

56228-10

02-01-2011

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

OFFICE OF CHEMICAL SAFETY  
AND POLLUTION PREVENTION

FEB 01 2011

Mr. Kenneth R. Seeley  
US Department of Agriculture  
APHIS Environmental Services, Unit 149  
4700 River Road,  
Riverdale, MD 20737

Subject: Removal of Target Species (Rusty Blackbird) From Label

Dear Mr. Seeley:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated January 4, 2011 for:

**EPA Registration 56228-10**

**DRC-1339 Concentrate Feedlots**

The Registration Division (RD) has conducted a review of this request for applicability under PRN 98-10 and finds that the label change(s) requested falls within the scope of PRN-98-10. The label has been date-stamped "Notification" and will be placed in our records.

If you have any questions, call me at 703 305-5409 or electronically at [daniel.dani@epa.gov](mailto:daniel.dani@epa.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Dani Daniel".

Dani Daniel  
Registration Division (7504P)  
Insecticide/Rodenticide Branch

Please read instructions on reverse before completing form. Form Approved, OMB No. 2070-0060, Approval expires 2-28-



United States Environmental Protection Agency  
Washington, DC 20460

Registration  
 Amendment  
 Other

OPP Identifier Number

Application for Pesticide - Section I

|   |  |  |
|---|--|--|
| 1. Company/Product Number<br>56228-10   | 2. EPA Product Manager   | 3. Proposed Classification<br><input type="checkbox"/> None <input checked="" type="checkbox"/> Restricted |
| 4. Company/Product (Name)<br>DRC-1339 Concentrate - Feedlots  | PM# 07   |  |
| 5. Name and Address of Applicant (Include ZIP Code)<br>USDA APHIS Environmental and Risk Analysis Services, Unit 149<br>4700 River Road<br>Riverdale, MD 20737<br><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:<br>EPA Reg. No. _____<br>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.)

Notification of removal of target species (Rusty Blackbird) from label

Section - III

|   |   |   |                   |   |                                  |
|---|---|---|-------------------|---|----------------------------------|
| 1. Material This Product Will Be Packaged In:   |   |   |                   | 2. Type of Container  |                                  |
| Child-Resistant Packaging<br><input type="checkbox"/> Yes<br><input type="checkbox"/> No  | Unit Packaging<br><input type="checkbox"/> Yes<br><input type="checkbox"/> No | Water Soluble Packaging<br><input type="checkbox"/> Yes<br><input type="checkbox"/> Text<br><input type="checkbox"/> No |                   | <input type="checkbox"/> Metal  | <input type="checkbox"/> Plastic |
| * Certification must be submitted   |   | If "Yes" Unit Packaging wgt.  | No. per container | If "Yes" Package wgt.   | No. per container                |
| 3. Location of Net Contents Information<br><input type="checkbox"/> Label <input type="checkbox"/> Container  |   | 4. Size(s) Retail Container   |                   | 5. Location of Label Directions<br><input type="checkbox"/> On Label<br><input type="checkbox"/> On Labeling accompanying product |                                  |
| 6. Manner in Which Label is Affixed to Product<br><input type="checkbox"/> Lithograph<br><input type="checkbox"/> Paper glued<br><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<br>Stephanie Stephens   | Title<br>Biological Scientist, ERAS | Telephone No. (Include Area Code)<br>435-658-5134 |
| <b>Certification</b><br>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<br><br>(Stamped)     |
| 2. Signature<br>   | 3. Title<br>Chief, ERAS             |   |
| 4. Typed Name<br>Kenneth R. Seeley, Ph.D.  | 5. Date<br>01/04/2011               |   |

## PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

### DANGER

**Acute Hazards:** Fatal if inhaled. Corrosive. Causes irreversible eye damage and skin burns. May be fatal if swallowed. Harmful if absorbed through skin. Prolonged or frequently repeated skin contact may cause allergic reactions in some people.

**Hazard Avoidance:** Do not get in eyes, on skin, or on clothing. Do not breathe dust. Wear protective clothing, protective eyewear, and respiratory protection as listed under "Personal Protective Equipment." Wash thoroughly with soap and water after handling and before eating, drinking, or smoking. Remove contaminated clothing and wash before reuse.

#### PERSONAL PROTECTIVE EQUIPMENT:

**Handlers who mix packages containing 1 lb or more of this product must wear:**

- Coveralls over long-sleeved shirt and long pants
- Chemical-resistant gloves (such as waterproof or rubber gloves)
- Chemical resistant footwear plus socks
- Protective eyewear (goggles or face shield)
- Respirator with a dust/mist filtering respirator (MSHA NIOSH approval number prefix TC-21C or NIOSH approved respirator with any N, R, P, or HE filter)

**Handlers who mix packages containing less than 1 lb of this product must wear:**

- Chemical resistant gloves (such as waterproof or rubber gloves)
- Protective eyewear (goggles or face shield)

**Applicators who handle bait must wear:**

- Chemical-resistant gloves (such as waterproof or rubber gloves)

### RESTRICTED USE PESTICIDE

**FEB**

**Due to High Acute Inhalation Toxicity and Eye and Skin Corrosiveness to Humans; High Acute Toxicity to Nontarget Birds and Aquatic Invertebrates; and the Need for Highly Specialized Applicator Training.**

For retail sale to, and use only by, USDA APHIS Certified Applicators trained in bird control or by persons under their direct supervision.

### COMPOUND DRC-1339 CONCENTRATE - FEEDLOTS *For bird control in feedlots*

Active Ingredient:  
Starlicide, 3-chloro-p-toluidine hydrochloride: ..... 97.0%  
Inert Ingredients: ..... 3.0%  
TOTAL: ..... 100.0%

## KEEP OUT OF REACH OF CHILDREN DANGER-PELIGRO POISON



### FIRST AID

Have label with you when obtaining treatment advice.

|                        |  |
|------------------------|--|
| If swallowed           | <ul style="list-style-type: none"> <li>- Call a poison control center or doctor immediately for treatment advice.</li> <li>- Have person sip a glass of water if able to swallow.</li> <li>- Do not induce vomiting unless told to do so by the poison control center or doctor.</li> </ul>            |
| If on skin or clothing | <ul style="list-style-type: none"> <li>- Take off contaminated clothing.</li> <li>- Rinse skin immediately with plenty of water for 15-20 minutes.</li> <li>- Call a poison control center or doctor immediately for treatment advice.</li> </ul>  |
| If inhaled             | <ul style="list-style-type: none"> <li>- Move person to fresh air.</li> <li>- If person is not breathing, call an ambulance, then give artificial respiration, preferably mouth-to-mouth, if possible.</li> <li>- Call a poison control center or doctor immediately for treatment advice.</li> </ul>  |
| If in eyes             | <ul style="list-style-type: none"> <li>- 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 eye.</li> <li>- Call poison control center or doctor immediately for treatment advice.</li> </ul> |

#### NOTE TO PHYSICIAN

Probable mucosal damage may contraindicate the use of gastric lavage.  
See additional PRECAUTIONARY STATEMENTS on Left Panel.

#### User Safety Requirements:

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions are provided for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

#### User Safety Recommendations:

Users should wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.

Users should remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.

Users should remove PPE immediately after handling this product. As soon as possible, wash thoroughly and change into clean clothing.

#### ENVIRONMENTAL HAZARDS

This product is very highly toxic to birds and aquatic invertebrates. **Do not use in any manner that may endanger desirable and protected bird species.** Runoff may be hazardous to aquatic organisms in neighboring areas. Do not apply when runoff is likely to occur. Do not apply directly to water, or to areas where surface water is present, or to intertidal areas below the mean high water mark. **Do not** contaminate water by the cleaning of equipment or disposal of waste.

#### ENDANGERED SPECIES CONSIDERATIONS

Before undertaking any control operations with the product, consult with local, State, and Federal Wildlife authorities to ensure the use of this product presents no hazard to any endangered species. **DO NOT** apply in areas where the product may be consumed by Endangered Species.

### UNITED STATES DEPARTMENT OF AGRICULTURE ANIMAL AND PLANT HEALTH INSPECTION SERVICE

4700 River Road, Unit 149  
Riverdale, MD 20737

EPA Reg. No. 56228-10  
California Reg. No. 56228-10-AA

EPA Est. No. 56228-ID-1

Net Contents: \_\_\_\_\_

Batch Code No.: \_\_\_\_\_

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## DIRECTIONS FOR USE

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

### READ THIS LABEL:

Read the entire label. This product must be used strictly in accordance with this label's precautionary statements and use directions, as well as with all applicable State and Federal laws and regulations.

Before using this product, contact the U.S. Fish and Wildlife Service and the applicable state wildlife agency and obtain all necessary kill or collecting permits.

### GENERAL INFORMATION:

This product contains a slow acting avicide which kills target bird species (see lists below) in 1 to 3 days. As many types of nontarget bird species are potentially vulnerable to DRC-1339, it is necessary to use care and to follow the requirements of this label to minimize impacts to nontarget species.

For purposes of this label, feedlots are considered to be areas of commercial livestock operations where beef cattle, dairy cattle, swine, or poultry are confined primarily for the purpose of fattening for market. Fenced pastures, multiple-use confined areas and areas where one or a few animals are kept or tethered are not considered to be feedlots.

### USE RESTRICTIONS

Baits made from this product may only be used in beef cattle feedlots, dairy cattle feedlots, swine feedlots, or poultry feedlots and may only be used to control the types of blackbirds, cowbirds, grackles, and starlings that are specifically listed on this label. Baits must be applied as specified on this label. **DO NOT** apply baits made from this product by air or by use of any mechanical equipment designed to broadcast baits or other pesticides.

Users of this product must follow all limitations indicated on this label regarding the placement of treated baits near or within feedlot areas. **DO NOT** place bait in pens that are occupied by livestock.

## DIRECTIONS FOR USE (continued)

**DO NOT** apply treated baits within 50 feet of bodies of water.

Before baits made from this product are applied, **sites** that are to be treated **must be observed** for evidence of nontarget activity **and prebaited** (see specific instructions for these activities). **DO NOT** apply bait(s) in areas where there is danger of consumption by Threatened or Endangered species.

**DO NOT exceed a maximum application rate 0.08 lb of active ingredient per treated acre.** That rate is consistent with use of a bait that is 2% active ingredient, diluted 1:10 with untreated bait, and applied at a rate of 1 lb of diluted bait per 1000 ft<sup>2</sup>. (See "APPLICATION DIRECTIONS").

Do not apply bait in a way that will contact workers or other persons.

### ENTRY RESTRICTIONS:

Keep persons other than authorized handlers, as well as pets and livestock, away from the bait at all times. Only protected handlers may be in the area during bait application.

### TARGET SPECIES:

Brewer's blackbird (*Euphagus cyanocapulus*)  
Brown-headed cowbird (*Molothrus aeter*)  
Common grackle (*Quiscalus quiscula*)  
Red-winged blackbird (*Agelaius phoeniceus*)  
European Starling (*Sturnus vulgaris*)

When in mixed flocks with one or more of the species listed above, the following species shall be considered to be target species: boat tailed grackle (*Quiscalus major*), great-tailed grackle (*Cassidix mexicanus*), tri-colored blackbird (*Agelaius tricolor*), yellow-headed blackbird (*Xanthocephalus xanthocephalus*), ~~rusty blackbird (*Euphagus carolinus*)~~, and bronzed cowbird (*Molothrus aeneus*).

## DIRECTIONS FOR USE (continued)

### PRETREATMENT OBSERVATIONS:

Prior to application of treated bait to any problem area, carefully observe feeding habits of target birds to (1) locate preferred feeding sites which can be baited in accordance with this label, (2) determine the optimum time of day for applying bait, and (3) evaluate hazards of the application to desirable or protected animals.

### SELECTING BAIT MATERIALS:

Use only cracked corn, rolled whole corn, whole or rolled milo, or poultry pellets as bait materials, unless prebaiting observations have demonstrated that these baits are not accepted well by the target species or present undue risk to nontarget animals. Poultry pellets and rolled or cracked corn are generally accepted by starlings. Cracked corn and rolled or whole milo are generally accepted by blackbirds.

If you are uncertain as to which bait materials to select, expose the target population to small amounts of two or more of the following: cracked corn, rolled whole corn, whole or rolled milo, and poultry pellets to determine a suitable material. If none of these materials is well accepted, test for acceptance of rolled barley, whole raisins, and/or cull French fries. These latter bait materials may only be used if it is demonstrated that they are preferred by the target species and the nontarget risks associated with them are equal to or less than those for cracked corn, whole rolled corn, whole or rolled milo or poultry pellets.

### PREBAITING:

Prebaiting with untreated bait material of the type to be used for toxic baiting is required. Apply prebait at the locations that are to be used for toxic baiting using the same application method and application rate that is to be used for toxic baiting.

### FORMULATION DIRECTIONS:

See separate "FORMULATION DIRECTIONS" table on the following page for specific directions for preparing baits from this product.

### APPLICATION DIRECTIONS:

**NOTE:** In the State of California, scoops must be long-handled.

**Beef Cattle Feedlots:** Wear rubber gloves when handling bait. Place bait into feeding stations or, using a scoop or other appropriate utensil, manually scatter diluted bait thinly and uniformly at a rate of 1 lb/1000 ft<sup>2</sup> (0.5 kg/100 m<sup>2</sup>) over dry and frozen areas in unoccupied pens and alleyways before target birds arrive in the morning. Apply bait only in areas that are inaccessible to livestock during the time when bait is to be exposed. **DO NOT** bait pens within the feedlot that are occupied by cattle.

**Poultry, Swine and Dairy Cattle Feedlots:** Wear gloves when handling bait. Place bait into feeding stations or, using a scoop or other appropriate utensil, manually scatter diluted bait thinly and uniformly at a rate of 1 lb/1000 ft<sup>2</sup> (0.5 kg/100 m<sup>2</sup>) over dry or frozen areas on the PERIMETER of the lot OUTSIDE the pen areas occupied by poultry, swine, or dairy cattle. **DO NOT** bait pens within the feedlot that are occupied by poultry, swine, or dairy cattle.

### POSTTREATMENT CLEAN-UP:

Beginning one day after bait application, search treated areas, animal pens, and immediate surrounding areas. Collect carcasses of dead or dying birds and bury or burn them according to applicable laws. Repeat carcass searches at 1-2 day intervals as long as bait is exposed and likely to remain toxic.

At the end of the baiting period, recover as much unconsumed bait material as possible and dispose of it in accordance with this label and applicable Federal, State, and local laws.

### STORAGE AND DISPOSAL

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

**STORAGE:** Store only in original container, in a dry place inaccessible to children, pets, and domestic animals.

**PESTICIDE DISPOSAL:** Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide, spilled bait, or rinsate is a violation of Federal law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

**CONTAINER DISPOSAL:** Nonrefillable container. Do not reuse or refill this container. Offer for recycling, if available. Completely empty bags by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into application equipment. If bags are not to be recycled, dispose of bags in a sanitary landfill or by incineration if allowed by State and local authorities. If burned, stay out of smoke.

Revised 01/2011

## FORMULATION DIRECTIONS

Dissolve one part Compound DRC-1339 Concentrate – Feedlots in an appropriate carrier and mix with the bait material of choice as indicated below. Following are examples of formulations that have effectively been used to treat a variety of grain and non-grain baits. Grains are the preferred bait material when the target species are blackbirds, cowbirds, or grackles. Cracked corn is the bait of choice for grainivorous species. Poultry pellets and soft baits should be used when the target species is starlings. Poultry pellets are the bait of choice because of their selectivity for omnivorous species.

| Directions for Mixing Specific Baits and Diluting them with Similar Untreated Bait |  |                                      |
|--|--|--------------------------------------|
| Type of Bait<br>(% Active)   | Mixing Instructions  | Shelf Life                           |
| Rolled Barley,<br>Cracked Corn,<br>Whole/Rolled<br>Milo<br>(1.8 to 2.0%)           | <ol style="list-style-type: none"> <li>1. Dissolve 3.2 oz (92 g) of this product in 1.3 pt (600 ml) of warm potable water at 110° F (43° C).</li> <li>2. Binding agents such as lecithin oils, latexes or polyvinyl acetates may be used on grain baits to enhance retention and reduce losses due to moisture.</li> <li>3. Pour the solution over 10 lbs (4.5 kg) of bait material and mix or tumble slowly until mixture appears evenly distributed.</li> <li>4. Air dry at ambient temperature.</li> <li>5. Screen baits and do not use bait materials that have less than 5,000 particles/lb or more than 25,000 particles/lb.</li> <li>6. <u>Dilution Rate:</u> Dilute at no less than 1:10 with similar untreated bait.</li> </ol> | Use treated baits<br>within 7 days   |
| Rolled Whole<br>Corn<br>(0.9 to 1.0%)  | <ol style="list-style-type: none"> <li>1. Dissolve 1.6 oz (46 g) of this product in 1.3 pt (600 ml) of warm potable water at 110° F (43° C).</li> <li>2. Binding agents such as lecithin oils, latexes or polyvinyl acetates may be used on grain baits to enhance retention and reduce losses due to moisture.</li> <li>3. Pour the solution over 10 lbs (4.5 kg) of bait material and mix or tumble slowly until mixture appears evenly distributed.</li> <li>4. Air dry at ambient temperature.</li> <li>5. Screen baits to remove small particles and dust.</li> <li>6. <u>Dilution Rate:</u> Dilute at no less than 1:5 with untreated rolled whole corn.</li> </ol>  | Use treated baits<br>within 7 days   |
| Poultry Pellets<br>(0.9 to 1.0%)   | <ol style="list-style-type: none"> <li>1. Dissolve 1.6 oz (46 g) of this product in 1.3 pt (600 ml) of warm potable water at 110° F (43° C).</li> <li>2. Binding agents such as lecithin oils, latexes or polyvinyl acetates may be used on grain baits to enhance retention and reduce losses due to moisture.</li> <li>3. Pour the solution over 10 lbs (4.5 kg) of poultry pellets and mix or tumble slowly until mixture appears evenly distributed.</li> <li>4. Air dry at ambient temperature.</li> <li>5. Screen baits to remove small particles and dust.</li> <li>6. <u>Dilution Rate:</u> Dilute at no less than 1:5 with untreated poultry pellets.</li> </ol>  | Use treated baits<br>within 7 days   |
| Whole Raisins<br>(0.2%)  | <ol style="list-style-type: none"> <li>1. Dissolve 0.3 oz (9.2 g) of this product in 0.3 pt (120 ml) of warm potable water at 110° F (43° C).</li> <li>2. Pour the solution over 10 lbs (4.5 kg) of raisins and mix or tumble slowly until mixture appears evenly distributed.</li> <li>3. Air dry at ambient temperature.</li> <li>4. <u>Dilution Rate:</u> Dilute at no less than 1:2 with untreated raisins.</li> <li>5. POST THE AREA WITH WARNING SIGNS DURING THE BAITING OPERATION.</li> </ol>  | Use treated baits<br>within 24 hours |
| Cull French<br>Fries (0.2%)  | <ol style="list-style-type: none"> <li>1. Dissolve 1.0 oz (46 g) of this product in 1.3 pt (600 ml) of warm potable water at 110° F (43° C).</li> <li>2. Pour the solution over 50 lbs (23 kg) of cull French fries and mix or tumble slowly until mixture appears evenly distributed.</li> <li>3. Air dry at ambient temperature.</li> <li>4. <u>Dilution Rate:</u> Dilute at no less than 1:2 with cull French fries.</li> <li>5. POST THE AREA WITH WARNING SIGNS DURING THE BAITING OPERATION.</li> </ol>  | Use treated baits<br>within 24 hours |

**NOTE:** For any bait prepared from this product, it is important to dilute treated bait particle with untreated particles at the appropriate ratio (see directions above.) Diluting baits will reduce the possibility of any target bird consuming more than one lethal bait and should allow more target birds an opportunity to consume a lethal bait and reduce the possibility nontarget birds will consume a lethal dose.

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