

35978-1

03/14/2012

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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

MAR 14 2012

Mr. Kent Drake
Predator Management Coordinator
Wyoming Department of Agriculture
2219 Carey Avenue
Cheyenne, WY 82002

S 913356
360/1155

Dear Mr. Drake:

Subject: M-44 CYANIDE CAPSULES
EPA Registration No. 35978-1
Submissions of October 11, 2011, and February 29, 2012

The capsule labeling submitted on October 11, 2011, and the container label, the bulletin of use restrictions, and the pamphlet labeling submitted on February 29, 2012, are accepted under the provisions of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended. Stamped copies of all 4 elements of this product's labeling are enclosed for your records.

Submit two copies of all 4 elements of final printed labeling (container label, capsule label, use restriction bulletin, and pamphlet) before releasing this product for shipment under the labeling accepted via this letter. Product released for shipment after March 15, 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 (and at the top of page 1 of the pamphlet).

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 cursive script that reads "Venus Eagle".

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

ACCEPTED

MAR 14 2012

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

EPA. Reg. No. 35978-1

**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 a 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 may not 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 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 of Agriculture assumes a supervisory role with respect to the use of this product.

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 (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 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 & 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.


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 Wyoming Department of Environmental Quality for guidance in disposing of containers at approved waste disposal facilities.


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

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M-44 Cyanide Capsule
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ACCEPTED

MAR 14 2012

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

EPA. Reg. No: 35978-1

ACCEPTED
MAR 14 2012

4/13

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

EPA. Reg. No: 35978-1

**M-44 SODIUM CYANIDE USE RESTRICTIONS BULLETIN WYOMING DEPARTMENT OF
AGRICULTURE - EPA REG. NO. 35978-1**

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 (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 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. 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: (a) in areas within national forests or other Federal lands set aside for recreational use, (b) in areas where exposure to the public and family pets is probable, (c) in prairie dog towns, or, (d) 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.

Areas set aside for recreational uses described in subsection (a) 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 restriction affects their intended M-44 use. For state lands in Wyoming, the Wyoming Department of Agriculture M-44 applicator supervisor will consult with the director, or his or her designee of the Wyoming State Office of Lands and Investments, regarding land management and licensed M-44 use.

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.

(1) Except as provided in paragraph (2) below, the M-44 device shall not be used in areas occupied by any federally listed threatened or endangered species or any federally listed experimental populations as set forth in the most current versions of maps that have been prepared or approved by the U.S. Fish and Wildlife Service (FWS). At the time of application, the applicator must be in possession of the most current map, if such map exists, that covers the application site. If maps covering the application site do not exist, then the M-44 applicator must, prior to the application, consult with FWS 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 FWS through such consultation.

(2) Notwithstanding paragraph (1), the M-44 device may be used in areas occupied by endangered, threatened, or experimental populations if use in such areas has a) been addressed by FWS in special regulations pursuant to section 4(d) of the Endangered Species Act (ESA), in requirements imposed through incidental take statements or incidental take permits, or in other applicable agreements with the FWS, and b) the applicator's use of the M-44 is consistent with any of the conditions or limitations provided by FWS for such use.

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 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 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 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 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 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.

1/13

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 of Agriculture assumes a supervisory role with respect to the use of this product.

ACCEPTED

MAR 14 2012

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

EPA. Reg. No: 35978-1

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CAPSULES**

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ACTIVE INGREDIENT:	
Sodium Cyanide.....	91.06%
INERT INGREDIENTS.....	8.94%
TOTAL.....	100.00%

**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.

DISTRIBUTED BY
WYOMING
DEPARTMENT OF AGRICULTURE
2219 Carey Avenue
Cheyenne, Wyoming 82002
EPA REG. No. 35978-1
EPA EST. No. 56228-ID-1

EPA REG. NO. 35978-1

Read this entire label before using this product. Use only according to label instructions.

**M-44 Cyanide Capsules;
M-44 EPA Use Restrictions;
EPA Registration No. 35978-1**

1. Use of the M-44 device shall conform to all applicable Federal, State, and local laws and regulations.
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Federal lands set aside for recreational use, (b) in areas where exposure to the public and family pets is probable, (c) in prairie dog towns, or, (d) 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.

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4(d) of the Endangered Species Act (ESA), in requirements imposed through incidental take statements or incidental take permits, or in other applicable agreements with the FWS, and b) the applicator's use of the M-44 is consistent with any of the conditions or limitations provided by FWS for such use.

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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.

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- e. Species of animals taken.
- f. All accidents or injuries to humans or domestic animals.

12/13

**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 a 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 may not be used in areas inhabited by endangered canids or felids.

CHEMICAL HAZARDS

Contact with acid liberates poisonous and flammable hydrogen cyanide gas.

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 & DISPOSAL

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

PESTICIDE DISPOSAL: Store M-44 cyanide capsules under lock and key in a dry place away from food, domestic animals and acids.

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. 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 at a proper landfill site. Contact Wyoming Department of Environmental Quality for guidance in disposing of containers at approved waste disposal facilities.

M-44 CYANIDE CAPSULES

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