

80224-1

3/18/2010

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460-0001

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Erick Wolf
Innolytics, LCC
PO Box 675935
Rancho Santa Fe, CA 92067

MAR 18 2010

Subject: Reclassification of Nicarbazin for Pigeons
OvoControl-P
EPA Reg. No. 80224-1
Your Application Dated March 23, 2009

Dear Mr. Wolf:

The Agency has decided to reclassify OvoControl-P and thus is removing the Restricted Use designation. The condition of the reclassification is that Innolytics maintain a Stewardship Program which is available to EPA and State Lead Agencies upon request and which may be subject to future revisions if we deem necessary. At this time the Stewardship Program that you submitted on March 17, 2010 is acceptable.

The label submitted in connection with the reclassification is acceptable. A stamped copy is enclosed for your records. Please submit one copy of the final printed label before releasing the product for shipment.

If you have any questions regarding this correspondence, please contact Joanne Edwards at (703) 305-6736.

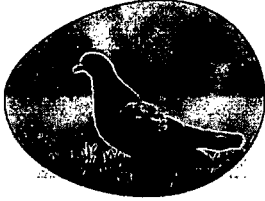
Sincerely yours,

A handwritten signature in black ink, appearing to read "Meredith F. Laws".

Meredith F. Laws, Chief
Insecticide-Rodenticide Branch
Registration Division (7504P)

Cc State Lead Agencies, EPA Regions

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Innolytics, LLC
The Humane Hatch Control Company

ACCEPTED
MAR 18 2010
Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
as amended, for the pesticide
Registered under
EPA Reg. 80224-1

OvoControl® P
Ready-to-Use Bait
(EPA Reg No: 80224-1)

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

ACTIVE INGREDIENT

Nicarbazin..... 0.5%

INERT 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	<ul style="list-style-type: none"> • 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: 03.17.2010B

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

EPA Reg. No: 80224-1

EPA Est. No.: 009811-ID-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.

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.

DIRECTIONS FOR USE

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

Use Restrictions

- OvoControl P may only be used in urban areas. Specific use sites include office parks, malls, institutions (e.g., hospitals and schools), bridges, airports, and other commercial and industrial buildings or structures.
- OvoControl P may only be applied to rooftops or other flat paved or concrete surfaces. Use only in secured areas with limited public access.
- 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.
- Not for use in Guam, American Samoa, Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands.
- See additional restrictions under Non-target Species.

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 conditioned to the baiting program. Conditioning 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 conditioned when they return to the same site each day for bait. The conditioning period can last from five (5) to fourteen (14) days, depending on site characteristics and pigeon behavior. If pigeons cannot be conditioned to the feeding program within 14 days, discontinue treatment at that site.

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. 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. Remove any excess bait after feeding.

Depending on site characteristics and conditions, the applicator may choose to pre-bait the birds. Apply 0.5lb to 1.0lb of whole corn or other grain daily to condition the birds to the feeding site and baiting routine. Follow up in 7-10 days to evaluate the baiting area. If pre-bait is consumed consistently, gradually transition the birds from the pre-bait to OvoControl. Follow the directions for conditioning birds to ensure pigeons are consuming the bait.

Apply OvoControl P to pigeons in urban areas 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 appropriate for the application of OvoControl P. Choose secured areas with limited public access.

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 conditioning period, the daily dose (based on flock size) must be entirely consumed within one (1) hour of application. After one hour, remove any uneaten bait. The daily amount of bait applied must be increased or decreased according to the number of pigeons at the site.

The application rate is based on a daily flock count, which must be performed just prior to the intended time of application.

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 best 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

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 a broadcast radius of no more than 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.

Follow the operating instructions on the mechanical feeder to set the correct application rate.

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 conditioning period after feeding begins.

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: TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, 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.