



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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Decision No 419592

R 350 5-856568 MAY 19 2010
1168

US Department of Agriculture
APHIS Environmental Services, Unit 149
4700 River Road,
Riverdale, MD 20737

Attention: Dr. Kenneth R. Seeley

Subject Compound DRC-1339 Concentrate – Gulls
EPA Reg. No. 56228-17
Your amendments of August 24, 2009

Purpose The Agency has received your submission, under section 3 of the Federal Insecticide, Fungicide, and Rodenticide Act, to revise the label to remove the prohibition on laughing gulls as a target species in certain Northern states.

Review We have reviewed this request to revise this label and found it acceptable.

Label The labeling submitted with the above letter, under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) is acceptable, provided you submit one (1) copy of final printed labeling to us, with the following change, before you ship your product.

1. Change “**CONTAINER DISPOSAL**” to “**CONTAINER HANDLING**”. We also prefer you to end the sentence with “incineration”.
2. Under “**READ THIS LABEL**”, add another separate paragraph:

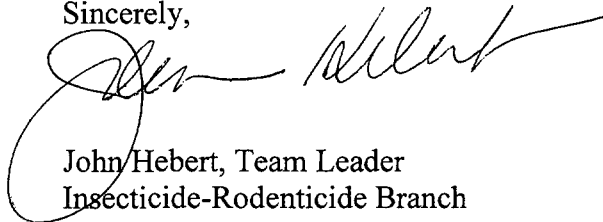
Use only for the sites, pests, and application methods described on this label.

Existing stocks Stocks of product with existing labels may be used for eighteen (18) months.

Consequence for non-compliance 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 constitutes acceptance of these conditions.

Questions If you have questions about this letter, please contact me at 703-305-5407 (phone); 703-308-0029 (fax); or peacock.dan@epa.gov (E-Mail).

Sincerely,



John Hebert, Team Leader
Insecticide-Rodenticide Branch
Registration Division (7505P)

File Location Dan Peacock, Flash Drive, 16gb, E:\4G Dan\Doc\Word\Starlicide\56228-17\56228-17, 8-24-2009, remove laughing gull restrictions, approval 5-18-2010.doc

**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, eyewear, and respiratory protection as listed under "Personal Protective Equipment." Wash thoroughly with soap and water after handling and before eating 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

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 - GULLS**

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

ACCEPTED

**KEEP OUT OF REACH OF CHILDREN
In EPA Letter Dated:
DANGER-PELIGRO**

Under the Federal Insecticide, Fungicide, and Rodenticide Act, As amended, for the pesticide Registered under EPA Reg. No:

56228-17



FIRST AID

Have label with you when obtaining treatment advice.

If swallowed	<ul style="list-style-type: none"> - Call a poison control center or doctor immediately for treatment advice. - Have person sip a glass of water if able to swallow. - Do not induce vomiting unless told to do so by the poison control center or doctor.
If on skin or clothing	<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 immediately for treatment advice.
If inhaled	<ul style="list-style-type: none"> - 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 or doctor immediately 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 eye. - Call poison control center or doctor immediately for treatment advice.

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. 56228-17
California Reg. No. 56228-17-AA
EPA Est. No. 56228-ID-1
Net Contents: _____

Batch Code No.: _____

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 list below) in 1 to 3 days. As many types of nontarget birds 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.

USE RESTRICTIONS:

Baits made from Compound DRC-1339-Gulls may be used to control the species of gulls listed under "**TARGET SPECIES**" under conditions described in these **DIRECTIONS FOR USE**. During the breeding season, target species may be controlled in coastal or inland gull colonies that are: (1) within predation radii of important nesting colonies of terns, puffins, (~~nontarget~~) ~~laughing gulls~~, or other colonially nesting birds that are to be protected; or (2) close to areas where target species of gulls damage property or crops. Throughout the year, baits made from this product may be used to control target species of gulls at feeding sites located at airports, industrial sites, dumps or landfills, or other noncrop areas IF these species of gulls pose immediate threats to Endangered or Threatened Species or pose immediate human health or safety hazards that cannot readily be resolved by other means.

All baits made from this product must consist of bread cubes treated as indicated under **BAIT PREPARATION**.

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 for broadcast baits or other pesticide devices. Users of this product must follow all limitations indicated on this label regarding the placement of treated baits.

DIRECTIONS FOR USE (continued)

Before baits made from this product are applied, sites that are to be treated must be observed for evidence of nontarget activity **and must be prebaited** (see specific instructions for these activities). **DO NOT** apply treated baits where they might be consumed by Endangered or Threatened Species. **DO NOT** apply treated baits within 50 feet of permanent manmade or natural bodies of water.

DO NOT exceed a maximum application rate of 0.1 lb of active ingredient per treated acre (per treatment). That rate is roughly equivalent to bait densities of 5 treated cubes per 100 ft² and 2200 treated cubes per treated acre.

DO NOT apply baits made from this product in any way that could contaminate materials to be used as human food or animal feed. **DO NOT** use treated baits as food or feed. **DO NOT** store, apply, or even temporarily place treated bread cubes in locations accessible to children, pets or domestic animals.

DO NOT apply bait in a way that will contact workers or other persons. Only protected handlers may be in the area during bait application. Exclude all unauthorized persons from application sites during prebaiting and baiting.

ENTRY RESTRICTIONS:

Keep persons other than authorized handlers, as well as pets and livestock, away from the bait at all times.

TARGET SPECIES:

Baits made from this product may be used to control the following species of gulls:

- Herring gull (*Larus argentatus*)
- Great black-backed gull (*Larus marinus*)
- Ring-billed gull (*Larus delawarensis*)
- Laughing gull (*Larus articilla*) **except in New England States (see below)**
- Western gull (*Larus occidentalis*)
- California gull (*Larus californicus*)

DO NOT use baits made from this product to control laughing gulls in Connecticut, Rhode Island, Massachusetts, New Hampshire, or Maine, or in other areas where this species is protected.

DO NOT use baits made from this product to control laughing gulls in areas where this species is protected.

DIRECTIONS FOR USE (continued)

PRETREATMENT OBSERVATIONS:

Prior to application of treated bait to any problem area, carefully observe feeding habits of target species to locate their preferred feeding sites which can be baited in accordance with this label, determine the optimum time of day for applying bait, and evaluate the potential for hazards of the application to desirable or protected animals. **DO NOT** apply bait in areas where there is danger of consumption by Threatened or Endangered species.

PREBAITING:

All potential use sites must be prebaited with untreated bread cubes before bread cubes treated with Compound DRC-1339-Gulls are introduced. Prebaiting is necessary to promote rapid acceptance of treated bread cubes by target species of gulls and to ascertain potential for bait acceptance by nontarget species. The number of untreated bread cubes exposed must not exceed five times the number of gulls that are to be controlled at that location. Do not apply treated bread cubes unless target gulls consume at least 75% of the untreated bread cubes in a 12-hour period and nontarget species are not observed feeding on the untreated bread cubes.

BAIT PREPARATION:

Mixing Bait: Blend 0.2 oz (6 gm) of Compound DRC-1339-Gulls into 1 lb (454 gm) of melted stick margarine. Spread 0.5 oz (1 tablespoon or 15 gm) of the blended mixture on a slice of standard sandwich bread and cover with another slice. Immediately cut each sandwich into 9 equally-sized cubes. Place treated bread cubes in a container marked "**POISON-DRC-1339 Baits**" for transportation or distribution.

Stability: Apply treated bread cubes within 12 hours after the time they were prepared. Unused treated bread cubes that have been exposed to direct sunlight or heat in excess of 100°F (43°C) for more than 1 hour should be used immediately or disposed of as pesticide waste.

DIRECTIONS FOR USE (continued)

APPLICATION DIRECTIONS:

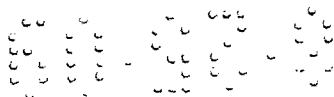
In Target Gulls' Nesting Colonies: With rubber-gloved hands, hand broadcast or place treated bread cubes in the same areas where untreated bread cubes were accepted by gulls during the prebaiting period. Initial applications may be broadcast by hand or hand-placed in nesting colonies or sites; but no hand-broadcast applications may be made when nontarget birds are present. Applications when nontarget nesting birds are present may be made only by hand placement of baits in or near gulls nests. Do not apply additional treated bread cubes unless gulls consume at least 75% of the previously applied treated bread cubes within a 12-hour period. The number of treated bread cubes used in each application may not exceed 5 times the total number of gulls remaining to be controlled at that location. Make no more than 10 applications at the same feeding site.

In Gull's Feeding Areas at Airports, Industrial Sites, Dumps, Landfills, and Noncrop Areas:

With rubber-gloved hands, hand-broadcast or place treated bread cubes in the same areas where untreated bread cubes were accepted by gulls during the prebaiting period. Do not apply additional treated bread cubes unless gulls consume at least 75% of the previously applied treated bread cubes within a 12-hour period. The number of treated bread cubes used in each application may not exceed 5 times the total number of gulls remaining to be controlled at that location. Make no more than 10 applications at the same feeding site.

POST TREATMENT CLEAN UP:

Retrieve and properly dispose of all treated bread cubes that are not accepted or are regurgitated by gulls within 12 hours after each application. *Dispose of treated bread cubes by burial or other allowed means.* Within 72 hours after each toxic bait application, search treated areas and other locations frequented by target gull populations and remove all carcasses found. Dispose of all gull carcasses in accordance with applicable State, Federal and local laws and regulations. Carcass collections should not be made in areas where human entry would adversely affect nontarget species and their breeding efforts, unless the carcasses themselves also pose risks to nontarget species.



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 08/2009