

72500-9

1/11/2010

1 of 6

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



OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

January 11, 2010

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

300 5-860214
1165

Decision #
422174

Attention: Ms. Kim Davis

Subject Kaput® -D Pocket Gopher Bait
EPA Reg. No. 72500-9
Your amended application of October 12, 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 ... may be necessary." section as follows:

TREATMENT FOR PET POISONING
If animal eats bait, call veterinarian or 1-800-xxx-xxxx [optional] at once.

NOTE TO PHYSICIAN OR VETERINARIAN
Contains the anticoagulant Diphacinone. 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 K₁.

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 marketing claims of **“Easy Application”** and **“Has an Antidote”**.

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 (E-Mail).

Sincerely,



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

Enclosure 1

Minimum Type Sizes for Final Printed Labels

File Location

Dan Peacock, Flash Drive, 16gb, E:\4G
Dan\Doc\Word\Diphacinone\72500-9\72500-9, 10-12-2009 app, mar graphics -claims, disp, war, 1-11-2010.doc

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Kaput®-D Pocket Gopher Bait

This product may be used only to control [kill] pocket gophers in manual, below-ground applications.

- Kills Pocket Gophers
- Grain Bait Formula
- Easy Application
- Has an Antidote

Active Ingredient:

Diphacinone (CAS No. 82-66-6)	0.005%
Other Ingredients	99.995%
Total	100.000%

Keep Out of Reach of Children

CAUTION

Harmful if swallowed.

See back panel for First Aid and additional Precautionary Statements

EPA Reg. No. 72500-9

EPA Est. 72500-CQ-1

**ACCEPTED
With COMMENTS
in EPA Letter Dated:**

JAN 11 2010
Under the Federal Insecticide, Fungicide
{1 through 50 lbs.} and Rodenticide Act, As amended, for the
pesticide Registered under EPA Reg. No:



72500-9

[More Than Rodent Management Products]

(Back Panel)

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

First Aid

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.

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.

Note to Physician: This product reduces the clotting ability of the blood and may cause hemorrhaging. If ingested, administer Vitamin K-1 intramuscularly or orally as indicated for bis-hydroxycoumarin overdoses. Vitamin K-1 is antidotal at doses of 10-20 mg total (not mg/kg).

Treatment for Pet Poisoning: If animal eats bait, call a veterinarian at once.

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Note to Veterinarian: Anticoagulant and Diphacinone: For animals ingesting bait and/or showing poisoning signs (bleeding or elevated prothrombin times), give Vitamin K-1 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.

PRECAUTIONARY STATEMENTS
Hazards to Humans and Domestic Animals
CAUTION

Harmful if swallowed or absorbed through skin. Causes moderate eye irritation. Do not get in eyes, on skin or on clothing. Keep away from children, domestic animals and pets.

Personal Protective Equipment (PPE)

All handlers (including applicators) must 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). Any person who retrieves carcasses or unused bait following application of this product must wear gloves.

User Safety Requirements

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables are given, use detergent and hot water. Keep and wash PPE separately from other laundry. Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash hands thoroughly after applying bait and before eating, drinking, chewing gum, using tobacco or using the toilet and change into clean clothing.

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 locations 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, unused, spoiled and unconsumed bait as specified on this label.

Use Restrictions: For control only of Pocket Gophers (*Geomys* sp. and *Thomomys* sp.) in and bordering crops (alfalfa, forage, hay, vegetables and grains); rangeland; orchards; and non-crop areas (forestry, plantations, golf courses, lawns and other turf areas, levee/ditch banks, nurseries, parks and around agricultural buildings). Apply only by the methods of application on this label. 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 above ground; bait must be applied directly into pocket gophers' burrow systems. 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 to select your

region; then select endangered species or ecological services (dependant on the region); next search for the listed species by state or county; 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.

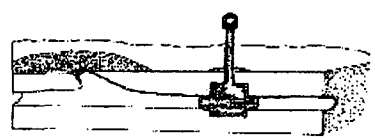
Application Directions:

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. Repeat treatment if fresh mounds appear after 2-3 weeks. {The following graphic is 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 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. {The following graphic is 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 1/2 cup of bait into the gopher burrow. Remove the probe and close the remaining hole by placing a sod plug over it or kicking the opening closed. Treat again if fresh mounds appear after 2-3 weeks.

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. **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:** Nonrefillable container; do not reuse or refill this container. Offer for recycling, if available or reconditioning, if appropriate; 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).
Batch Code [Lot No.]: {Description of where lot number is located}

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

