



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

December 14, 2016

Diane S. Sinkowski
USDA APHIS Environmental and Risk Analysis Services
4700 River Road, Unit 149
Riverdale, MD 20737

Subject: Label Amendment – Updates per the Label Review Manual; revisions to clarify the use rate and handling of treated bait
Product Name: Compound DRC-1339 Concentrate-Gulls
EPA Registration Number: 56228-17
Application Date: August 9, 2016
Decision Number: 521738

Dear Ms. Sinkowski:

The amended label referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act, as amended, is acceptable. This approval does not affect any conditions that were previously imposed on this registration. You continue to be subject to existing conditions on your registration and any deadlines connected with them.

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 18 months from the date of this letter. After 18 months, you may only distribute or sell this product if it bears this new revised labeling or subsequently approved labeling. "To distribute or sell" is defined under FIFRA section 2(gg) and its implementing regulation at 40 CFR 152.3.

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.

Your release for shipment of the product constitutes acceptance of these conditions. If these conditions are not complied with, the registration will be subject to cancellation in accordance

Page 2 of 2
EPA Reg. No. 56228-17
Decision No. 521738

with FIFRA section 6. If you have any questions, please contact Gene Benbow by phone at 703-347-0235, or via email at Benbow.Gene@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to be 'MS' with a large loop and a horizontal line extending to the right.

Mark Suarez
Product Manager 07
Invertebrate & Vertebrate Branch 3
Registration Division (7505P)
Office of Pesticide Programs

Enclosure

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:

DRC-1339, 3-chloro-p-toluidine hydrochloride: 97.0%

OTHER INGREDIENTS: 3.0%

TOTAL: 100.0%

KEEP OUT OF REACH OF CHILDREN

**DANGER-PELIGRO
POISON**



ACCEPTED

Dec 14, 2016

Under the Federal Insecticide, Fungicide and Rodenticide Act as amended, for the pesticide registered under EPA Reg. No. 56228-17

FIRST AID

Have the product container or 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.

- If swallowed
- 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.
 - Do not give anything to an unconscious person.

- If on skin or clothing
- 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
- Move person to fresh air.
 - If person is not breathing, call 911 or 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
- 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 a poison control center or doctor immediately for treatment advice.

NOTE TO PHYSICIAN AND VETERINARIAN: Probable mucosal damage may contraindicate the use of gastric lavage. See additional "PRECAUTIONARY STATEMENTS" on Right Panel. If pet eats bait, call a veterinarian at once.

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 (PPE):

Handlers who mix packages containing **1 lb (0.45 kg) 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)
- A NIOSH approved particulate respirator with any N, R, or P filter with NIOSH approval number prefix TC-84A

Handlers who mix packages containing **less than 1 lb (0.45 kg) of this product must wear:**

- Long-sleeved shirt and long pants
- Chemical-resistant gloves (such as waterproof or rubber gloves)
- Protective eyewear (goggles or face shield)

Applicators who handle bait must wear:

- Long-sleeved shirt and long pants
- Chemical-resistant gloves (such as waterproof or rubber gloves)

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.
- Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.
- Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- 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 nontarget 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.

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.: _____

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 Threatened or Endangered Species. **DO NOT** apply treated baits where there is a danger that Threatened or Endangered Species will consume baits unless special precautions are taken to limit such exposures.

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

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

PRODUCT INFORMATION:

This product contains a slow-acting avicide which kills target bird species (see list on Right Panel) 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, 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 to broadcast baits or other pesticides. Users of this product must follow all limitations indicated on this label regarding the placement of treated baits.

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 there is a danger that Threatened or Endangered Species will consume baits unless special precautions are taken to limit such exposures. Such precautions shall include observation of baited sites and use of hazing tactics to frighten away Threatened or Endangered Species that otherwise might feed upon baits.

DO NOT apply treated baits within 50 feet (15.2 m) of permanent manmade or natural bodies of water.

DIRECTIONS FOR USE, continued

USE RESTRICTIONS (continued):

For broadcast applications, **DO NOT** exceed a maximum application rate of 0.1 lb of active ingredient per acre (1.12 g active ingredient/100 m²) per treatment or a maximum yearly application rate of 0.5 lb of active ingredient per acre (5.61 g active ingredient/100 m²). That maximum single application rate is roughly equivalent to bait densities of 5 treated cubes per 100 ft² (54 treated cubes/100 m²) and 2,200 treated cubes per acre (54 treated cubes/100 m²).

DO NOT use treated baits as food or feed.

DO NOT store treated bait in locations accessible to children, pets, domestic animals, or nontarget wildlife.

Prior to application, and during the time between the conclusion of application and the disposal of unconsumed bait, **DO NOT** temporarily place treated bait in locations accessible to children, pets, domestic animals, or nontarget wildlife. Follow the directions in "ENTRY RESTRICTIONS" to avoid exposure to children, pets, or domestic animals during application. Follow the directions in "PRETREATMENT OBSERVATIONS" to mitigate exposure to nontarget wildlife during application.

DO NOT apply bait in a way that will contact workers or other persons.

DO NOT apply baits made from this product in any way that could contaminate human food or animal feed.

ENTRY RESTRICTIONS:

Only protected applicators may be in the area during bait application. Keep pets and livestock, and persons other than authorized handlers away from the bait at all times, and exclude all unauthorized persons from application sites during prebaiting and baiting. For example, post signage near, in the vicinity of, or at main entrances or commonly used access points to prebaiting and baiting sites that warns persons not to pick up or handle any baits and to keep pets and livestock away from the bait.

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 atricilla*)
- Western gull (*Larus occidentalis*)
- California gull (*Larus californicus*)

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

(See next page for additional "DIRECTIONS FOR USE")

DIRECTIONS FOR USE, continued

USE RESTRICTIONS, continued:

PRETREATMENT OBSERVATIONS:

Prior to application, 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 nontarget or protected animals.

PREBAITING:

All potential use sites must be prebaited with untreated bread cubes before bread cubes treated with Compound DRC-1339 Concentrate-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. Haze away Threatened or Endangered and nontarget species that might consume baits. Remove baits if such nontarget species continue to approach them.

BAIT PREPARATION:

Mixing Bait: Blend 0.2 oz (6 g) of Compound DRC-1339-Gulls into 1 lb (0.45 kg) of melted stick margarine. Spread 0.5 oz (1 tablespoon or 15 g) 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.

APPLICATION DIRECTIONS:

NOTE: During application, wear all PPE as listed under "PERSONAL PROTECTIVE EQUIPMENT."

In Target Gulls' Nesting Colonies: With rubber-gloved hands, use a scoop or other utensil to broadcast or place treated bread cubes in the same areas where untreated bread cubes were placed by gulls during the prebaiting period. Initial applications may be manually broadcast or placed in nesting colonies or sites; but no broadcast applications may be made when nontarget birds are present. When practical, observe bait throughout the day. Haze away Threatened or Endangered and nontarget species that might consume baits. Remove baits if such nontarget species continue to approach them. Applications when nontarget nesting birds are present may be made only by 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.

DIRECTIONS FOR USE, continued

APPLICATION DIRECTIONS, continued:

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

With rubber-gloved hands, use a scoop or other utensil to broadcast or place treated bread cubes in the same areas where untreated bread cubes were accepted by gulls during the prebaiting period. When practical, observe bait throughout the day. Haze away Threatened or Endangered and nontarget species that might consume baits. Remove baits if such nontarget species continue to approach them. 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.

POSTTREATMENT CLEAN-UP:

NOTE: During clean-up, wear long-sleeved shirt and long pants and chemical-resistant gloves (such as waterproof or rubber gloves). To further reduce the potential for exposure, use appropriate implements such as scoops or other tools to collect carcasses.

Retrieve and properly dispose of all treated bread cubes that are not accepted or are regurgitated by gulls within 12 hours after each application. For applications made to areas such as dumps/landfills or other non-crop lands, bury uneaten bait via mechanical (e.g., discing under) methods or to a minimum depth of 2 inches (5.08 cm) if manual (e.g., shoveling under) methods are used, as appropriate. For applications made to areas such as airport tarmacs/roads or industrial structures, use shovels, scoops, or other tools to collect uneaten bait.

Within 72 hours (3 days) 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.

PESTICIDE 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 HANDLING: 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.