

56228-21

9/30/2009

1088



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

SEP 30 2009

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

Kenneth R. Seeley, Ph.D.  
USDA APHIS Environmental Services  
Unit 149  
4700 River Road, Riverdale, MD 20737

Subject: Updates to the Storage and Disposal Statement Language

Dear Dr. Seeley:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated August 19, 2009 for:

**EPA Registration 56228-21**

**Large Gas Cartridge**

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and finds that the label change(s) requested falls within the scope of PRN-2007-4. 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 be "Dani Daniel".

Dani Daniel  
Registration Division (7505P)  
Insecticide/Rodenticide Branch



United States

Environmental Protection Agency

Washington, DC 20460

NOTIFICATION

☐ Registration  
☐ Amendment  
☒ Other

OPP Identifier Number

## Application for Pesticide - Section I

1. Company/Product Number 56228-2 and 56228-21	2. EPA Product Manager	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Gas Cartridge and Large Gas Cartridge	PM# 07	
5. Name and Address of Applicant (Include ZIP Code) USDA APHIS Environmental 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: 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.)

Notification of changes to Storage and Disposal language to comply with Pesticide Registration Notice 2007-4

## Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes* <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Metal	<input type="checkbox"/> Plastic
* Certification must be submitted				<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
	If "Yes" Unit Packaging wgt: _____ No. per container _____	If "Yes" Package wgt _____ No. per container _____		<input type="checkbox"/> Other (Specify) _____	
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container	5. Location of Label Directions <input type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product		
6. Manner in Which Label is Affixed to Product <input 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, ES		Telephone No. (Include Area Code) 435-658-5134	
<b>Certification</b> 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, Environmental Services			
4. Typed Name Kenneth R. Seeley, Ph.D.		5. Date 8/19/08			



3068

United States  
Department of  
Agriculture

ENQL 7-1 CY09  
PERMANENT  
Retire 08/14

Marketing and  
Regulatory  
Programs

August 19, 2009

Animal and  
Plant Health  
Inspection  
Service

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

Policy and Program  
Development

Environmental  
Services, Unit 149  
4700 River Road  
Riverdale, MD  
20737

**SUBJECT: Notification of Label Change to Comply with PR Notice 2007-4:  
Gas Cartridge Labels**

Dear Mr. Hebert:

The United States Department of Agriculture (USDA) Animal and Plant Health Inspection Service (APHIS) is hereby submitting materials supporting a notification relating to the following Gas Cartridge labels:

- EPA Reg. No. 56228-2: Gas Cartridge (3 separate labels: carton, mini-label and detachable label); and
- EPA Reg. No. 56228-21: Large Gas Cartridge (2 separate labels: carton and mini-label).

The enclosed labels have been revised to incorporate disposal language required by EPA's Pesticide Registration Notice 2007-4. No other changes have been made to the labels.

Attached are the following documents in support of this notification:

- EPA Form 8570-1;
- Two (2) copies of each of the final printed labels for the Gas Cartridge registrations listed above, with the new label language 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

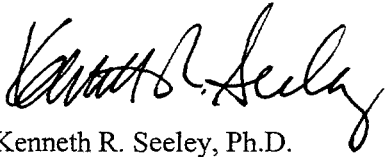
Mr. John Hebert

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If you have any questions regarding this submission, please contact Stephanie Stephens at (435) 658-5134 or e-mail [Stephanie.H.Stephens@aphis.usda.gov](mailto:Stephanie.H.Stephens@aphis.usda.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Kenneth R. Seeley". The signature is fluid and cursive, with the first name "Kenneth" and last name "Seeley" being the most prominent parts.

Kenneth R. Seeley, Ph.D.  
Chief, Environmental Services

Enclosures

SEP 29 2009

## PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

### WARNING

After ignition, cartridge produces the toxic gas, carbon monoxide. 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 materials.

### 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 regional office or the appropriate State agency for current information on habitats occupied by endangered species.

Use this product according to the specific endangered species considerations on the carton insert.

UNITED STATES DEPARTMENT OF AGRICULTURE  
ANIMAL AND PLANT HEALTH INSPECTION SERVICE

RIVERDALE, MD 20737

EPA Est. No. 56228-1C-1

EPA Reg. No. 56228-21

Net Weight: 10.2 oz. (289.2 grams)

## LARGE GAS CARTRIDGE

For control of coyotes (*Canis latrans*), red foxes (*Vulpes vulpes fulva*), and striped skunks (*Mephitis mephitis*) in dens only.

NOT FOR RESALE TO PERSONS UNDER 16 YEARS OLD

### ACTIVE INGREDIENT

Sodium nitrate ..... 53.0%

Charcoal ..... 28.0%

INERT INGREDIENTS ..... 19.0%

TOTAL ..... 100.0%

## KEEP OUT OF REACH OF CHILDREN WARNING

### FIRST AID

Have label with you when obtaining 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, doctor, or 1-800-858-7378 immediately for treatment advice.
If swallowed	-Have person sip a glass of water if able to swallow. -Do not give anything by mouth to an unconscious person. -Do not make person vomit unless told to do so by the poison control center or doctor. -Call a poison control center, doctor, or 1-800-858-7378 immediately for treatment advice.
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, doctor, or 1-800-858-7378 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, doctor, or 1-800-858-7378 immediately for treatment advice.

### NOTE TO PHYSICIAN

If inhaled and respiration is adequate, recovery will be rapid. If breathing has stopped, use artificial respiration. If available, pure oxygen should be given.

See additional PRECAUTIONARY STATEMENTS on Left Panel.

## DIRECTIONS FOR USE

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

### USE RESTRICTIONS:

For control of coyotes (*Canis latrans*), red foxes (*Vulpes vulpes fulva*) and striped skunks (*Mephitis mephitis*) in dens only on rangelands, crop and non-crop areas. Do not use near flammable material or inside buildings. USE ONLY IN DENS IN ACTIVE USE BY THE TARGET SPECIES.

### DEN SELECTION:

**COYOTES:** First select a den in active use by coyotes for treatment. Coyote dens are normally found in steep embankments or draws and may be concealed in brush. These dens can easily be distinguished from nontarget animal dens (such as badger and fox) by the large size of the den and coyote sign around its entrance. Coyote dens range in size from 9 to 12 inches in width and 12 to 18 inches in height. Typical coyote sign around the entrance includes tracks of the adults before the pups are active outside the den. After the pups become active, their tracks will also be present as well as their scat and the vegetation around the den will be laid flat due to the pups' activity. Active dens may be identified by these signs being fresh and the pups may sometimes be heard upon approaching the entrance. DO NOT use unless the den is occupied by coyotes.

**RED FOXES:** Determine the den location of particular foxes which are preying on livestock or causing other damage. Such predation occurs during rearing of kits. Fox tracks and drag marks of prey lead to the den, which is usually located in mixed farmlands and woodlots, in the brushy fringe of forests, or along marshes or tilled fields. The dens will be marked by remains of prey in addition to tracks and observations. Active dens may be identified by these signs being fresh and the kits may sometimes be heard upon approaching the entrance.

**SKUNKS:** Track individual skunks creating health or safety hazards or depredating endangered or threatened species. Treat a den which the target skunk has entered based on tracking evidence. Do not treat dens under inhabited structures or buildings where toxic gasses could reach humans, pets, or domestic animals including livestock.

See back panel for additional DIRECTIONS FOR USE.

Large Gas Cartridge Label  
(EPA Reg. No 56228-21), page 1

Product Label  
Revised 08/2009

5048

**DIRECTIONS FOR USE, continued**

**APPLICATION DIRECTIONS:**

Make sure cartridge will pass easily into opening. Close any openings to den other than the one to be treated. Obtain material to plug entrance. Then, with a nail at least 1/8 inch in diameter, puncture cap at end of cartridge at points marked. Insert fuse in one of the center holes. Ensure that there is a minimum of 3 inches of exposed fuse. Hold cartridge away from face and body, then light.

**NOTE:** The minimum burn time for these fuses is 5 seconds.

Place cartridge, fuse-end first, as far into the burrow as possible. Close entrance to burrow immediately. If burrow is steep, contents of cartridge may flow out of lighted end. If so, place cartridge as deep in burrow as possible with fuse-end up, light, and close burrow.

## STORAGE AND DISPOSAL

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

**STORAGE:** Store in a cool, dry place away from fire, heat and direct sunlight.

**PESTICIDE DISPOSAL:** To dispose of unused cartridges, soak in water, crush and bury at least 6 inches deep in loose soil.

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

Batch Code No.:

10048

## ENDANGERED SPECIES CONSIDERATIONS CARTON INSERT

### LARGE GAS CARTRIDGE - EPA REG. NO. 56228-21

Use of this product is subject to limitations set forth below for the purpose of protecting endangered species.

**Fresno kangaroo rat (*Dipodomys nitratoide 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. nitratoide*)** 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*)**, as determined 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, and southern Utah.

Use of this product within the occupied habitats of the organisms listed above 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 services.

#### **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 (FWS), and found not to contain black-footed ferrets and found by the FWS not to be a suitable site for ferret reintroductions.

**Hualapi Mexican vole (*M. Mexicanus hualapaiensis*)** 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.

Do not use this product within the occupied habitats of the above endangered animals.

#### **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 leopard lizard 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 from April 15 through September 30 is limited to daylight hours when air temperatures are 77-95 degrees Fahrenheit (20-30 degrees Celsius).

#### **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 (*Drymarchan 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.

#### **Red Wolf (*Canis rufus*);**

#### **Gray Wolf (*Canis lupus*).**

Unless authorized by the U.S. Fish and Wildlife Service, DO NOT use in areas where the above endangered species may have dens.

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**LARGE GAS CARTRIDGE**  
**EPA REGISTRATION NO. 56228-21**

Contains Sodium Nitrate (53.0%), Charcoal (28.0%), Inert  
 Ingredients (19.0%)

Select den in active use by coyotes, red foxes, or skunks. Make sure  
 cartridge will enter freely. Obtain material to plug entrance. With 1/8"  
 nail, puncture cap at end of the cartridge at points marked. Insert fuse  
 into one of the center holes. Insure there is a minimum of 3 inches of  
 exposed fuse. Hold cartridge away from face and body, then light fuse.  
 Place cartridge, fuse-end first, into burrow as far as possible. (If  
 burrow is steep, contents of cartridge was flow out of lighted end. If so,  
 place cartridge as deep as possible with fuse-end up, light, then close  
 burrow.)

**MINIMUM FUSE BURN TIME IS 5 SECONDS**

Read complete Directions for Use on carton label.  
 See carton label for storage and disposal instructions  
 NET WEIGHT 10.2 ounces (289.20 grams)

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

8048

8048