance:

Name of Pesticide Product:
M-44 CYANIDE CAPSULES

(under FIFRA, as amended)

Name and Address of Registrant (include ZIP Code):

Mr. Henry R. Uhden
Agriculture Program Coordinator
Wyoming Department of Agriculture
2219 Carey Avenue
Cheyenne, WY 82002-0100

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 July 17, 1995, to the Reregistration Eligibility Decision (RED) document issued for Sodium Cyanide, 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 July 17, 1995, is acceptable. A copy of this CSF has been placed in our file for this product. All previous versions of this product's CSF are obsolete.

The efficacy data cited for this product are acceptable. No additional efficacy data are required to support the claims made for this product.

The revised labeling proposed for this product on July 17, 1995, is acceptable under the condition that the following changes are made:

Signature of Approving Official:
William W. Jacob

Date: OCT 02 1997

208

1. Change the last sentence of the "ENVIRONMENTAL HAZARDS" section of the container label to read

"The M-44 ejector device may not be used in areas inhabited by endangered canids or felids."

2. Change the content of the "RESTRICTED USE PESTICIDE" box on the container label to 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, who are certified specifically to use M-44 Sodium Cyanide Capsules in M-44 ejector units, and for whom the Wyoming Department Agriculture assumes a supervisory role with respect to the use of this product."

3. On the center panel of the container label, underline or place in italics the scientific names for claimed target species. Correct the scientific name for red fox to read "Vulpes vulpes".
4. Resolve the discrepancy between the claims on the label and Use Restrictions #5 and #7 by adding to the end of Use Restriction #7 the sentence

"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."

Your submission of July 17, 1995, lacked copies of the label that is used for individual Sodium Cyanide capsules. As we had several clean copies of the printed capsule label that you submitted on June 29, 1994, and as the information on that label still seems to be current, we took the liberty of copying that label and adding it to your submission of July 17, 1995, so that this product could be considered for reregistration. In future applications in which label revisions are sought, submit copies of all elements of labeling (the container label, the capsule label, and the bulletin of use restrictions). To avoid confusion, we prefer to stamp the same acceptance date on each labeling element.

3 of 8

page 3
EPA Reg. No.: 35978-1

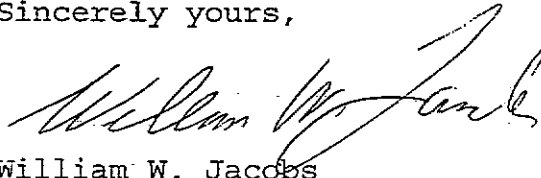
Submit two copies of final printed versions of each element of labeling. The revisions stipulated above must be incorporated into the final printed versions of the container label and the bulletin of use restrictions.

If you do not comply with these conditions, 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.

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

If you have any questions about this letter, you may call me at 703-305-6406.

Sincerely yours,



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

Enclosures: Stamped labeling
A-79 Enclosure

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 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 or felids.

CHEMICAL HAZARDS

Contact with acid liberates poisonous and flammable hydrogen cyanide gas.

DISTRIBUTED BY
WYOMING DEPARTMENT
OF AGRICULTURE
2219 Carey Avenue
Cheyenne, Wyoming 82002

EPA REG. No. 35978-1
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 use only by certified Applicators or person under their direct supervision and only for those uses covered by the Certified Applicators certification.

M-44 CYANIDE CAPSULES

For use in the M-44 ejector device to control coyotes (*Canis latrans*), red fox (*Vulpes*), gray fox (*Urocyon cinereoargenteus*) 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 a communicable disease.

ACTIVE INGREDIENT:

Sodium Cyanide.....91.06%

INERT INGREDIENTS.....8.94%

TOTAL.....100.00%

Capsules Net Weight _____ grams

Keep with COMMENTS
in EPA Letter Dated

OCT 02 1997

Enter the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.
35978-1

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

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 a 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

STORAGE: Store M-44 cyanide capsules under lock and key in a dry place away from food, domestic animals and acids. Do not contaminate food 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.

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.

408

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ACCEPTED
with COMMENTS
in EPA Letter Dated

OCT 02 1997

M-44 CYANIDE CAPSULES Under the Federal Insecticide, Fungicide, and Rodenticide Act
M-44 EPA USE RESTRICTIONS extended for the pesticide
EPA REGISTRATION NO. 35978-1 Registered under EPA Reg. No.

35978-1

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 (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 recordkeeping.
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 Wyoming 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 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.
8. The M-44 device shall not be used: (1) In areas within national forests or other Federal lands set aside for recreational use, (2) 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 and State Parks; National or State Monuments; federally designated wilderness areas; and wildlife refuge areas.
9. The M-44 device shall not be used in areas where federally listed threatened or endangered animal species might be adversely affected. Each applicator shall be issued a map, prepared by or in consultation with the U.S. Fish and Wildlife Service, which clearly indicates such areas.
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 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 rain fall 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 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 and burn until the 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 sign shall be placed within 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 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.

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DANGER-POISON
M-44 Cyanide Capsule
Contains Sodium Cyanide-91.06%
Wyoming Department of Agriculture
Cheyenne, WY 82002

ACCEPTED
OCT 02 1997
Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, the pesticide
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