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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

March 28, 2008

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

Subject: OvoControl-G
EPA Reg. No. 80224-5
Application for Amended Registration
Your Application Dated September 7, 2007

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. For Canada geese, the federal migratory bird permit is required. Add the following language:

Federal Migratory Bird Permit Requirement

The federal Migratory Bird Treaty Act protects Canada geese. Landowners or wildlife management agencies seeking to control resident Canada geese using Ovocontrol G must contact the USFWS Migratory Bird Permit Office responsible for the region where the geese are located for a federal permit before the bait is dispensed. Permit application forms and contact information are available at <http://www.fws.gov/forms/3-200-13.pdf>.

Once it has been determined that no additional permits (e.g., for take of T&E species) will be required, allow 60 days of processing of a complete application. The permit applicant must also identify the Certified Applicator who will apply the bait.

The use of OvoControl G in non-native hybrid, domestic and Muscovy ducks does NOT require a federal permit. Contact your State or local authorities for permitting requirements.

2. Under the heading NonTarget Wildlife Species at the end of the second paragraph, add the sentence "Applicator must remain on site to monitor nontarget feeding".
3. Under the heading Acclimation Period, revise the last paragraph to read "It generally takes five (5) to fourteen (14) days for the geese to be acclimated. To achieve efficacy, the bait must be consistently consumed daily at the one ounce rate for at least five days before the onset of egg-laying. If geese cannot be acclimated within two weeks, discontinue use."
4. Under the heading Application Rate and Directions-Resident Canada Geese, at the end of the second paragraph add the sentence "If uneaten bait is found at the site for five consecutive days any time after treatment begins, discontinue use."
5. Under the heading Application Rate and Directions-domestic mallard ducks, domestic Muscovy ducks and domestic hybrids thereof, delete the entire paragraph beginning "Bait must be broadcast directly on the ground..."
6. Under the heading Application Rate and Directions-domestic mallard ducks, domestic Muscovy ducks and domestic hybrids thereof, revise the first three paragraphs to read:

Acclimation

Ducks must become accustomed and habituated to the bait and the delivery procedure. Bait must be applied by the intended method of application (see methods listed above) each day at approximately the same time to train the ducks to consume bait. Apply OvoControl at daybreak in close proximity to the location where they are known to feed. Begin by applying a small quantity of bait (1/8 ounce (3 grams)/bird) and confirm the ducks eat it. Gradually increase the amount of bait applied until it reaches 1 ounce (25 grams)/bird each day. Reduce the application rate for smaller, non-native hybrid or domestic ducks. If uneaten bait remains after 30 minutes of application, clean up and remove bait. Adjust bait quantity appropriately for the next application.

Treatment Period

Once the ducks are acclimated to the baiting program, the application rate is based on a daily flock count, which must be performed just prior to the intended time of application. The bait must be consumed within 30 minutes of application and uneaten bait removed. Feeding must continue DAILY. If uneaten bait is found at the site for five consecutive days any time after treatment begins, discontinue use.

7. Per your recent notification to the Agency, under the heading Use restrictions, add the sentence "In Florida, unless approved through consultation with U.S. Fish and Wildlife Services, do not use this product in areas where the Florida scrub jay is known to occur."

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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,

Joanne S. Edwards

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

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Restricted Use Pesticide
Due to Reproductive Risk in Avian 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.



OvoControl® G
 Ready-to-Use Bait

ACCEPTED
with COMMENTS
In EPA Letter Dated:
 3/28/08
 Under the Federal Insecticide,
 Fungicide, and Rodenticide Act,
 as amended, for the pesticide
 registered under EPA Reg. No.
 80224-5

FOR USE IN REDUCING EGG HATCH IN CANADA GEESE
AND DOMESTIC MALLARD DUCKS, DOMESTIC MUSCOVY DUCKS AND
DOMESTIC HYBRIDS THEREOF

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 | <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.: 02062008E

OvoControl® is a registered trademark of Innolytics, LLC, Rancho Santa Fe, CA 92067

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

EPA Reg. No. 80224-5
EPA Est. No. 001990-MS-001

Net Weight: 20 pounds (9.072 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 apply within 20 feet of water, including lakes, ponds or rivers. Do not contaminate water when disposing of equipment wash water or rinsate.

Application Information

OvoControl G is a ready-to-use bait for administration to resident Canada geese, domestic mallard ducks, domestic Muscovy ducks and domestic hybrids thereof only in urban areas. In order to achieve efficacy, OvoControl G must be fed daily and consistently consumed by the geese or ducks. OvoControl G reduces egg hatchability and functions as an aid in an integrated resident goose or duck management program. Geese or ducks fed OvoControl G according to label directions may continue to lay eggs, although the hatch rate will be reduced.

Domestic mallard ducks are those that are readily distinguishable from wild mallards. Domestic Muscovy ducks are those that occur outside Cameron, Hidalgo, Starr and Zapata counties in Texas. OvoControl may not be administered to non-domestic ducks or hybrids of domestic ducks and non-domestic ducks.

This product will reduce egg hatchability and adversely affect other aspects of reproduction in all avian species. The applicator must follow label instructions to minimize the potential for non-target wildlife species to feed on bait.

DIRECTIONS FOR USE

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

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Use Restrictions

This product is a restricted use pesticide. Only certified applicators or persons under their direct supervision may apply this product.

The use of OvoControl G is limited to sites in urban areas, such as office parks, recreational parks, airports, golf courses, schools, hospitals, restaurants, and commercial/industrial sites. The exception is that it may be used at land airports in rural areas, if the airport holds FAA certifications under 14 Code of the Federal Regulations 139.101 and a wildlife hazard management plan under 14 Code of Federal Regulations 139.337.

OvoControl G may not be used in Hawaii, Guam, American Samoa, Northern Mariana Islands, Puerto Rico or the U.S. Virgin Islands.

Federal Migratory Bird Permit Requirement

The use of OvoControl G in resident Canada geese, domestic mallard ducks, domestic Muscovy ducks and domestic hybrids thereof does not require a federal permit.

Contact your state or local authorities for permitting requirements for resident Canada geese.

Non-Target Wildlife Species

Do not apply bait at sites where non-target wildlife is observed feeding on OvoControl G.

In the event that non-target birds are present, use harassment techniques to remove them from the immediate baiting area. Harassment can include noise, threatening motions, hand held lasers or any other hazing method which makes the baiting site less attractive to the non-targets. If non-target birds persist in the baiting area, change baiting strategy – time of day, location or application method. Alternatively, feed non-targets with blank bait in a separate area.

If non-target wildlife species persist and/or cannot be prevented, delay further treatment until local wildlife authorities can determine if unacceptable risks exist to non-target wildlife species. It may be a violation of state and federal law to feed treated bait to protected non-target wildlife species.

Application Rate and Directions – Resident Canada Geese

Egg laying in Canada geese is activated by a combination of daylight and weather conditions. Canada geese typically lay eggs beginning in March or early April depending on locality. Consult with your local state wildlife agency, USDA/APHIS/Wildlife Services, or U.S. Fish and Wildlife Service for the goose nesting season in your area.

Baiting must continue DAILY throughout the entire nesting period, which lasts from 8 to 10 weeks.

Acclimation Period

Acclimation is a process whereby OvoControl G is applied by the intended method of application each day at approximately the same time to train the geese to consume the bait. Geese are fully acclimated when they return to the site the same time each day to obtain the bait.

Begin by administering OvoControl G by the intended method of application each day at approximately the same time to get the geese accustomed to the bait and the delivery procedure. Apply in close proximity to the location where geese are known to feed. The best time to bait is at daybreak.

Start with a small quantity of bait (1/8 ounce per bird). Each day, gradually increase the amount of bait until it reaches 1 ounce per bird/day. The total amount of bait administered is based on the daily flock count, which is to be performed by the applicator just prior to administration.

The applicator must remain on site and allow up to thirty minutes for feeding by the geese. Remove any uneaten bait.

It generally takes from five (5) to fourteen (14) days for geese to become acclimated. If geese cannot become acclimated within two weeks, discontinue use.

Treatment Period

Once the geese are acclimated to the baiting program, increase or decrease bait quantity on a daily basis according to the number of geese counted at the site just prior to baiting. Three methods of application are permitted: bait pans, hand broadcast and mechanical feeders. Regardless of the method chosen for bait administration, the applicator must allow up to thirty minutes for feeding, and then remove any uneaten bait. Baiting continues until the end of the breeding season.

Example Dosage Calculation:

Estimated goose population x 1 ounce (25 grams) OvoControl G = Amount of OvoControl G to be applied daily.

For example,

0.5 pound of bait = 8 geese
 1 pound of bait = 16 geese
 2.5 pounds of bait = 40 geese
 10 pounds of bait = 160 geese

Methods of Bait Delivery

1) Bait Pans

Use bait pans, trays or bowls made of durable plastic or metal. Use a sufficient number of trays and place them in a manner to accommodate all geese and to ensure that each goose has the opportunity to consume bait.

2) Broadcast Application

a. Hand broadcast

Broadcast bait directly on the ground in small-localized areas (up to a 20 ft radius) to accommodate feeding by multiple pairs of geese. Broadcast application will allow all geese sufficient access to the bait for consumption. Application to grass must be made in grass that is typically mowed to increase access to the bait.

b. Mechanical feeders

For sites larger than one (1) acre, mechanical feeders available through Innolytics may be used. Mechanical feeders must be attended and triggered by the applicator daily. Adjust feeders to limit broadcast radius to 20 ft. Use multiple baiting sites to ensure that all the geese have the opportunity to consume the bait. Application to grass must be made in grass that is typically mowed to increase access to the bait.

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

Application Rate and Directions - *domestic mallard ducks, domestic Muscovy ducks and domestic hybrids thereof*

Ducks must become accustomed and habituated to the bait and the delivery procedure. Bait must be applied by the intended method of application each day at approximately the same time to train the ducks to consume bait. Apply OvoControl at daybreak in close proximity to the location where they are known to feed.

Begin by applying a small quantity of bait (1/8 ounce (3 grams)/bird) and confirm the ducks eat it. Gradually increase the amount of bait applied until it reaches 1 ounce (25 grams)/bird each day. Reduce the application rate for smaller, non-native hybrid or domestic ducks. If uneaten bait remains after 30 minutes of application, clean up and remove bait. Adjust bait quantity appropriately for the next application.

The application rate is based on a daily flock count, which must be performed just prior to the intended time of application. The bait must be consumed within 30 minutes of application and uneaten bait removed. If ducks cannot be habituated to the feeding program within 14 days, discontinue treatment at that particular site. Feeding must continue DAILY.

Example Dosage Calculations

OvoControl acts by interfering with the development of eggs. Muscovy ducks weigh approximately 10lbs each and can lay eggs year round, therefore begin baiting at any time.

Estimated duck population x 1 ounce (25 grams) OvoControl = Amount of OvoControl to be applied daily.

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0.25 pound of bait = 4 ducks
0.5 pound of bait = 8 ducks
1 pound of bait = 16 ducks
10 pounds of bait = 160 ducks

Bait must be broadcast directly on the ground in small-localized areas (up to a 20 ft radius) to accommodate feeding by all ducks. Broadcast application will allow all ducks sufficient access to the bait for consumption. Broadcast bait in areas where ducks typically feed. Application to grass must be made in grass that is typically mowed to increase access to the bait.

The application rate is 1 ounce (25 grams) per duck. For ducks weighing less than 5 pounds, reduce amount to ½ ounce per duck.

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 on site or 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.