



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

August 23, 2023

Jim E. Warren
Environmental Protection Specialist
USDA Animal and Plant Health Inspection Service
4700 River Road. Unit 149
Riverdale, MD 20737

Subject: Registration Review Label Mitigation for Sodium Cyanide
Product Name: M-44 Cyanide Capsules
EPA Registration Number: 56228-15
Application Date: February 23, 2022
Decision Number: 582194

Dear Jim E. Warren:

The Agency, in accordance with the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, has completed reviewing all the information submitted with your application to support the Registration Review of the above referenced product in connection with the Sodium Cyanide Amended Interim Decision, and has concluded that your submission is acceptable. The label referred to above, submitted in connection with registration under FIFRA, as amended, is acceptable.

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 the Federal Insecticide, Fungicide, and Rodenticide Act 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) list 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 Assurance.

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 12 months from the date of this letter. After 12 months, you may only distribute or sell this product if it bears this new revised labeling or subsequently

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approved labeling. “To distribute or sell” is defined under FIFRA section 2(gg) and its implementing regulation at 40 CFR 152.3.

If you have any questions about this letter, please contact Caleb Carr via email at carr.caleb@epa.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Linda Arrington", with a long horizontal flourish extending to the right.

Linda Arrington, Branch Chief
Risk Management and Implementation Branch 4
Pesticide Re-Evaluation Division
Office of Pesticide Programs

Enclosure

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 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 foxes (*Vulpes vulpes*), gray foxes (*Urocyon cinereoargenteus*), and wild or feral dogs (*Canis familiaris*), 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: | <ul style="list-style-type: none">• 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: | <ul style="list-style-type: none">• Move person to fresh air, have them 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: | <ul style="list-style-type: none">• 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: | <ul style="list-style-type: none">• 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 LABEL WHEN OBTAINING 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.

UNITED STATES DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE
4700 RIVER ROAD, UNIT 149
RIVERDALE, MD 20737-1237

EPA Reg. No. 56228-15

EPA Est. No. 56228-ID-1

Net Contents: _____
Batch Code No.: _____

ACCEPTED

Aug 23, 2023

Under the Federal Insecticide, Fungicide
and Rodenticide Act as amended, for the
pesticide registered under

EPA Reg. No. 56228-15

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

DANGER – PELIGRO **POISON**

Sodium cyanide may be fatal if swallowed or inhaled. Do not get in eyes, on skin, or on clothing. Use only with adequate ventilation and do not breathe the gas or dust.

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.

USER SAFETY RECOMMENDATIONS

Users should:

- 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.

CHEMICAL HAZARDS

Contact with acid liberates poisonous and flammable hydrogen cyanide gas.

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.

ENDANGERED SPECIES CONSIDERATIONS

It is a Federal offense to use any pesticide in a manner that results in the death of a federally endangered or threatened species. Use of this product is prohibited in areas where such use might jeopardize the continued existence of federally endangered or threatened species. Additional information is under Use Restriction #9.

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 and follow all applicable directions, restrictions, and precautions. This label must be in the possession of the user at the time of pesticide application.

For use in the M-44 ejector device to control coyotes (*Canis latrans*), red foxes (*Vulpes vulpes*), gray foxes (*Urocyon cinereoargenteus*), and wild or feral dogs (*Canis familiaris*), which are: (1) suspected of preying upon livestock and poultry; (2) suspected of preying upon federally threatened or endangered species; or, (3) vectors of communicable disease. For use on pastures, rangelands, and forest lands, 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 federally endangered or threatened 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 Animal and Plant Health Inspection Service (APHIS), Wildlife Services (WS) or any agency not working under a WS cooperative agreement.
5. The M-44 device must only be used to take coyotes (*Canis latrans*), red foxes (*Vulpes vulpes*), gray foxes (*Urocyon cinereoargenteus*), and wild or feral dogs (*Canis familiaris*): (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 coyotes, red foxes, gray foxes, or wild or feral dogs 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 the target species, will be required before applications of the M-44 are undertaken. This use restriction is not applicable when the target species 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.

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 and 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 APHIS 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.
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.

DIRECTIONS FOR USE (continued)

USE RESTRICTIONS (continued)

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 an applicator or cooperator 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. See the STORAGE AND DISPOSAL section for instructions for disposal of damaged, unused, and spent sodium cyanide capsules in accordance with local, state, and federal regulations, and APHIS WS policy (APHIS WS Directive 2.415).
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 professionals 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.
26. The M-44 device must not be used within 600 feet of occupied residences, except those of any cooperating entity who has given APHIS written permission for M-44 device placement on their property.
27. Prior to device placement, APHIS 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.

DIRECTIONS FOR USE (continued)

STORAGE AND DISPOSAL

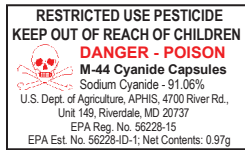
Do not contaminate water, food, or feed by storage or disposal.

PESTICIDE STORAGE: Store M-44 cyanide capsules under lock and key in a dry place away from food, domestic animals and acids.

PESTICIDE DISPOSAL: Damaged, unused, and ~~used~~-spent M-44 capsules must be disposed of in accordance with local, state, and federal regulations, and APHIS WS policy (APHIS WS Directive 2.415).

CONTAINER DISPOSAL: Styrofoam Container: Nonrefillable container. Do not reuse or refill this container. Dispose of container in accordance with local, state, and federal regulations, and APHIS WS policy (APHIS WS Directive 2.415).

[Capsule label]



(Actual size: 1.25 inch x 0.75 inch)