

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

April 11, 2008

Innolytics, LLC
P.O. Box 675935
Rancho Santa Fe, CA 92067

Subject: OvoControl-P
EPA Reg. No. 80224-1
Application for Amended Registration
Your Application Dated May 21, 2007
Revised Label Submitted January 25, 2008

Dear Mr. Wolf,

The label referred to above, submitted in connection with the registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, is acceptable, with the following changes:

1. In the Restricted Use Pesticide block revise "Due to Potential Risk to Nontarget Species" to read to read: "Due to Reproductive Risk in Avian Species".
2. Revise the heading General Information to read Information.
3. Under the heading Use Restrictions add "Not for use in Guam, American Samoa, Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands."
4. Under the headings Non-target Species and Application Rate and Directions revise "With the exception of other pest birds, do not apply if non-target feeding persists and/or cannot be prevented" to read "Do not apply if non-target feeding persists and/or cannot be prevented."
5. Under the heading Application Rate and Directions revise "No excess bait may remain after feeding" to read "Remove any excess bait remaining after feeding."
6. Under the heading DISCLAIMER OF WARRANTIES revise the first sentence to read "To the extent consistent with applicable law, Innolytics makes no other warranties..."

A stamped copy is enclosed for your records. Please submit one copy of the final revised printed label before releasing the product for shipment.

Sincerely,

A handwritten signature in cursive script that reads "Joanne S. Edwards". The signature is written in black ink and is positioned to the right of the word "Sincerely,".

Joanne S. Edwards, Entomologist
Insecticide-Rodenticide Branch
Registration Division (7505C)



Innolytics, LLC
The Humane Hatch Control Company

ACCEPTED
with COMMENTS
in EPA Letter Dated:
4-11-08
Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
as amended, for the pesticide
registered under EPA Reg. No.
80224-1

OvoControl® P

Ready-to-Use Bait

FOR USE IN REDUCING EGG HATCH IN PIGEONS
(Columba livia, Rock Dove, Feral Pigeon)

Restricted Use Pesticide
Due to Potential Risk to Non-target 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 Applicators' certification.

ACTIVE INGREDIENT

Nicarbazin.....	0.5%
OTHER INGREDIENTS.....	99.5%
TOTAL.....	100.0%

KEEP OUT OF REACH OF CHILDREN
CAUTION

PRECAUCION: Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle.

Precautionary Statements

Hazards to Humans and Domestic Animals:

CAUTION: Causes moderate eye irritation. Remove and wash contaminated clothing before reuse. Avoid contact with eyes or clothing. Wear protective eyewear. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum or using tobacco. Wear: Long sleeved shirt and long pants, socks, shoes and gloves.

First Aid

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.	
Note to Physician: Treat symptomatically.	

Label ver: 01232008a

4/6
Manufactured by: Innolytics, LLC., P.O. Box 675935, Rancho Santa Fe, CA 92067

EPA Reg. No: 80224-1

EPA Est. No.: 001990-MS-001

Net Weight: 30 pounds (13.61 kgs)

For Technical Support and Information Call: 858.759.8012

Important!

Read This Entire Label Before Using This Product: Replace label in pouch and reseal after reading.

Environmental Hazards

Do not apply 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 wash water or rinsate.

General Information

OvoControl P is a ready-to-use bait designed for administration only to pigeons only in urban areas. In order to achieve efficacy, OvoControl P must be fed daily during the nesting period and consistently consumed by the pigeons. OvoControl P reduces egg hatchability and functions as an aid in an integrated pigeon management program. Pigeons fed OvoControl P according to label directions may continue to lay eggs, although the hatch rate will be reduced.

This product will reduce egg hatchability and adversely affect other aspects of reproduction in all avian species.

Training Requirements

OvoControl P is a restricted use pesticide. All applicators require the appropriate restricted use applicators state license for use of this product.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

Use Restrictions

This product is a restricted use pesticide for use only in pigeon management programs. Only certified applicators or persons under their direct supervision may apply the product.

The use of OvoControl P is limited to sites only in urban areas such as buildings, office parks, malls, institutions (e.g., hospitals), bridges, airports, tunnels, commercial and industrial sites.

Other use restrictions include the following:

- Applicators must ensure that children and pets do not come in contact with the bait.
- Do not apply within 20 feet of any body of water, including lakes, ponds or rivers.
- May only be applied to rooftops or other flat paved or concrete surfaces only in urban areas.

Additional Requirements for use in Hawaii

- ✓ Prior to application, applicator must contact the Department of Land and Natural Resources and obtain a Wildlife Control Permit if one is required.
- ✓ Do not apply in areas where nene goose (*Nesochen sandvicensis*), Hawaiian coot (*Fulica alai*), Hawaiian moorhen (*Gallinula chloropus sandvicensis*) and Hawaiian duck (*Anas wyvilliana*) are known to occupy or graze.
- ✓ Users must notify the Pesticides Branch of the State of Hawaii Department of Agriculture, in writing prior to use. Two weeks advance notice must be given to allow time for consultation with Hawaii Department of Land and Natural Resources and the U.S. Fish and Wildlife Service.

Application Rate and Directions

Depending on the climatic zone and habitat, pigeons nest seasonally or year-round. Begin baiting prior to breeding and nesting in your area. Pigeons must be acclimated to the baiting program. Acclimation is a process whereby OvoControl P is applied by the intended method of application each day at approximately the same time to train the pigeons to consume the bait. Pigeons are fully acclimated when they return to the same site each day for bait. The acclimation period can last from five (5) to fourteen (14) days, depending on site characteristics and pigeon behavior.

Begin by applying a small quantity of bait (1 ounce/30birds) and confirm by visual observation that the pigeons eat it and that non-targets are not feeding on it. With the exception of other pest birds, do not apply if non-target feeding persists and/or cannot be prevented. Whole kernel corn may be mixed into the bait, broadcast or applied in bait pans to help attract apprehensive pigeons. Each day, gradually increase the amount of bait applied up to a maximum of 1 ounce per 5 pigeons per day. No excess bait may remain after feeding.

The recommended application rate is based on a daily flock count, which must be performed just prior to the intended time of application. If pigeons cannot be acclimated to the feeding program within 14 days, discontinue treatment at that particular site.

Apply OvoControl P to pigeons during the early morning on flat rooftops in close proximity to the location where they are known to roost or loaf. If a flat rooftop is not available, identify a suitable flat paved or concrete surface consistent with use restrictions.

If rain is a factor in the area, locate baiting area under partial cover or canopy. Do not apply bait to areas where water may accumulate. Do not apply bait to standing water.

Feeding must continue DAILY through the entire nesting period, which can last all year. By the end of the acclimation period, the daily dose (based on flock size) must be entirely consumed within one (1) hour of application. If uneaten bait remains after one (1) hour of application, cease treatment and remove uneaten bait. Following the acclimation period, population estimates and observations for presence of non-targets must be made weekly. The amount of bait applied must be increased or decreased according to the number of pigeons at the site.

Example Dosage Calculation:

Estimated pigeon population x 0.2 ounces (5 grams) OvoControl P = Amount of OvoControl P to be applied daily.

For example,

- 2 ounces of bait = 10 pigeons
- 8 ounces of bait = 40 pigeons
- 1 pound of bait = 80 pigeons
- 5 pounds of bait = 400 pigeons
- 10 pounds of bait = 800 pigeons
- 30 pounds of bait = 2,400 pigeons

Pigeons have a social order and baiting strategy must accommodate their behavior. Bait must be distributed to allow all birds opportunity to consume the bait. Depending on the site characteristics and number of pigeons, bait may be applied either with bait pans or broadcast as follows,

1) Bait Pans

Bait pans are appropriate for smaller sites with less than 50 birds. Use bait pans, trays or bowls made of durable plastic or metal, perforated to allow drainage. Use a sufficient number of trays and place them in a manner to accommodate all pigeons and to ensure that each pigeon has the opportunity to consume bait. For optimal consumption, the placement of the bait pans can be adjusted daily, based on the prior day bait consumption, until the applicator believes the pigeons have the best opportunity to feed.

2) Broadcast Application

a. Hand broadcast

Bait must be broadcast directly on a rooftop or, if not available, a suitable flat paved or concrete surface. Choose secured areas with limited public access. Broadcast bait in small, localized areas (up to a 20 ft radius) to accommodate feeding by pigeons. Broadcast application must allow all pigeons sufficient access to the bait for consumption.

b. Mechanical feeders

For pigeon populations larger than 50 birds, mechanical feeders may be used. Adjust feeders to limit broadcast radius up to 20 ft. Use multiple baiting sites to ensure that all the pigeons have the opportunity to consume the bait. Broadcast bait in areas where pigeons typically feed.

Mechanical feeders may only be used on rooftops in urban areas. If a suitable rooftop is not available, use of mechanical feeders is limited to flat paved or concrete surfaces in secured areas of commercial and industrial sites.

Follow the operating instructions on the mechanical feeder to ensure that the appropriate application rate is being dispensed on a daily basis.

Non-target Species

Do not apply more OvoControl P than the pigeons will eat in a single feeding, as this may result in non-target species' exposure to leftover bait. Do not apply in urban areas where the product may be consumed by federally listed Threatened and Endangered birds. Daily observations for non-target species must be conducted for the entire five (5) to fourteen (14) day acclimation period after feeding begins and once weekly thereafter until feeding ends. For all observation periods, the applicator must remain on site until the bait is entirely consumed.

With the exception of other pest birds, do not apply if non-target feeding persists and/or cannot be prevented. It is a violation of state and federal law to intentionally feed treated bait to non-target species, including protected species.

IMPORTANT: READ BEFORE USE

Read the entire **Directions for Use, Conditions, Disclaimer of Warranties and Limitations of Liability** before using this product. If terms are not acceptable, return the unopened bag at once.

By using this product, user or buyer accepts the following Conditions, Disclaimer of Warranties and Limitations of Liability.

CONDITIONS: The directions for use of this product are believed to be adequate and must be followed carefully. However, it is impossible to eliminate all the risks associated with the use of this product. Lack of performance, inefficacy or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or the manner of use or application, all of which are beyond the control of Innolytics, LLC ("Innolytics"). All such risk shall be assumed by the user or buyer.

DISCLAIMER OF WARRANTIES: INNOLYTICS MAKES NO OTHER WARRANTIES, EXPRESS OR IMPLIED, OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE OR OTHERWISE, THAT EXTEND BEYOND THE STATEMENTS MADE ON THIS LABEL. No agent of Innolytics is authorized to make any warranties beyond those contained herein or to modify the warranties contained herein. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, INNOLYTICS, THE MANUFACTURER, OR THE SELLER SHALL NOT BE LIABLE WHATSOEVER FOR ANY CONSEQUENTIAL, SPECIAL, OR INCIDENTAL DAMAGES RESULTING FROM THE USE, HANDLING, APPLICATION, STORAGE OR DISPOSAL OF THIS PRODUCT OR FOR DAMAGES IN THE NATURE OF PENALTIES, AND THE BUYER AND THE USER WAIVE ANY RIGHT THAT THEY MAY HAVE TO SUCH DAMAGES.

LIMITATIONS OF LIABILITY: TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE EXCLUSIVE REMEDY OF THE USER OR BUYER FOR ANY AND ALL LOSSES, INJURIES OR DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, WHETHER IN CONTRACT, WARRANTY, TORT, NEGLIGENCE, STRICT LIABILITY OR OTHERWISE SHALL NOT EXCEED THE PURCHASE PRICE PAID, OR AT INNOLYTICS' ELECTION, THE REPLACEMENT OF THE PRODUCT.

Storage and Disposal

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

Pesticide Storage: Store at or below room temperature. Store bait in a DRY location, free of other pests.

Pesticide Disposal: Wastes resulting from the use of this product must be disposed of at an approved waste disposal facility.

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. Keep unused bait dry.