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56228-2

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

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MAR 07 1997

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

USDA  
Animal Plant & Health Inspection Service  
4700 River Road, Unit 150  
Riverdale, MD 20737-1237

Attention: Mr. Alan V. Tasker

Subject: Gas Cartridge  
EPA Registration No. 56228-2  
Your letter of May 8, 1996

We have reviewed your efficacy report on pocket gophers and request to delete this use from your label. Our comments are provided below.

A. Review of Efficacy Report

The efficacy report (MRID # 440089-01) by Matschke, et al (1995) fails to demonstrate that gas cartridges of the formulation used for this product could be expected to control Northern pocket gophers effectively. As similar problems have been reported in other limited trials involving gas cartridges and pocket gophers, it appears that this control technique is not appropriate for this type of organism. Therefore, we support your decision to drop claims for controlling pocket gophers from the labeling of 56228-2.

B. Review of Label Revision

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended, is acceptable provided that you make the following changes and submit one (1) copy to us before you ship your product:

There is a problem with the relative emphasis given to the subheadings within the "DIRECTIONS FOR USE" portion

of the carton label. When the new labels are printed, present the major heading and the subheadings as indicated below.

**"DIRECTIONS FOR USE**

It is a violation . . . labeling.

**USE RESTRICTIONS**

This product . . . SPECIES.

**APPLICATION DIRECTIONS**

**GENERAL PROCEDURES**

Locate and plug . . . applied.

Using a nail . . . fuse.

**NOTE:** The minimum burn time for these fuses is 5 seconds.

Hold cartridge away . . . escapes.

**TARGET-SPECIFIC DIRECTIONS**

**Woodchucks and Yellow-bellied Marmots:** Consult State wildlife . . . burrows.

Locate all burrow . . . cartridge.

**Ground Squirrels and Prairie Dogs:** Ground squirrel burrow . . . prey.

Burrowing owls occasionally . . . July.

Collect soil and . . . procedure."

We apologize for our involvement in creating and perpetuating this organizational problem.

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

2/7

A stamped copy of the labeling is enclosed for your records.

Sincerely yours,

*Daniel B. Peacock for*

William W. Jacobs, PhD  
Product Manager (14)  
Insecticide-Rodenticide Branch  
Registration Division (H7504C)

- Enclosures: 1. Stamped Label  
2. A-79 Enclosure

Peacock WP#11:A:\GasCart\56228-2.MAR:305-5407,-6600:3/7/97

# GAS CARTRIDGE

For control of woodchucks, yellow-bellied marmots, ground squirrels, and prairie dogs.

NOT FOR SALE TO PERSONS UNDER  
16 YEARS OLD

## ACTIVE INGREDIENTS:

Sodium Nitrate . . . . . 53.0%

Charcoal . . . . . 28.0%

Total . . . . . 81.0%

INERT INGREDIENTS: . . . . . 19.0%

TOTAL . . . . . 100.00%

## PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

### WARNING

After ignition, cartridge produces toxic gases. Fumes may be harmful if inhaled.

### CHEMICAL HAZARDS

Once ignited by the fuse, this cartridge will burn vigorously until completely spent and is capable of causing severe burns to exposed skin and clothes, and of igniting dry grass, leaves and other combustible materials.

## ENVIRONMENTAL HAZARDS

This product is highly toxic to wildlife. Check all burrows for signs of nontarget species. If present, do not treat burrows.

### ENDANGERED SPECIES CONSIDERATIONS General Considerations

NOTICE: It is a Federal offense to use any pesticide in a manner that results in the death of a member of an endangered species.

The killing of a member of an endangered species due to use of gas cartridges may result in a fine and/or imprisonment under the Endangered Species Act. All users of this product must determine whether endangered species are known to occur or might occur in the intended use areas.

Consult the nearest U.S. Fish and Wildlife Service regional office or the appropriate State agency for current information on habitats occupied by endangered species.

Use this product according to the enclosed "Endangered Species Considerations Insert" to protect endangered species.

## KEEP OUT OF REACH OF CHILDREN WARNING

STATEMENT OF PRACTICAL TREATMENT  
CALL A PHYSICIAN OR POISON CONTROL CENTER  
IMMEDIATELY

If inhaled and person has poisoning symptoms (headache, nausea, dizziness, weakness), transfer victim to fresh air. Have victim lie down and keep warm. If respiration is adequate, recovery will be rapid. If breathing has stopped, use artificial respiration. If available, pure oxygen should be given.

SEE RIGHT PANELS FOR ADDITIONAL  
PRECAUTIONARY STATEMENTS

ACCEPTED FOR REGISTRATION  
with COMMENTS  
in EPA Letter # 56228-2

## STORAGE AND DISPOSAL

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

STORAGE: Store in cool, dry place away from fire, heat and direct sunlight.

PESTICIDE DISPOSAL: To dispose of unused cartridges, soak in water, crush and bury at least 6" deep in loose soil.

CONTAINER DISPOSAL: Place in trash

UNITED STATES DEPARTMENT OF AGRICULTURE  
ANIMAL AND PLANT HEALTH INSPECTION SERVICE  
Hyattsville, MD 20782  
EPA Est. No. 56228-ID-1  
EPA Reg. Nol 56228-2

Net Weight 5.1 ounce (144.6 grams)

MAR 07 1997

Under the Federal Insecticide,  
Fungicide, and Rodenticide Act  
as amended, for the pesticide  
registered under EPA Reg. No.  
56228-2

56228-2  
3-7-97  
After Lab  
(p142)

### DIRECTIONS FOR USE

It is a violation of Federal Law to use this product in a manner inconsistent with its labeling.

#### USE RESTRICTIONS

This product may be used to control woodchucks (*Marmota monax*), yellow-bellied marmots (*M. flaviventris*), ground squirrels (*Spermophilus spp.*), black-tailed prairie dogs (*Cynomys ludovicianus*), white-tailed prairie dogs (*C. leucurus*), and Gunnison prairie dogs (*C. gunnisoni*) in open fields, non-crop areas, rangelands, reforested areas, lawns, and golf courses. This product may only be used underground in burrow systems. It may not be used to fumigate buildings or other man-made structures. Do not use near flammable material or when either the soil or the vegetation in the area to be treated are in extremely dry conditions. **USE THIS PRODUCT ONLY IN BURROW SYSTEMS KNOWN TO BE IN ACTIVE USE BY THE TARGET SPECIES.**

#### APPLICATION DIRECTIONS

**General Procedures** Locate and plug all entrances to the burrow system except the entrance selected for treatment. Obtain material needed to plug the entrance once the cartridge is applied.

Using a nail at least 1/8" in diameter, puncture the fuse-end cap of the cartridge at the points marked on it. Insert fuse in one of the center holes. Insure that there is a minimum of 3 inches of exposed fuse.

**NOTE:** The minimum burn time for these fuses is 5 seconds.

Hold cartridge away from face and body, then light fuse. Place cartridge, fuse-end first, as far into the burrow as possible. Close entrance to burrow immediately. Cover all cracks in soil where smoke escapes.

#### TARGET-SPECIFIC DIRECTIONS:

**Woodchucks and yellow-bellied marmots:** Consult state wildlife agency before using this product for woodchuck or marmot control. Examine burrows to be sure they are in active use by woodchucks or rockchucks. Burrows are 25 to 30 cm (10 to 12 inches) in diameter. Active burrows have a mound of fresh soil at the main entrance and trails leading to feeding areas. Do not gas if nontarget species are observed entering or using the burrow. It is preferable to control woodchucks or marmots in February and March before young are born and leave the

burrows. Fewer nontarget species use the burrows in the spring. Use extra caution when treating woodchuck or marmot burrows in October through January when the burrows may be inhabited by cottontail rabbits. **DO NOT** treat unoccupied burrows.

Locate all burrow entrances if possible. Select one for treatment and close all others with rock and soil. Light fuse and insert cartridge fuse-end first as far as possible into burrow. Immediately cover opening with rock and soil, being careful not to smother cartridge.

#### GROUND SQUIRRELS AND PRAIRIE DOGS:

Ground squirrel burrow design varies with the species, soil type, habitat, and climate. Burrows may be as deep as 3 m (9 feet). Diameter varies with the body size of the species and may range from 5 to 25 cm (2 to 10 inches). Prairie dog burrows have large holes and cone shaped mounds and may extend to 5 m (15 feet) below the surface. It is preferable to treat burrows of either genus during the spring breeding season. Observe the area in early morning and late evening during 24 hours before treating burrows to confirm that prairie dogs or ground squirrels are actively using the site. **DO NOT** treat unoccupied burrows. **DO NOT** treat burrows with evidence that a snake or weasel has entered in pursuit of prey.

Burrowing owls occasionally use prairie dog burrows for breeding from May through July. Check with the local wildlife agency before using this product to determine the possible presence of burrowing owls in the area to be treated and inspect the colony for signs of burrowing owls. The presence of owls is indicated by the presence of guano or shredded cow and horse dung around the burrow from May through mid-June. If burrowing owls are known or suspected to be present in a colony, **DO NOT** use the gas cartridge in the colony from May to July.

Collect soil and other material to close burrow openings. Treat each burrow opening by lighting fuse and inserting cartridge into burrow, fuse end first (make sure burrow is large enough for easy insertion of cartridge before lighting fuse). Cover burrow immediately, taking care not to smother cartridge with loose soil. Immediately cover all nearby cracks in soil or openings from which smoke escapes. Proceed to nearest open burrow and follow same procedure.

3-7-97  
outer-label  
(p 20/2)

ENDANGERED SPECIES CONSIDERATIONS  
INSERT

(GAS CARTRIDGE, EPA Reg. No. 56228-2)

Use this product according to this insert to protect endangered species.

Black-footed ferret (*Mustela nigripes*). To limit risks to the black-footed ferret and to avoid destruction of its prey base, do not use this product within 4.3 miles (7 kilometers) of any prairie dog town unless the colony is an isolated black-tailed prairie dog town less than 80 acres in size or an isolated white-tailed or Gunnison prairie dog town less than 200 acres in size, or unless the town has been appropriately surveyed, using methods acceptable to the U.S. Fish and Wildlife Service, and found not to contain black-footed ferrets and found by the FWS not to be a suitable site for ferret reintroductions.

Fresno kangaroo rat (*Dipodomys nitratoides exilis*) in Fresno and Merced Counties, California;

Giant kangaroo rat (*D. ingens*) in Merced, Fresno, Kings, Tulare, Kern, San Luis Obispo, and Santa Barbara Counties, California;

Stephen's kangaroo rat (*D. stephensi*) in Riverside, San Diego, and San Bernardino Counties, California;

Tipton kangaroo rat (*D. n. nitratoides*) in Kings, Tulare, Kern, and Fresno Counties, California;

Point Arena mountain beaver (*Aplodontia rufa nigra*) in Mendocino County, California;

San Joaquin kit fox (*Vulpes macrotis mutica*), as determined by the U.S. Fish and Wildlife Service (FWS), in Alameda, Contra Costa, Fresno, Kern, Kings, Merced, Monterey, San Benito, San Joaquin, San Luis Obispo, Santa Barbara, Santa Clara, Stanislaus, or Tulare Counties, California;

Desert tortoise (*Gopherus agassizii*) in Arizona, southern California, southern Nevada, and southern Utah.

Use of this product within the occupied habitats of the organisms listed above is limited to qualified individuals who have been trained to distinguish dens and burrows of target species from those of nontarget species. Such individuals may be wildlife biologists, certified applicators, representatives of California State or Federal agencies, or agents of county agricultural offices or university extension offices.

Hualapai Mexican vole (*M. Mexicanus hualapaiensis*) in Mohave County, Arizona;

Morro Bay kangaroo rat (*D. heermanni morroensis*) in San Luis Obispo County, California;

Utah prairie dog (*Cynomys parvidens*) in Garfield, Iron, Kane, Piute, Sevier, and Wayne Counties, Utah;

Coachella Valley fringe-toed lizard (*Uma inornata*) in the Coachella Valley area of southern California;

Island night lizard (*Xantusia riversiana*) on Santa Barbara, San Clemente, and San Nicolas Islands, California.

Do not use this product within the occupied habitats of the above endangered animals:

Blunt-nosed leopard lizard (*Gambella stilus*). Do not use this product within the occupied habitat of the blunt-nosed leopard lizard in Fresno, Kern, Kings, Merced, Monterey, San Benito, San Luis Obispo, Santa Barbara, Santa Clara, and Stanislaus Counties, California, from October 1 to April 15, unless a specific blunt-nosed leopard lizard protection program for this period is approved by the U.S. Fish and Wildlife Service and fully implemented. Use of this product in occupied habitat of this species from April 15 through September 30 is limited to daylight hours when air temperatures are 77-95°F (20-30°C).

San Francisco garter snake (*Thamnophis sirtalis tetrataenia*). Do not use this product within the occupied habitat of the San Francisco garter snake in San Mateo, San Francisco, Santa Clara, and Santa Cruz Counties, California, from November 1 to March 30, unless a specific San Francisco garter snake protection program for this period is approved by the U.S. Fish and Wildlife Service and fully implemented. Use of this product in occupied habitat of this species under such approved programs or from April 1 through October 31 is limited to qualified individuals who have been trained to distinguish dens and burrows of target species from those of nontarget species. Such individuals may be wildlife biologists, certified applicators, representatives of California State or Federal agencies, or agents of county agricultural offices or university extension offices.

Eastern indigo snake (*Drymarchan corais couperi*). Do not use this product within habitat types and locales known to support the eastern indigo snake throughout Florida and the coastal plain of Georgia.

Gopher tortoise (*Gopherus polyphemus*). Do not use this product in or adjacent to known gopher tortoise occupied habitats of the Mobile and Tombigbee Rivers in Ala-

Comments  
in EPA Letter Dated

MAR 17 1997

Under the Federal Insecticide, Fungicide, and Rodenticide Act, registered for the pesticide use stated under EPA Reg. No. 56228-2

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3-7-97  
Troy L. L. (1099c)

Cartridge kd  
56228-2  
3-7-97

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**GAS CARTRIDGE**

For control of woodchucks, yellow-bellied marmots, ground squirrels, & prairie dogs

**WARNING**  
NOT FOR SALE TO PERSONS UNDER 16 YEARS OLD, KEEP OUT OF REACH OF CHILDREN

Contains: Sodium Nitrate (53.0%), Charcoal (28.0%), Inert Ingredients (19.0%)

ACCEPTED with COMMENTS in EPA Letter Dated

MAR 07 1997

**STATEMENT OF PRACTICAL TREATMENT** Under the Federal Insecticide, Fungicide, and Rodenticide Act  
CALL A PHYSICIAN OR POISON CONTROL CENTER IMMEDIATELY

If inhaled and person has poisoning symptoms (headache, nausea, dizziness, weakness), transfer victim to fresh air. Have victim lie down and keep warm. If respiration is adequate, recovery will be rapid. If breathing has stopped, use artificial respiration. If available, pure oxygen should be given.

**DIRECTIONS FOR USE:** It is a violation of Federal Law to use this product in a manner inconsistent with its labeling.

Use only inside burrows. Do not use near flammable material or inside buildings. Do not use in areas where endangered or threatened species are present (See carton label and endangered species considerations insert).

**APPLICATION DIRECTIONS:**

DO NOT use this product until you have read all of its labeling and fully understand the 'Directions for Use' and all use precautions which appear on the carton label and endangered species considerations insert that are separate from this cartridge.

Select a burrow away from flammable material or buildings for treatment, and obtain material to plug the entrance. With a nail at least 1/8" in diameter, puncture cap at marked points at end of cartridge marked "IGNITE THIS END". Insert fuse in the center hole. Ensure that there is a minimum of 3" of fuse exposed. Hold cartridge away from face and body while lighting. Insert fuse end of cartridge into burrow as far as possible. Seal entrance to burrow immediately.

U.S. DEPT. OF AGRICULTURE, APHIS  
Riverdale, MD 20777-1077  
EPA Est. No. 56228-ED-1  
EPA Reg. No. 56228-2  
Net Weight  
45.1oz (1274 g)

BEST AVAILABLE COPY

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