

72500-11

12/17/2008

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



OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

December 17, 2008

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

Decision #
402589

Attention: Ms. Kim Davis

Subject Kaput® Field Rodent Bait B
EPA Reg. No. 72500-11
Label Changes
Your amended application of August 18, 2008

Purpose This submission, as a Non-PRIA Action under sec 3 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), revises your use directions and disposal text for this product.

Labeling The labeling submitted with the above letter is acceptable, provided that you submit one (1) copy of final printed labeling to us, with the following change, before you ship the product.

1. Place a box around your "**First Aid**" section to separate it from other label sections and place that box under the "**PRECAUTIONARY STATEMENTS**" after "**Hazards to Humans and Domestic Animals**" and before the "**Notice to Physician or Veterinarian**" text.
2. Retain the option of "**incineration**" in your "**Container Disposal**" section because "**incineration**" and "**burning**" are not synonymous. "Incineration" is a disposal method of oxidation under controlled conditions; in contrast, "burning" is a disposal method of oxidation under uncontrolled conditions, commonly referred to as "open burning".

- 3. As recommended in Chapter 13 of the Label Review Manual, consider one of the following options in place of a "burning" text:
 - a. Delete the "burning" text.
 - b. Revise to: "Do not burn, unless state and local ordinances allow it.
 - c. In most states, burning is not allowed.
- 4. In the "Directions for Use", change "or in tamper-resistant bait stations" to "or in modified bait stations (inverted "T" with "elbows" or platform station") near each burrow ... ground squirrels. [See more information in "Endangered Species Considerations".]

Existing stocks Forms Stocks of product with existing labels may be used for eighteen (18) months.

Consequence for non-compliance Questions 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.
 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. Minimum Type Sizes for Final Printed Labels

File Location Dan Peacock, Flash Drive, J:\4G Dan\Documents\Word\Diphacin-Imidacloprid\72500-11\72500-11, 9-18-2008 Adm, label, 12-15-2008.doc

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**RESTRICTED USE PESTICIDE
DUE TO HAZARD TO NONTARGET ORGANISMS**
For retail sale to and use only by Certified Applicators or persons under their direct supervision and only for those uses covered by the Certified Applicator's Certificate

Kaput® Field Rodent Bait B

**A Bait Containing a Rodenticide to Kill California Ground Squirrels
and an Insecticide to Aid in the Reduction of Flea Populations on Host Squirrels**

Active Ingredients:

Diphacinone (CAS Number 82-66-6)	0.0025%
Imidacloprid (CAS Number 138261-41-3)	0.0250%
Other Ingredients	99.9725%
Total	100.0000%

Expiration Date
Not for Sale or Use after {insert date one (1)
year after manufacturing date}.

**Keep Out of Reach of Children
CAUTION**

ACCEPTED DEC 17 2008

Harmful if Swallowed
See back panel for First Aid and additional **Precautionary Statements, for the
and Rodenticide and Insecticide registered under:**

EPA Reg. No. 72500-11

EPA Est. 72500-CO-1

Net Weight: 5 [10] [25] [30] lbs **EPA Reg. No. 72500-11**

Scimetrics Ltd. Corporation
New Solutions to Old Problems

{Back Panel}

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.
This label must be in the user's possession at the time of application of this product.

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

Important: Do not expose children, pets or other domestic animals to rodenticides. To help prevent accidents:

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

2. Apply this product only as specified on this label.
3. Post treated areas with warning signs indicating that a combination rodenticide/insecticide has been applied and that the product is hazardous to dogs and other pets. Keep pets and livestock out of treated areas. Isolate treated areas using existing fencing, if present.
4. Dispose of product container, unused, spoiled or unconsumed bait as directed by this label.

Use Restrictions: This product may be used to control California ground squirrels (*Spermophilus beecheyi*) in parks, golf courses, fruit tree orchards (dormant season only), non-crop rights-of-way and other non-crop areas. The insecticide in this product may act systemically to aid in the reduction of fleas that infest California ground squirrels. The types of fleas that might be controlled include, but are not necessarily limited to, *Oropsylla montana* and *Hoplopsyllus anomalus*. Apply this product only at times of year when California ground squirrels are readily accepting grains. Use only for the sites, pests and application methods described on this label.

Do not use this product where nontarget species are likely to be adversely affected by it or where threatened or endangered species potentially at risk from it are present. Do not apply bait over roads, walkways or water.

Do not allow young children, pets, domesticated animals or persons not associated with the bait application to be in areas where the bait is being applied.

Wear gloves when applying bait. With detergent and hot water, wash all utensils used for applying bait. Do not use these utensils for mixing, holding or transferring foods or feeds.

Baiting: Manually scatter ½ cup of bait (approximately 2½ ounces or 70 grams) on ground or in tamper-resistant bait stations near each burrow opening being used by California ground squirrels. Bait spoons, measuring cups or other suitable implements may be used to measure and distribute bait. The area around each burrow over which bait is distributed may be no larger than 50 square feet (e.g. a circular area no more than 8 feet in diameter). Re-apply bait to the same area at intervals of 2 to 3 days for a total of 3 to 4 applications, if ground squirrels remain active and continue to consume bait. A continuous supply of bait is needed for 6 to 12 days to ensure that all squirrels present have opportunity to feed on bait for at least 5 consecutive days. Do not exceed the maximum application rate of ½ cup per burrow for 4 applications.

Surveillance and Follow-Up: Dead ground squirrels should begin to appear in or near treated areas within 4 to 5 days after the first bait application. Visit the application site to monitor the effects of treatment 4 days after the first application and at subsequent intervals of 1 to 2 days. Wearing water-proof gloves, collect and properly dispose of visible carcasses of ground squirrels and other species found in or near treated areas. Dead animals buried on site must be buried a minimum of 18 inches below the ground surface, preferably deeper. Continue to collect and dispose of dead ground squirrels and search for non-target animals for at least 2 weeks after the last bait application, or longer if carcasses are still being found at that time. Carcass collection and burial should be performed in the late afternoon, near sundown, to reduce the potential for nocturnal scavengers or predators to find carcasses on the ground surface. Wear water-proof gloves and use leak-proof plastic bags or other suitable containers for transporting carcasses not buried on site. Where there is a continuous source of reinfestation, establish permanent bait stations and replenish bait as needed.

Storage and Disposal

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

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:** Non-Refillable Container. Do not reuse or refill this container. {Plastic:} Triple rinse (or equivalent) then offer for recycling or reconditioning; or puncture and dispose of in a sanitary landfill; or if allowed by state and local authorities, by burning; if burned, stay out of smoke. {Paper:} Dispose of empty paper box [bag] in a sanitary landfill or if allowed by state and local authorities, by burning; if burned stay out of smoke.

First Aid

Have the product container or label with you when calling a poison control center, doctor or 1-800-222-1222, or going for treatment.

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 the 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.

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

CAUTION: Keep away from humans, domestic animals and pets. Harmful if swallowed because this material may reduce the clotting ability of the blood and cause bleeding. Causes moderate eye irritation. Do not get in eyes or on skin or clothing. Wash arms, hands and face with soap and water after applying and before eating, drinking, chewing gum or using tobacco. Applicators must wear long-sleeved shirt, long pants, socks, shoes and gloves.

Notice to Physician or Veterinarian

This product reduces the clotting ability of the blood and may cause bleeding. If ingested, administer Vitamin K-1 intramuscularly or orally. Repeat as necessary based on monitoring of prothrombin times.

Environmental Hazards

This product is highly toxic to aquatic invertebrates and toxic to mammals and birds. Do not apply this product 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 when disposing of equipment washwaters.

ENDANGERED SPECIES 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. Suggested measures to protect endangered species in your county may exist in an EPA "Interim Measures" pamphlet. You may call the Endangered Species Hotline, 1-800-447-3813, to find out if an "Interim Measures" pamphlet exists for your county and have one sent to you. You may also contact your local county extension office or pesticide state lead agency to determine whether they have imposed any requirements in your area to protect endangered and threatened species.

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In California, obtain a copy of the Interim Measures for your county from the County Commissioner's office or from the following internet site: <http://www.cdpr.ca.gov/docs/es/index/htm>.

Where necessary to protect endangered kangaroo rats, use one of the modified bait stations (inverted "T" with "elbows" or platform station) developed for this purpose in association with the California Department of Food and Agriculture and the California Department of Fish and Game. A publication on those stations is available at the website indicated above.

Notice of Warranty

1. Warranty Disclaimer

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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[] Denotes optional/alternate language

{ } Denotes language that does not appear on the market label