

72500-2

1/19/2010

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



OFFICE OF  
PREVENTION, PESTICIDES  
AND TOXIC SUBSTANCES

January 19, 2010

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Scimetrics Ltd.  
c/o RegWest Company, LLC  
30856 Rocky Road  
Greeley, CO 80631-9375

Dec # 421647

Attention: Ms. Kim Davis

**Subject** Kaput® Mole Gel Bait  
EPA Reg. No. 72500-2  
Your amended application of September 28, 2009  
Your resubmission of December 22, 2009.

**Purpose** This submission proposes the following label changes: adding marketing copy/graphics, updating disposal directions, and revising warranty text, under sec 3 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA).

**Labeling** 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 changes, before you ship your product.

1. Revise the "Note to Physician and Veterinarian" section as follows:

<p style="text-align: center;"><b>TREATMENT FOR PET POISONING</b></p> <p>If animal eats bait, call veterinarian or 1-800-xxx-xxxx [optional] at once.</p> <p style="text-align: center;"><b>NOTE TO PHYSICIAN OR VETERINARIAN</b></p> <p>Contains the anticoagulant Warfarin. If swallowed, this material may reduce the clotting ability of the blood and cause bleeding. For humans or animals ingesting bait and/or showing poisoning signs (bleeding or elevated prothrombin times), give Vitamin K<sub>1</sub>.</p>
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**Labeling-  
continue**

2. Under "**Storage and Disposal**" delete text after "incineration."
3. Under "WARRANTY DISCLAIMER", add "TO THE EXTENT CONSISTENT WITH APPLICABLE LAW" before sentence beginning with "UNINTENDED CONSEQUENCES".
4. Delete text on "TANK MIXES" ("USES WITH ... specially recommended." as it does not apply to rodent baits.
5. Delete the following marketing claims:

"The Original [Gel]"

"Easy [EZ] [to] Use [Syringe]"

"Rid Your Lawn of Moles"

"Patented Delivery System"

"Palatable Bait Proven Effective against Moles"

"Gel-Based Bait Attracts Moles"

"Treats up to 10,000 sq.ft. [10,000 ft.<sup>2</sup>]"

6. The following marketing claims are acceptable:

"The Original Warfarin Gel for Moles"

"Reduce Moles in Your Lawn"

"Gel-Based Bait palatable to Moles"

7. Delete [Unique, Patented] from "Poison Bait ... Applicator"

**Existing  
stocks**

Stocks of 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) or [peacock.dan@epa.gov](mailto:peacock.dan@epa.gov) (E-Mail).

Sincerely,



Daniel B. Peacock, Biologist  
Insecticide-Rodenticide Branch  
Registration Division (7504P)

**Enclosures**

1. Stamped Label
2. Minimum Type Sizes for Final Printed Labels

**File Location** Dan Peacock, Flash Drive, 16gb, E:\4G Dan\Doc\Word\Warfarin\72500-2\72500-2, 9-29-2009, label rev, + dec E label, 1-14-2010.doc

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# Kaput<sup>®</sup> Mole Gel Bait

The Original [Gel]  
Easy [EZ] [to] Use [Syringe]  
Kills Moles  
Kills Listed Moles  
Rid Your Lawn of Moles

ACCEPTED  
With COMMENTS  
In EPA Letter Dated:

JAN 19 2010

Patented Delivery System (U.S. Patent No. 6,264,969)  
Palatable Bait Proven Effective against Moles  
Gel-Based Bait Attracts Moles  
Gel Bait Designed to Mimic Moles' Natural Food Source

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

72500-2

Poison Bait with [Unique, Patented] Syringe Applicator  
Treats an Entire Burrow System  
Use on Lawns, Turf Areas, Golf Courses and Other Non-Food Grassy Areas  
Treats up to 10,000 sq. ft. [10,000 ft.<sup>2</sup>]

<b>Active Ingredient:</b>	
Warfarin (CAS No. 81-81-2) .....	0.025%
<b>Other Ingredients</b> .....	<u>99.975%</u>
<b>Total</b> .....	100.000%

Keep Out of Reach of Children  
**CAUTION**

See below [back panel] for additional Precautionary Statements.

EPA Reg. No. 72500-2      EPA Est. 72500-CO-1

Net Weight: 3 Fluid Oz. (84 g)



[More than Rodent Management Products]

*[Back Panel]*

### DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.  
Apply this product only for the sites, pests and application methods specified on this label.

#### Read this Label:

Read this entire label and follow all use directions and precautions.

**IMPORTANT:** Do not expose children, pets or other non-target animals to rodenticides. To help prevent accidents:

1. Store product not in use in a location out of reach of children and pets.

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2. Follow all application directions and **Use Restrictions** on this label. Apply bait only in moles' underground runways. Keep pets out of treated areas and isolate treated areas using existing fencing, if present.
3. Dispose of product container and unused or spoiled bait as specified on this label.

**Use Restrictions:** This product may be used only to control eastern moles (*Scalopus aquaticus*), star-nosed moles (*Condylura cristata*), hairy-tailed moles (*Parascalops breweri*), coast moles (*Scapanus orarius*), broad-footed moles (*S. latimanus*) and/or townsend moles (*S. townsendii*) on lawns, turf areas, golf courses and other non-food grassy areas. Bait must be applied directly into main underground tunnel or subsurface runways. Do not place bait on the ground surface.

**Selection of Treatment Areas:** The presence of moles may be indicated by a network of surface ridges in the turf or by a series of conical mounds of earth pushed up from deep burrows. Conical mounds may betray the location of main underground runways.

**Baiting:** Prior to treatment, determine which burrow systems are active. Using a round-ended wood rod, such as a broomstick, probe ground in vicinity of conical mounds or surface ridges until main underground runway is detected by a sudden decrease in resistance against the probe. Mark open burrow systems and revisit them 2-3 days later. For deeper tunnels, open system with a shovel and leave open. Burrow systems that are active are likely to be plugged by moles.

**Treat only active borrow systems:** To treat a burrow system, locate main runways by probing. Remove the cap from the tip of the applicator syringe and turn dosing ring to mark indicating half ounce. Inject half an ounce of bait (one-sixth of the contents of one syringe) through probe or shoveled opened hole at each bait placement location. Make six (6) such placements per burrow system. Cover holes made to enter tunnel with sod and soil, but do not allow dirt to sift in to foul or cover bait.

**Follow-up:** Check effects of treatment 4-5 days after bait application by opening and marking burrows in the manner used to check for initial activity. Return 2-3 days later and retreat all active burrows. Maximum application rate is 1 syringe/10,000 ft<sup>2</sup>.

#### **Storage and Disposal**

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

**Pesticide Storage:** Store in original container in a cool, dry place inaccessible to children and pets. Do not store used or partially used syringes. **Pesticide Disposal:** Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility. **Container Disposal:** Non-refillable container; do not reuse or refill this container. Offer for recycling, if available; otherwise, dispose of empty container in a sanitary landfill; or by incineration; or, if allowed by state and local authorities, by burning (if burned, stay out of smoke).

Lot Number: {description of where lot number is found}

#### **PRECAUTIONARY STATEMENTS**

##### **Hazards to Humans and Domestic Animals**

##### **CAUTION**

Keep away from children, domestic animals and pets. If swallowed, this material may reduce the clotting ability of the blood and cause bleeding. Wash arms, hands and face with soap and water after applying and before eating, drinking, chewing gum, using tobacco or using the toilet.

##### **Notice to Physician and Veterinarian**

This product reduces the clotting ability of the blood and may cause bleeding. If ingested administer Vitamin K-1 intramuscularly or orally. For human cases, Vitamin K-1 is antidotal at doses of 10-20 mg total (not mg/kg). For animal cases, Vitamin K-1 is antidotal at 2-5 mg/kg. Repeat as necessary based on monitoring of prothrombin times.

#### Environmental Hazards

This product is toxic to fish, birds and other wildlife. Do not apply this product directly to water, to areas where surface water is present or the intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment wash waters.

#### WARRANTY DISCLAIMER

The directions for use of this product must be followed carefully. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, (1) THE GOODS DELIVERED TO YOU ARE FURNISHED "AS IS" BY MANUFACTURER OR SELLER, AND (2) MANUFACTURER AND SELLER MAKE NO WARRANTIES, GUARANTEES OR REPRESENTATIONS OF ANY KIND TO BUYER OR USER, EITHER EXPRESS OR IMPLIED, OR BY USAGE OF TRADE, STATUTORY OR OTHERWISE, WITH REGARD TO THE PRODUCT SOLD, INCLUDING, BUT NOT LIMITED TO MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, USE OR ELIGIBILITY OF THE PRODUCT FOR ANY PARTICULAR TRADE USAGE. UNINTENDED CONSEQUENCES, INCLUDING BUT NOT LIMITED TO INEFFECTIVENESS, CROP OR PLANT DAMAGE, OR LOSS OF YIELD, MAY RESULT BECAUSE OF SUCH FACTORS AS THE PRESENCE OR ABSENCE OF OTHER MATERIALS USED IN COMBINATION WITH THE GOODS, OR THE WEATHER, WIND, AND TEMPERATURE, OR THE MANNER OF USE OR APPLICATION, ALL OF WHICH ARE BEYOND THE CONTROL OF MANUFACTURER OR SELLER, AND ASSUMED BY BUYER OR USER. THIS WRITING CONTAINS ALL OF THE REPRESENTATIONS AND AGREEMENTS BETWEEN BUYER OR MANUFACTURER, AND SELLER, AND NO PERSON OR AGENT OF MANUFACTURER OR SELLER HAS ANY AUTHORITY TO MAKE ANY OTHER REPRESENTATION OR WARRANTY OR AGREEMENT RELATING IN ANY WAY TO THESE GOODS. NO WARRANTIES SHALL BE CREATED BY COURSE OF DEALING, USAGE OF TRADE, OR COURSE OF PERFORMANCE. THERE ARE NO WARRANTIES THAT EXTEND BEYOND THE FACE HEREOF. THE SELLER OR MANUFACTURER ASSUMES NO RESPONSIBILITY THAT THE GOODS WILL BE FIT FOR ANY PARTICULAR PURPOSE FOR WHICH YOU MAY BE BUYING OR USING THE GOODS, EXCEPT AS OTHERWISE PROVIDED IN THE CONTRACT.

#### LIMITATION OF LIABILITY

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, IN NO EVENT SHALL MANUFACTURER OR SELLER BE LIABLE FOR SPECIAL, INCIDENTAL, OR CONSEQUENTIAL DAMAGES, OR FOR DAMAGES IN THEIR NATURE OF PENALTIES RELATING TO THE GOODS SOLD, INCLUDING USE, APPLICATION, HANDLING, AND DISPOSAL. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, NEITHER MANUFACTURER NOR SELLER SHALL BE LIABLE TO BUYER OR USER OR TO CUSTOMERS OF BUYER, IF ANY, FOR INDEMNIFICATION OR ANY DAMAGES OR SUMS OF MONEY, CLAIMS OR DEMANDS WHATSOEVER, RESULTING FROM OR BY REASON OF, OR ARISING OUT OF THE USE, MISUSE, OR FAILURE TO FOLLOW LABEL WARNINGS OR INSTRUCTIONS FOR USE, OF THE GOODS SOLD. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, ALL SUCH RISKS SHALL BE ASSUMED BY THE BUYER, USER, OR CUSTOMERS. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BUYER'S OR USER'S EXCLUSIVE REMEDY, AND MANUFACTURER'S OR SELLER'S TOTAL LIABILITY, SHALL BE FOR DAMAGES NOT EXCEEDING THE PURCHASE PRICE OF THE GOODS AND, IF BUYER OR USER WISHES, THE RETURN OF THE GOODS BY BUYER TO SELLER.

**If you do not agree with or do not accept any of directions for use, the warranty disclaimers, or limitations on liability, do not use the goods, and return it unopened to the Seller, and the purchase price will be refunded. *By using the goods, you expressly agree to all of the terms and conditions of this contract.***

**USES WITH OTHER PRODUCTS (TANK MIXES)** If the goods are used in combination with any other product *except as specifically recommended in writing*, then, to the extent consistent with applicable law, Seller or Manufacturer shall have no liability for any crop, plant, or other loss, damage, or injury arising out of its use in any such combination not so specifically recommended.

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[Attention [Notice]: This product contains a chemical known to the state of California to cause birth defects or other reproductive harm.]

[Manufactured by:]

**S Scimetrics**

LTD. CORP.

*New Solutions to Old Problems*

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Wellington, CO 80549

(970) 482-1330

mole@scimetricsltd.com

[ ] denotes alternate/optional language

{ } denotes language that does not appear on the market labeling