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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:

39260-1

Date of Issuance:

JAN 26 1998

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):

Mr. Larry Benallie, Sr.
Navajo Nation
Department of Fish and Wildlife
P.O. Box 1480
Window Rock, AZ 86515

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 December 9, 1997, 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.

As noted in our letter of October 2, 1997, the Confidential Statement of Formula (CSF) dated August 2, 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.

Some modifications must be made to the labeling submitted on December 9, 1998, before your final printed labeling is printed.

Signature of Approving Official:

/s/

Date:

JAN 26 1998

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The proposed revised container label included in your submission of December 9, 1997, is basically acceptable. However, the changes identified below must be made on your final printed labeling.

1. In the last sentence of the "ENVIRONMENTAL HAZARDS" section, change "inhabitated" to "inhabited."
2. Delete ", who are certified specifically" from the "RESTRICTED USE PESTICIDE" box. Once modified, 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 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 the Navajo Department of Fish and Wildlife assumes a supervisory role with respect to the use of this product.

3. Delete "or, that are vectors of a communicable disease" from the statement of claims that appears on the center panel directly below the name of the product. Modify the remainder of the claim statement to read as indicated below.

For use in the M-44 ejector device to control coyotes (*Canis latrans*), red fox (*Vulpes vulpes*), gray fox (*Urocyon cinereoargenteus*) and wild dogs suspected of preying upon livestock or poultry, or suspected of preying upon Federally designated threatened or endangered species.

The "vectors of a communicable disease" claim cannot be accepted at this time because the remainder of the labeling has not been modified to accommodate it. If you wish to add that claim, you must submit proposed amended labeling with center panel, the "DIRECTIONS FOR USE", and Use Restrictions 5 and 7 modified appropriately.

The "M-44 Sodium Cyanide Use Restriction Bulletin" is basically acceptable. In Use Restriction 19, change "device" to "devices".

The label submitted for individual M-44 capsules is acceptable.

Submit two copies of all elements of final printed labeling for our records.

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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.

A stamped copy of each element of labeling is enclosed for your records.

You may contact Dr. William Jacobs of my staff at 703-305-6406 if you have questions on this letter.

Sincerely yours,

/s/

Tina E. Levine, Ph. D.
Chief, 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.

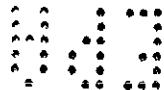
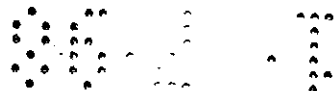
Do not use in areas frequented by humans or domestic dogs.

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 areas inhabited by endangered canids and felids.

CHEMICAL HAZARDS

Contact with acid liberates poisonous and flammable hydrogen cyanide gas.



RESTRICTED USE PESTICID.

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

For 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 Navajo Department of Fish and Wildlife 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; suspected of preying on livestock or poultry; or that prey on Federally designated threatened or endangered species; or, that are vectors of a communicable disease.

ACTIVE INGREDIENT:

Sodium cyanide.....91.06%

INSERT INGREDIENT:.....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 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

DIRECTION 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 depredate livestock and poultry or federally designated threatened or endangered species. 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 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 landfill site.


ACCEPTED FOR REGISTRATION
EPA Label 39260-1
JAN 26 1988
Under the Federal Insecticide, Fungicide, and Rodenticide Act as amended. For the pesticide registered under EPA Reg. No. 39260-1

NAVAJO NATION
DEPARTMENT OF FISH AND WILDLIFE
P.O. BOX 1480
WINDOW ROCK, ARIZONA 86515
(520)871-6451/6452

EPA Est. No. 56228-ID-1
EPA Reg. No. 39260-1
Capsules - Net Weight Grams

867

578

 **DANGER • POISON**
M-44 Cyanide Capsule
Contains Sodium
Cyanide - 91.06%
NAVAJO DEPARTMENT OF
FISH AND WILDLIFE
Window Rock, Arizona

JAN 20 1998
39260-1

M-44 Sodium Cyanide
Use Restriction Bulletin
Navajo Fish and Wildlife Department
(EPA Registration No. 39260-1)

6 9 8
ACCEPTED
with COMMENTS
in EPA Letter Dated

JAN 26 1998

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.

Under the Federal Insecticide,
Fungicide, and Rodenticide Act
and Regulations for the pesticide
registered under EPA Reg. No.
39260-1

1. Use of the M-44 device shall conform to all applicable Federal, Tribal, 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 Navajo Fish and Wildlife Department.
5. The M-44 device shall only be used to take wild canids: (1) suspected of preying on 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 incitates 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. 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 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.
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 sites.
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 fifteen (15) 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 with instructions on the use of each.
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 apparent reason.
 - E. Species of animals taken.
 - F. All accidents or injuries to humans or domestic animals