

72500-12

10/30/2008

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



OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

October 30, 2008

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

Decision
388055

5-833675 300
1155

Attention: Ms. Kim Davis

Subject Kaput® -D Burrow Builder Pocket Gopher Bait
EPA Reg. No. 72500-12
Your amended application of August 29, 2007 (received 12, 2007)
Your resubmissions of January 31, July 1, 31, August 1, 4, and 19, 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 Dan Peacock, Flash Drive, J:\4G
Location Dan\Documents\Word\Diphacinone\72500-12\8-29-2007 Amd\72500-12, rev label, EL, 10-30-2008,ver 3.doc

RESTRICTED USE PESTICIDE
Due to Hazard to Nontarget Species
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 Certification.

Kaput[®]-D Burrow Builder Pocket Gopher Bait

Active Ingredient:
Diphacinone: 2-(diphenylacetyl)-1-3-indandione 0.005%
Other Ingredients ~~99.995%~~ 100.000%

ACCEPTED
OCT 30 2008
Under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, for the pesticide registered under:

Keep Out of Reach of Children
CAUTION

Harmful if swallowed.
Read additional precautionary statements on EPA Reg. No. 72500-12

EPA Reg. No. 72500-12 EPA Est. 72500-CO-1

Net Weight: _____ lbs.
{25 or 50 lbs.}

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

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.

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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 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 and other turf areas, level/ditch banks, nurseries, parks and around agricultural buildings). Apply only by method 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. 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

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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: For use in machine applicators using burrow building equipment: Adhere to manufacturer's instructions for the equipment used to apply Kaput bait. Construct artificial burrows at the same depth as existing gopher tunnels, spaced about 20-30 feet apart. Apply at the rate of 6 to 8 lbs of bait per acre. Apply only when soil conditions allow for the formation of good artificial tunnels. Collect and dispose of spilled bait according to this label.

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: Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available; otherwise, dispose of empty container in a sanitary landfill or, if allowed by state and local authorities, by burning; if burned, stay out of smoke.

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.

Lot [Batch] No. _____

Manufactured by:
Scimetrix Ltd. Corporation
New Solutions to Old Problems
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Wellington, CO 80549-1045
(970) 482-1330
mole@scimetrixltd.com

- [] Denotes alternate/optional language
- { } Denotes language which does not appear on the market label