

72500-16

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



OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

February 4, 2010

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

Attention: Ms. Kim Davis

300 5-8 6 3130
1155

Decision #

423834

Subject Kaput® Vole Bait
EPA Reg. No. 72500-16
Labeling Changes
Your amended application of November 6, 2009

Purpose This submission revises the warranty, disposal, and other text on this label, under sec 3 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA).

Label 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 change, before you ship your product.

1. In your "**Storage and Disposal**" section, delete "or, if allowed ... out of smoke). after "by incineration" in both places where the phrase occurs.
2. Under "**Hazards to Humans and Domestic Animals**", add the following paragraph after "shoes and gloves":

USER SAFETY REQUIREMENTS: Follow manufacturer's instructions for cleaning/maintaining personal protective equipment (PPE). If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

**Label-
continued**

3. Place your "**FIRST AID**" and "**Note to Physician or Veterinarian**" texts under "**Hazards to Humans and Domestic Animals**".

4. Revise the "**NOTE TO PHYSICIAN OR VETERINARIAN**" 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.

5. Add the following text as a 2nd Paragraph under "Environmental Hazards"

ENDANGERED SPECIES CONSIDERATIONS: NOTICE: It is a Federal offense to use any pesticide in a manner that results in the death of an endangered species. Use of this product may pose a hazard to endangered or threatened species. Before applying this product, applicators must obtain information regarding the occurrence of endangered species and use limitation for this product.

6. Under "**LIMITATION OF LIABILITY**", delete the 3rd Paragraph ("**USES WITH ... specifically recommended.**") as this product is never tank mixed.

**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); 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 Dan Peacock, Flash Drive, 16gb, E:\4G
Location Dan\Doc\Word\Diphacinone\72500-RA\72500-16, War + Dis + plus other
label changes, 2-4-2010.doc

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{Front Panel}

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®-D Vole Bait

For use in Christmas Tree Farms, Commercial Nurseries, Fruit Tree Orchards (Bearing and Nonbearing),
Nut (Almonds, Filberts/Hazelnuts, Pecans, Walnuts) Orchards and Tree Plantations
to Control Voles (*Microtus* spp.) in Certain States **ACCEPTED**

Grain Bait Formula **With COMMENTS**
In EPA Letter Dated: **FEB 4 2010**

Active Ingredient:	Under the Federal Insecticide, Fungicide
Diphacinone (CAS Number 82-66-6)	and Rodenticide Act, As amended, for the
Other Ingredients	pesticide Registered under EPA Reg. No:
Total	100.000% 72500-16

Keep Out of Reach of Children
CAUTION

See back panel for First Aid and additional Precautionary Statements.

EPA Reg. No. 72500-16 EPA Est. 72500-CO-1

Net Weight: 5 [10] [25] [50] lbs



[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 use precautions.

Fruit Tree Orchards (Bearing and Non-Bearing) for Pine and Meadow Vole Control:

Use Restrictions: For control of pine and meadow voles in pome fruit (apples, pears) and stone fruit (peaches, nectarines) tree orchards in the following states: Connecticut, Georgia, Idaho*, Massachusetts, Michigan*, Missouri, Montana*, North Carolina, New Hampshire, Ohio*, Oregon*, Pennsylvania*, South Carolina, Utah*, Virginia*, Vermont*, Washington* and West Virginia*. *Aerial application is permitted in only these states.

Timing: Apply after fall harvest (including drops), before new spring growth when three consecutive days of rain-free or snow-free weather are expected.

Grazing: Do not graze animals in treated areas.

Hay: Do not use hay cut after application for feed or bedding.

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Bare Ground and Unspecified Sites: Do not apply over bare ground or crops unspecified above.

Application Methods: Apply by hand spot baiting, ground broadcasting and aerial broadcasting (*aerially in only those states specified above).

Pre-Application Directions: Prior to application, examine orchard floor to locate trails and runways systems to be treated.

Application Directions:

Hand Spot Baiting: Place about 1½ ounce of bait in each active hole, trail or runway at each tree site (10 lbs/acre). Cover each bait placement with grass or a shingle, board or other similar covering to avoid exposing bait to non-target organisms.

Ground and Aerial Broadcasting*: For ground application, use a commercially-made seed or fertilizer spreader. Uniformly apply 20 lbs. of bait per acre for Pine Voles and 10 pounds of bait per acre for Meadow Voles. To avoid exposing nontarget organisms, clean up any bait in piles and return bait to application equipment or dispose of as specified under "Pesticide Disposal". *For aerial application in only those states specified above.

Post-Application Directions: If populations are high, make a second application 1-2 months after the first application.

Nut (almonds, filberts/hazelnuts, pecans and walnuts) Orchards for Pine and Meadow Vole Control:

Use Restrictions: For control of pine and meadow voles in nut orchards in the following states: Idaho*, Ohio*, Montana*, Oregon* and Washington*. *Aerial application permitted in these states.

Timing: Apply after fall harvest (including drops), before new spring growth when three consecutive days of rain-free or snow-free weather are expected.

Grazing: Do not graze animals in treated areas.

Hay: Do not use hay cut after application for feed or bedding.

Bare Ground and Unspecified Sites: Do not apply over bare ground or crops unspecified above.

Application Methods: Apply by hand spot baiting, ground broadcasting and aerial broadcasting (*aerially in those states specified above).

Pre-Application Directions: Prior to application, examine orchard floor to locate trails and runways systems to be treated.

Application Directions:

Hand Spot Baiting: Place about 1½ ounce of bait in each active hole, trail or runway at each tree site (10 lbs/acre). Cover each bait placement with grass or a shingle, board or other similar covering to avoid exposing bait to non-target organisms.

Ground and Aerial Broadcasting*: For ground application, use a commercially-made seed or fertilizer spreader. Uniformly apply 20 lbs. of bait per acre for Pine Voles and 10 pounds of bait per acre for Meadow Voles. To avoid exposing nontarget organisms, clean up any bait in piles and return bait to application equipment or dispose of as specified under "Pesticide Disposal". *For aerial application in those states specified above.

Post-Application Directions: If populations are high, make a second application 1-2 months after the first application.

Christmas Tree Farms, Commercial Nurseries and Tree Plantations for Pine and Meadow Vole Control:

Use Restrictions: For control of pine and meadow voles in Christmas tree farms, commercial nurseries and tree plantations in the following states: Georgia, Michigan*, Missouri, North Carolina, South Carolina and Washington*. *Aerial application is permitted in only these states.

Timing: Apply after fall harvest (including drops), before new spring growth when three consecutive days of rain-free or snow-free weather are expected.

Grazing: Do not graze animals in treated areas.

Hay: Do not use hay cut after application for feed or bedding.

Bare Ground and Unspecified Sites: Do not apply over bare ground or crops unspecified above.

Application Methods: Apply by hand spot baiting, ground broadcasting and aerial broadcasting (*aerially in only those states specified above).

Pre-Application Directions: Prior to application, examine orchard floor to locate trails and runways systems to be treated.

Application Directions:

Hand Spot Baiting: Place about 1½ ounce of bait in each active hole, trail or runway at each tree site (10 lbs/acre). Cover each bait placement with grass or a shingle, board or other similar covering to avoid exposing bait to non-target organisms.

Ground and Aerial Broadcasting*: For ground application, use a commercially-made seed or fertilizer spreader. Uniformly apply 20 lbs. of bait per acre for Pine Voles and 10 pounds of bait per acre for Meadow Voles. To avoid exposing nontarget organisms, clean up any bait in piles and return bait to application equipment or dispose of as specified under "Pesticide Disposal". *For aerial application in only those states specified above.

Post-Application Directions: If populations are high, make a second application 1-2 months after the first application.

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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. Store separately from fertilizer and away from products with strong odors to preclude contaminating the bait, thus reducing acceptability. Sweep up any spillage and dispose of according to "Pesticide Disposal" directions below. **Pesticide Disposal:** Wastes resulting from the use of this product may be disposed of at an approved waste disposal facility. **Container Disposal:** Non-refillable container; do not reuse or refill this container. **{Plastic:}** 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). **{Paper:}** Offer for recycling, if available; otherwise, dispose of empty box [bag] 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 Number]: {Description of where lot number is located.}

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 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.

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.

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

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

Environmental Hazards

This product is toxic to mammals and birds. 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 this product 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.

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

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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.

Manufactured by:

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New Solutions to Old Problems
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[] Denotes optional/alternate language

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