

56228-2

04/25/2013

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

APR 25 2013

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Stephanie H. Stephens
USDA APHIS Environmental and Risk Analysis Services, Unit 149
4700 River Road
Riverdale, MD 20737

Subject: Notification to add delete duplicate text and a typographical error
EPA Registration No. 56228-2
Primary Brand Name: Gas Cartridge
Decision No.: 477903
Submission Date: April 12, 2013

Dear Ms. Stephens:

The Agency is in receipt of your Application for Pesticide Notification under PRN 98-10 dated and finds that the action requested falls within the scope of PRN 98-10. The label submitted with the application has been stamped "Notification" and will be placed in our records. If you have any questions, please contact Gene Benbow at (703) 347-0235 or via email at benbow.gene@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Gene Benbow", with a long horizontal flourish extending to the right.

Gene Benbow
Wildlife Biologist
Insecticide-Rodenticide Branch
Registration Division (7505P)



United States
Environmental Protection Agency
 Washington, DC 20460

<input type="checkbox"/>	Registration
<input type="checkbox"/>	Amendment
<input checked="" type="checkbox"/>	Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 56228-2	2. EPA Product Manager John Hebert	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Gas Cartridge (carton label only)	PM#	
5. Name and Address of Applicant (Include ZIP Code) USDA APHIS Environmental and Risk Analysis Services, Unit 149 4700 River Road, Riverdale, MD 20737 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling to: <input checked="" type="checkbox"/> EPA Reg. No. _____ Product Name _____	

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

The label was revised to remove duplicate text from one section of the Directions for Use and to correct one typographical error.

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Metal	<input type="checkbox"/> Plastic
				<input type="checkbox"/> Glass	<input checked="" type="checkbox"/> Paper
* Certification must be submitted				Other (Specify) _____	
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container	4. Size(s) Retail Container NA	5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product			
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled			<input type="checkbox"/> Other _____		

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Stephanie Stephens	Title Biological Scientist ERAS	Telephone No. (Include Area Code) 435-658-5134
Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.		6. Date Application Received (Stamped) _____ _____ _____ _____ _____
2. Signature 	3. Title Chief, ERAS	
4. Typed Name David S. Reinhold	5. Date 4-12-13	



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United States
Department of
Agriculture

ENQL 7-1 CY13
PERMANENT
Retire 04/18

Animal and
Plant Health
Inspection
Service

April 15, 2013

Policy and Program
Development

Environmental and
Risk Analysis
Services, Unit 149
4700 River Road
Riverdale, MD
20737

Mr. John Hebert
Insecticide-Rodenticide Branch
Registration Division (7504P)
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Ave. N.W.
Washington, DC 20460

SUBJECT: Notification of Label Correction: Gas Cartridge (56228-2)

Dear Mr. Hebert:

APHIS is hereby submitting materials supporting a notification related to our Gas Cartridge carton label (EPA Reg. No. 56228-2). APHIS is submitting this information to the United States Environmental Protection Agency's Office of Pesticide Programs (EPA) to correct the following text errors on the existing label:

- duplicate text was deleted from one section of the Directions for Use
- one typographical error in a target species reference was corrected.

Attached are the following documents in support of this notification:

- EPA Form 8570-1;
- Two (2) copies of the final printed label for EPA Reg. No. 56228-34 with the duplicate text to be removed and typographical error correction highlighted for your reference.

This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.



Safeguarding American Agriculture
APHIS is an agency of USDA's Marketing and Regulatory Programs

An Equal Opportunity Provider and Employer

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	100.0%

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 the 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" printed on the back of the label attached to each cartridge, to protect endangered species.

PRECAUTIONARY STATEMENTS HAZARD 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 material.
DO NOT USE IN OR UNDER BUILDINGS.

KEEP OUT OF REACH OF CHILDREN WARNING

FIRST AID

Have label with you when obtaining treatment advice.

IF INHALED and person has no breathing, headache, nausea, dizziness, weakness:
 -Move person to fresh air.
 -If person is not breathing, call an ambulance, then give artificial respiration, preferably mouth-to-mouth, if possible.
 -Call a poison control center, doctor, or 1-800-222-1222 immediately for treatment advice.

NOTE TO PHYSICIAN

If breathing has stopped, give pure oxygen.

UNITED STATES DEPARTMENT OF AGRICULTURE
 ANIMAL AND PLANT HEALTH INSPECTION SERVICE

Riverdale, MD 20737
 EPA Est. No. 56228-ID-1
 EPA Reg. No. 56228-2
 California Reg. No. 56228-2-AA
 Net Weight 5.1 oz (144.6 grams)

Batch Code No. _____

NOTIFICATION

APR 25 2013

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 in or under buildings or 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 the center hole into the cartridge. 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.

APPLICATION DIRECTIONS: 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 that they are in active use by woodchucks or rockshucks marmots. 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 use if nontarget species are observed entering or using the burrow. It is preferable to control woodchucks or marmots in February or 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 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.

DIRECTIONS FOR USE, continued

TARGET-SPECIFIC DIRECTIONS, continued

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.

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.

DIRECTIONS FOR USE, continued

TARGET-SPECIFIC DIRECTIONS, continued

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STORAGE AND DISPOSAL

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

STORAGE: Store only in original container, in a cool, dry place inaccessible to children and pets and 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. Never place unused product down any indoor or outdoor drain.

CONTAINER DISPOSAL: Nonrefillable container. Do not reuse or refill this container. Offer for recycling, if available. If recycling is not available, place in trash.

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**ENDANGERED SPECIES CONSIDERATIONS
(GAS CARTRIDGE, EPA REG. No. 56228-2)**

Use this product according to these instructions 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.

Use of this product within the occupied habitats of the organisms listed immediately below 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.

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*) unless authorized by the U.S. Fish and Wildlife Service 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.

**ENDANGERED SPECIES CONSIDERATIONS
(GAS CARTRIDGE, EPA REG. No. 56228-2)**

Do not use this product within the occupied habitats of the endangered animals listed immediately below.

Hualapai Mexican vole (*M. mexicanus hualpaiensis*) 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.

Blunt-nosed leopard lizard (*Gambelia silus*): 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 lizard protection plan 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 degrees F (20-30 degrees 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 (*Drymarchon 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 habitat west of the Mobile and Tombigbee Rivers in Alabama.

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