

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



OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

August 4, 2008

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

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1155
5-833673

Attention: Ms. Kim Davis

- Subject** Kaput® -D Pocket Gopher Bait
EPA Reg. No. 72500-9
Your amended application of December 26, 2007
Your resubmissions of July 1 and July 31, 2008
- Purpose** This submission revises the label for this product, under sec 3 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA).
- Labeling** The labeling submitted with the above letter is acceptable, provided that you submit one (1) copy of final printed labeling to us, before you ship the product.
- Existing stocks Forms** Stocks of product with existing labels may be used for eighteen (18) months.
- Consequence for non-compliance** If this condition is 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); 703-305-6596 (fax); or peacock.dan@epa.gov (E-Mail).

Sincerely,



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

Enclosures

1. Stamped label
2. Type Size Requirements for Final Printed Labels

File Location

Dan Peacock, Flash Drive, J:\4G Dan\Documents\Word, WP, Excel, etc\Diphacinone\72500-9\Dec 2007 Amend\72500-9, rev label, EL, 7-30-2008.doc

Kaput[®]-D Pocket Gopher Bait

Active Ingredient:

Diphacinone: 2-(diphenylacetyl)-1-3-indandione 0.005%

Other Ingredients 99.995%
100.000%

Keep Out of Reach of Children

CAUTION

Harmful if swallowed.

Read additional precautionary statements below.

EPA Reg. No. 72500-9

EPA Est. 72500-CO-1

ACCEPTED

AUG 4 2008

Net Weight: ___ lbs. **Under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, for the pesticide registered under:**
{1 through 50 lbs.}

Read This Label: Read this entire label and follow all use directions and use precautions.

EPA Reg. No: 72500-9

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

CAUTION: Harmful if swallowed. Harmful if absorbed through skin. Causes moderate eye irritation. Avoid contact with skin, eyes or clothing. Thoroughly wash with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet. Wear long sleeved shirt and long pants, socks and shoes, and chemical-resistant gloves (such as or made out of any waterproof material, selection category A). Wash contaminated clothing prior to reuse.

First Aid

If Swallowed: Immediately call a poison control center or doctor for treatment advice. Have person sip a glass of water if able to swallow. Do not induce vomiting unless told to do so by a poison control center or doctor. Do not give anything by mouth to an unconscious person.

If on skin or clothing: Take off contaminated clothing. Immediately rinse skin with plenty of water for 15-20 minutes. Call a poison control center or doctor 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 for treatment advice.

Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact the National Poison Information Center at 1-800-858-7378 for emergency medical treatment information.

Note to Physician and Veterinarian: This product reduces the clotting ability of the blood and may cause hemorrhaging. If ingested, administer Vitamin K1 intramuscularly or orally as indicated for bis-hydroxycoumarin overdoses. For human cases, Vitamin K1 is antidotal at doses of 10-20 mg total (not mg/kg). For animal cases, Vitamin K1 is antidotal at 2-5 mg/kg. Repeated doses may need to be given, based upon monitoring of prothrombin times. In severe cases, blood transfusion may be necessary.

Environmental Hazards

This product is toxic to fish, birds and other wildlife. Dogs and other predatory and scavenging mammals and birds might be poisoned if they feed upon animals that have eaten this bait. Do not apply directly to water, to areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment washwater or rinsate.

DIRECTIONS FOR USE

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

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.
2. Apply bait in locations out of the reach of children, pets, domestic animals and non-target wildlife.
3. Dispose of product container and unused, spoiled and unconsumed bait as specified on this label.

Use Restrictions: For control of Pocket Gophers (*Geomys* sp. and *Thomomys* sp.) on lawns, golf courses, rangeland and non-crop areas. Do not place bait in areas where there is a possibility of contaminating food or surfaces that come in direct contact with food. Do not apply bait aboveground. Remove or bury any bait spilled on the ground during application.

Endangered Species Considerations: Do not use this product within prairie dog towns within the range of the black-footed ferret without first contacting endangered species specialists, U.S. Fish and Wildlife Service, Denver Regional Office. Do not use this pesticide within one mile of active dens of the San Joaquin Kit Fox in the following California counties: Fresno, Kern, Kings, Merced, Monterey, San Benito, Santa Barbara, San Luis Obispo, Tulare and Ventura. Prior to use, contact endangered species specialists at the California Department of Fish and Game or the U.S. Fish and Wildlife Service, Portland Regional Office, for recommendations. To review endangered species within your state and county, log on to www.fws.gov, at the top of the page use the drop down menu next to "offices" to select your region; then select endangered species or ecological services (dependant on the region); next search for the listed species by state or country; review list of endangered species for that area.

Selection of Treatment Areas: Pocket gophers throw out low, fan-shaped mounds of earth from their underground tunnels. The tunnel entrance is plugged with soil and is found near one edge of the mound. The mounds are usually at the end of short lateral tunnels which connect with the main burrow system. The main burrow is typically about 18 inches from the mound and within 10 inches of the surface. A single gopher burrow system will be about 50 feet in diameter.

Application Directions: Method 1: Use a pointed metal rod to probe for the main burrow. The probe will "give" when the burrow is penetrated. Remove the probe. Insert a funnel into the hole. Apply 1/2 cup Kaput bait into the burrow. Carefully plug the hole with leaves, grass or similar material to prevent light from entering and soil from covering the bait. Make 2-3 applications per burrow system. Retreat if fresh mounds appear after 2-3 weeks. {Graphic required} **Method 2:** Using a long-handled teaspoon, remove the plug from the mound. Carefully deposit 1/2 cup of Kaput bait as far as possible into the burrow. Close the opening with soil, being careful not to cover the bait. Treat again if fresh mounds appear after 2-3 weeks. **Method 3:** If using the Sub-Station (underground bait station) place about 1 lb. of Kaput bait in the station. Align the openings of the station with the tunnel system, then cover the station with dirt. Add bait to the station as necessary. {Graphic required} **Method 4:** When using a hand probe applicator, insert the tip into the burrow system, making certain to penetrate the tunnel. Follow the directions on the applicator and dispense about 1/2 cup of bait into the gopher burrow. Remove the probe and

close the hole remaining by placing a sod plug over it or kicking the opening closed. Treat again if fresh mounds appear after 2-3 weeks.

{Non-homeowner-sized containers:}

Storage and Disposal

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

Pesticide Storage: Store in original container in a dry place inaccessible to children and pets.

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: 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.

{Homeowner-sized containers:}

Storage and Disposal

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

Pesticide Storage: Store in original container in a dry place inaccessible to children and pets.

Container Disposal: If empty: Do not reuse this container; place in trash or offer for recycling if available. **If partly filled:** Call your local solid waste agency for disposal instructions. Never place unused product down any indoor or outdoor drain.

Notice of Warranty

1. Warranty Disclaimer

Scimetrics warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated in the Directions for Use, when used in accordance with the Directions under normal use conditions. The Directions for Use of this product must be followed carefully. The goods delivered to you are furnished "as is" by Manufacturer or Seller. To the extent permitted by applicable law, 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, may result because of such factors as the presence or absence of other materials used in combination with the goods, the manner of use or application, including weather, 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, User, Seller and Manufacturer, and no person or agent of Manufacturer or Seller has any authority to make any representation, warranty or agreement relating in any way to these goods.

2. Limitation of Liability

To the extent permitted by 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. Manufacturer or Seller shall not be liable to Buyer or User by way of indemnification to Buyer or to customers of Buyer, if any, or for any damages or sums of money, claims or demands whatsoever, resulting from or by reason of, or arising out of the misuse, or failure to follow label warnings or instructions for use, of the goods sold by Manufacturer or Seller to Buyer. Buyer's or User's exclusive remedy, and Manufacturer's or Seller's total liability, shall be for damages not exceeding the cost of the product purchased. The Buyer, its customers or User assume all such risks.

3. If you do not agree with or do not accept any of the directions for use, warranty disclaimers or limitations of liability, do not use this product; return it unopened to the Seller and the purchase price will be refunded.

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Manufactured by:
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New Solutions to Old Problems
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{ } Denotes language which does not appear on the market label