



OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

WASHINGTON, D.C. 20460

November 24, 2023

Jerald Albert Johnson
Agriculture Program Coord
Wyoming Department of Agriculture
2219 Carey Avenue
Cheyenne, WY 82002

Subject: Label Amendment – Edit wording on restriction #9 per USDA-APHIS Wildlife Services.
Product Name: M-44 Cyanide Capsules
EPA Registration Number: 35978-1
Application Date: February 16, 2022
Case Number: 479084

Dear Jerald Albert Johnson:

The amended label referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, is acceptable. This approval does not affect any conditions that were previously imposed on this registration. You continue to be subject to existing conditions on your registration and any deadlines connected with them.

A stamped copy of your labeling is enclosed for your records. This labeling supersedes all previously accepted labeling. You must submit one copy of the final printed labeling before you release the product for shipment with the new labeling. In accordance with 40 CFR 152.130(c), you may distribute or sell this product under the previously approved labeling for 18 months from the date of this letter. After 18 months, you may only distribute or sell this product if it bears this new revised labeling or subsequently approved labeling. “To distribute or sell” is defined under FIFRA section 2(gg) and its implementing regulation at 40 CFR 152.3.

Should you wish to add/retain a reference to the company’s website on your label, then please be aware that the website becomes labeling under FIFRA and is subject to review by the Agency. If the website is false or misleading, the product would be misbranded and unlawful to sell or distribute under FIFRA section 12(a)(1)(E). 40 CFR 156.10(a)(5) lists examples of statements EPA may consider false or misleading. In addition, regardless of whether a website is referenced on your product’s label, claims made on the website may not substantially differ from those claims approved through the registration process. Therefore, should the Agency find or if it is brought to our attention that a website contains false or misleading statements or claims substantially differing from the EPA approved registration, the website will be referred to the EPA’s Office of Enforcement and Compliance.

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

If you have any questions, please contact Andrés Garzón at (202) 566-2690 or at GarzonMoreno.Andres@epa.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Gene Benbow".

Gene Benbow, Product Manager 7
Invertebrate & Vertebrate Branch 3
Registration Division (7505P)
Office of Pesticide Programs

RESTRICTED USE PESTICIDE

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

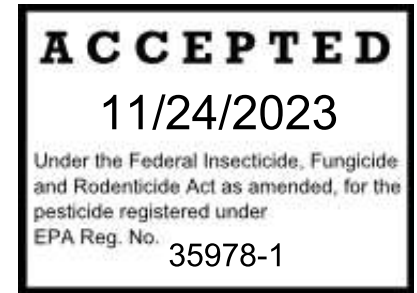
For retail sale and distribution to and use only by Certified Applicators who have taken the required additional training to use M-44 Sodium Cyanide Capsules in M-44 ejector units, and for whom USDA APHIS assumes a supervisory role with respect to the use of this product.

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 which are: (1) suspected of preying upon livestock and poultry; (2) suspected of preying upon federally designated Threatened or Endangered Species; or, (3) vectors of communicable disease.

ACTIVE INGREDIENT

Sodium Cyanide..... 91.06%
OTHER INGREDIENTS 8.94%
TOTAL..... 100.00%



KEEP OUT OF REACH OF CHILDREN

ANGER - PELIGRO
POISON



FIRST AID

IF SWALLOWED:

- Call a poison control center or doctor immediately for treatment advice. Prompt treatment is of the utmost importance.
- Rinse mouth with water.
- Remove contaminated clothing but keep patient warm.
- Do not induce vomiting unless told to by a poison control center or doctor.
- Do not give anything to an unconscious person.

IF INHALED:

- Move person to fresh air, have him lie down.
- If person is not breathing, call 911 or an ambulance, then give artificial respiration.
- Call a poison control center or doctor for further treatment advice.

IF ON SKIN:

- Take off contaminated clothing.
- Rinse skin immediately with plenty of water for 15-20 minutes.
- Call a poison control center or doctor for treatment advice.

IF IN EYES:

- 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 eyes.
- Call a poison control center or doctor for treatment advice.

Have the product label with you when calling a poison control center or doctor, or going for treatment. If you need immediate medical attention, call the Poison Control Center at 1-800-222-1222 or a doctor. For non-emergency information concerning this product, call the National Pesticide Information Center at 1-800-858-7378.

SEE NEXT PAGE FOR ADDITIONAL PRECAUTIONARY STATEMENTS.

WYOMING DEPARTMENT OF AGRICULTURE
2219 CAREY AVENUE
CHEYENNE, WY 82002

EPA Reg. No. 35978-1

Net Contents: _____
Batch Code No.: _____

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

DANGER – PELIGRO POISON

READ THIS LABEL: Read the entire label and follow all applicable directions, restrictions and precautions. This label must be in the possession of the user at the time of pesticide application.

ACUTE HAZARDS: Sodium cyanide may be fatal if swallowed or inhaled.

HAZARD AVOIDANCE: Do not get in eyes, on skin, or on clothing. Use only with adequate ventilation and do not breathe the gas or dust. Wear protective clothing and face protection as listed under “**PERSONAL PROTECTIVE EQUIPMENT**.” Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet. Remove and wash contaminated clothing before reuse.

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

PERSONAL PROTECTIVE EQUIPMENT (PPE):

Applicators must wear:

- Long-sleeved shirt and pants,
- Shoes plus socks,
- Waterproof gloves, and
- A full face shield or other mechanism to contain and/or deflect ejected material away from the face of the applicator.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to wildlife. Keep out of lakes, ponds or streams. Do not contaminate water by cleaning of equipment or disposing of wastes.

CHEMICAL HAZARDS

Contact with acid liberates poisonous and flammable hydrogen cyanide gas.

ENDANGERED SPECIES CONSIDERATIONS

It is a Federal offense to use any pesticide in a manner that results in the death of an endangered species. Use of this product is prohibited in areas where such use might jeopardize the continued existence of endangered species. Contact the local office of the U.S. Fish and Wildlife Service to determine the locations of habitats occupied by any endangered species which occur in or near the intended area of product use.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. Misuse may result in civil or criminal enforcement action. A copy of this label must be in the possession of the user at the time that the product is applied.

For use in the M-44 ejector device to control coyotes (*Canis latrans*), red fox (*Vulpes vulpes*), gray fox (*Urocyon cinereoargenteus*), and wild dogs which are: (1) suspected of preying upon livestock and poultry; (2) suspected of preying upon federally designated Threatened or Endangered Species; or, (3) vectors of communicable disease. For use on pastures, range land, and forest land, only.

IMPORTANT: Before handling or placing M-44 cyanide capsules or M-44 ejector devices, consult the “**USE RESTRICTIONS**” below for specific use directions, additional precautions, information on endangered species, and warning signs.

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

DIRECTIONS FOR USE (continued)

USE RESTRICTIONS

1. Use of the M-44 device must conform to all applicable Federal, State, and local laws and regulations.
2. Applicators must 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 must be trained in: (1) safe handling of the capsules and device, (2) proper placement of the device, and (3) necessary record keeping.
4. M-44 devices and sodium cyanide capsules must 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 must only be used to take wild canids: (1) suspected of preying on livestock or 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 must not be used solely to take animals for the value of their fur.
7. The M-44 device must 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 use restriction is not applicable when wild canids are controlled to protect Federally designated threatened or endangered species or are vectors of a communicable disease.
8. The M-44 device must not be used: (1) on Federal lands set aside for recreational use, (2) in areas where exposure to the public and family or pets is probable, (3) in prairie dog towns, or (4) in National or State Parks; National or State Monuments; federally designated wilderness areas; and wildlife refuge areas, except that the M-44 device may be used in the areas listed above in (4) only for the protection of Federally designated threatened or endangered species.

To determine whether the applicable land management agency has set aside any area on Federal Lands for recreational use either on a permanent or temporary basis, the APHIS State Director or his/her designated representative who are considering authorizing or are responsible for ongoing use of M-44 capsules on public lands, must contact each applicable land management agency quarterly to determine whether any portions of the projected or current M-44 use areas are, or are to be, set aside for recreational use. Within 30-days of that contact, the APHIS State Director, or his/her designated representative, must provide the applicable land management agency with written documentation specifying the applicable land management agency's determinations of what projected or current M-44 use areas are to be set aside for recreational use. For purposes of this Use Restriction, areas set aside for recreational use 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. For State lands in Wyoming, the Wyoming Department of Agriculture M-44 applicator supervisor will consult with the director, of 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 devices must only be used in areas where either 1) Federally endangered or threatened species under the Endangered Species Act ("endangered or threatened species") are not expected to be exposed to the devices or the pesticide contained in the devices, or 2) where site- and/or species-specific measures have been prepared by or in coordination with the U.S. Fish and Wildlife Service ("Service") that will avoid endangered or threatened species' exposure to such devices or the pesticide contained in them. At the time of application, each applicator must have in their possession a list of threatened and endangered species ("species list"), not more than 3 months old, from the Service that may be present within the area in which M-44 devices are to be deployed. Species lists and Service points of contact are available through the Information, Planning and Consultation (IPaC) website (<https://ecos.fws.gov/ipac/>). To procure an official species list, the geographic area in which M-44 devices are to be deployed must be entered into IPaC. Each applicator must ensure that one of the following conditions are met: 1) there are no endangered or threatened species shown on the species list for the area in which M-44 devices are to be deployed that can trigger the device or can scavenge on carcasses impacted by the device; or 2) if endangered and threatened species capable of triggering the device or scavenging on carcasses impacted by the device are shown on the species list, the applicator must also have in their possession written documentation of any appropriate site- and/or species-specific measures that avoid exposure and are prepared by or developed in coordination with the Service.*
10. At least one person within WDA in addition to the individual applicator must have knowledge of the exact placement of all M-44 devices in the field. This includes initial placement and any subsequent changes of M-44 GPS locations as soon as possible but no later than 14 days. In the case of applications to privately owned land, the applicator must also have written permission from the landowner or lessee who has requested M-44 device use prior to their placement. When devices are placed on private land, all residences on the property must be notified of the M-44 device use.

DIRECTIONS FOR USE (continued)

USE RESTRICTIONS

11. In areas where more than one governmental agency is authorized to place M-44 devices, the agencies must 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 must not be placed within 200 feet of any nonfrozen lake, stream, or other body of water; provided that natural depression areas which catch and hold rainfall for short periods of time shall not be considered "bodies of water" for purposes of this restriction. M-44 devices may be set within 200 feet of frozen bodies of water only if (i) they are removed before the water body is no longer completely frozen, and (ii) are set at such elevation to prevent inundation in the event of an untimely thaw.
13. The M-44 device must not be placed in areas where food crops are planted.
14. The M-44 device must not be placed within 300 feet of any designated public road or public pathway.
15. The maximum density of M-44's placed in any 100-acre pasture land areas must not exceed 10; and the density in any 1 square mile of open range shall not exceed 12.
16. M-44 devices must not be placed within 30 feet of a livestock carcass used as a draw station. No more than four M-44 devices may be placed per draw station and no more than five draw stations may be operated per square mile.
17. Supervisors of applicators must 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 must be visually inspected by the applicator at least once every week, weather permitting access, to check for interference or unusual conditions; and must be serviced as required, by the applicator.
19. Damaged or nonfunctional M-44 devices must be removed from the field.
20. An M-44 device must 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 must store such capsules and devices under lock and key, including when in transit.
22. Used sodium cyanide capsules must 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 must be used in all areas containing M-44 devices. All such signs must 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 must be posted with warning signs to alert the public to the toxic nature of the cyanide and to the danger to pets. Install freestanding warning signs at access points or on property boundaries where no fence lines exist, as appropriate. Signs must be inspected weekly to ensure their continued presence and ensure that they are conspicuous and legible.
 - b. Two elevated signs, placed in the most likely directions of approach, must be placed within 15 feet of each individual M-44 device warning persons not to handle the device.
24. In all areas where the use of the M-44 device is anticipated, local medical people must 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. It must be the responsibility of the supervisor to perform this function. Notifications must be made at least annually.
25. Each authorized M-44 applicator must keep records dealing with the placement of the device and the results of each placement. Such records must 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 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.

DIRECTIONS FOR USE (continued)

USE RESTRICTIONS

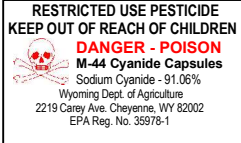
26. The M-44 device must not be used within 600 feet of occupied residences, except those of any cooperating entity who has given the WDA Licensed Applicator written permission for M-44 device placement on their property.
27. Prior to device placement, the WDA Licensed Applicator must notify any occupied residence within 0.5 miles of an M-44 device of the presence of M-44s by one or more of the following methods: face-to-face communication, person to person telephone conversation (voice message is not acceptable), door hanger notice, certified mail.

STORAGE AND 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: Styrofoam Container: Nonrefillable container. Do not reuse or refill this container. Offer for recycling, if available. If container is not to be recycled, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance in disposing of container at approved hazardous waste disposal facilities.



(Actual size: 1.25 inch x 0.75 inch)