



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

November 22, 2021

Sherman Takatori
Program Manager, Pesticide Services
Idaho State Department of Agriculture
2270 Old Penitentiary Road,
Boise, Idaho 83712

Subject: FIFRA 24(c) Registration –SLN Amendment Acknowledgment Letter
SLN Registration Number: ID-220002
EPA Decision Number: 578337
SLN Expiration Date: 12/31/2025
Parent EPA Reg. No.: 56228-63
Product Name: Compound DRC-1339 Concentrate- Bird Control

Dear Mr. Takatori:

This letter acknowledges receipt of an amendment for the above-listed Special Local Need (SLN) registration pursuant to Section 24(c) of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended. The original SLN registration permits use of Compound DRC-1339 Concentrate – Bird Control (DRC-1339; 3-chloro-p-toluidine hydrochloride) to control European Starlings in Idaho. You indicated that the requirements and limitations imposed on pesticide products containing Compound DRC-1339 Concentrate – Bird Control were updated. Therefore, revisions were made to the 24(c) label, and thus a need for this SLN amendment. All other aspects remain the same.

The Agency has completed a review of the amendment of this use and acknowledges the State's Special Local Need registration, as amended. Please inform the registrant that we have placed a copy of the amended SLN label in our files. If you have any questions, please contact Maya Wheeler by phone at (202) 566-2957 or via email at wheeler.maya.b@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric W. Bohnenblust", is located below the "Sincerely," text.

Eric W. Bohnenblust, Ph. D., Chief
Minor Use and Emergency Response Branch
Registration Division
Office of Pesticide Programs

CC: Chad Schulze, USEPA Region 10 Coordinator
Derrick Terada, USEPA Region 10 Tribal Coordinator

RESTRICTED USE PESTICIDE

DUE TO HIGH ACUTE INHALATION TOXICITY AND EYE AND SKIN CORROSIVENESS TO HUMANS;
HIGH ACUTE TOXICITY TO NONTARGET BIRDS AND AQUATIC INVERTEBRATES;
AND THE NEED FOR HIGHLY SPECIALIZED APPLICATOR TRAINING.

For retail sale and transfer to, and use only by, certified applicators who are USDA APHIS personnel trained in bird control or by persons under their direct supervision.

FIFRA SECTION 24(c) SPECIAL LOCAL NEED LABEL

FOR DISTRIBUTION AND USE ONLY WITHIN IDAHO

This product may only be used for the control of European starling (*Sturnus vulgaris*) in non-crop staging areas and commercial animal operations from October through April.

This label is valid until December 31, 2026 or until otherwise amended, withdrawn, canceled or suspended.

COMPOUND DRC-1339 CONCENTRATE – BIRD CONTROL – ID

EPA Reg. No. 56228-63

EPA SLN No. ID-220002

ACTIVE INGREDIENT:

DRC-1339; 3-chloro-p-toluidine hydrochloride:97.0%

OTHER INGREDIENTS:3.0%

TOTAL:100.0%

KEEP OUT OF REACH OF CHILDREN

ANGER-PELIGRO
POISON



ENDANGERED SPECIES CONSIDERATIONS

- Before undertaking any control operations with the product, consult with local, State, and Federal Wildlife authorities to ensure the use of this product presents no hazard to any Threatened or Endangered Species.
- **DO NOT** apply in areas where toxic baits may be consumed by Threatened or Endangered Species unless special precautions are taken to limit such exposures. Such precautions shall include observation of baited sites and hazing tactics to frighten away Threatened or Endangered species that otherwise might feed upon baits. The Threatened and Endangered species potentially at risk from use of this product are listed below.

THREATENED AND ENDANGERED SPECIES:

- Bull Trout (*Salvelinus confluentus*)
- Canada Lynx (*Lynx canadensis*)
- Grizzly bear (*Ursus arctos horribilis*)
- Northern Idaho Ground Squirrel (*Urocitellus brunneus*)
- Southern Mountain Caribou DPS (*Tangifer tarandus ssp. caribou*)
- White sturgeon (*Acipenser transmontanus*)
- Woodland Caribou (*Rangifer tarandus caribou*)
- Yellow-billed cuckoo (*Coccyzus americanus*)

DIRECTIONS FOR USE

For use of this product under this SLN follow all applicable directions, restrictions, and precautions for use of Compound DRC-1339 Concentrate – Bird Control, EPA Reg. No. 56228-63, on this SLN label and the EPA registered label. **It is a violation of Federal law to use this product in a manner inconsistent with its labeling.**

READ THIS LABEL: Read this entire label and the label for EPA Registration Number 56228-63. This product must be used strictly in accordance with this label's precautionary statements and use directions on both labels, as well as with all applicable State and Federal laws and regulations.

This state-specific Section 24(c) labeling and the Section 3 labeling for EPA Reg. No. 56228-63 must be in possession of the user at the time of pesticide application.

Before using this product, contact the U.S. Fish and Wildlife Service and the applicable State wildlife agency and obtain all kill or collecting permits. Use only for the sites, pests, and application methods described on this label.

USE RESTRICTIONS

- **FOR USE ONLY IN IDAHO.** For retail sale and transfer to, and use only by, certified applicators who are USDA APHIS personnel trained in bird control or by persons under their direct supervision.
- **Toxic baits prepared with Compound DRC-1339 Concentrate – Bird Control – ID may only be used to control European starling (*Sturnus vulgaris*) from October through April at bait sites in and around, but no further than 100 yards (91 m) distance from staging areas and commercial animal operations.**
- **DO NOT exceed a maximum single application rate of 0.1 lbs of active ingredient (DRC-1339) per acre (0.11 kg DRC-1339 per hectare) or a maximum yearly application rate of 0.5 lb of active ingredient per acre (0.56 kg DRC-1339 per hectare).**

- See **BAIT PREPARATION** for bait-specific mixing directions, the percent (%) DRC-1339 in undiluted toxic bait, and bait dilution requirements.
- The maximum application rates of diluted toxic bait can be calculated as follows:

Maximum lbs/acre per application = $(0.1 \times D)/C$

Maximum lbs/acre per year = $(0.5 \times D)/C$

where:

D = dilution factor (e.g., D = 5 for bait dilutions of 1:5, D = 1 for undiluted toxic bait)

C = proportion of DRC-1339 in undiluted toxic bait (i.e., equal to (% DRC-1339 in undiluted toxic bait)/100)

- **DO NOT** graze livestock or plant any rotational crop in treated non-crop areas or in crop areas that may have been contaminated by toxic bait spilled from bait application containers for one year (365 days) following the last application of bait made from this product.
- **DO NOT** apply toxic baits within 50 feet (15.2 m) of permanent manmade or natural bodies of water.
- **DO NOT** apply toxic baits made from this product by air or by using any procedures not prescribed on this label.
- **DO NOT** store toxic baits in locations accessible to children, pets, domestic animals, or nontarget wildlife.
- Prior to application, and during the time between the conclusion of application and the disposal of unconsumed toxic baits, **DO NOT** temporarily place toxic baits in locations accessible to children, pets, domestic animals, or nontarget wildlife. Follow the directions in **ENTRY RESTRICTIONS** to avoid exposure to children, pets, or domestic animals during application. Follow the directions in **PRETREATMENT OBSERVATIONS** to mitigate exposure to nontarget wildlife during application.
- **DO NOT** apply toxic baits in a way that will contact workers or other persons.
- **DO NOT** use toxic baits as food or feed.
- **DO NOT** apply this product in any way that could contaminate human food or animal feed.
- **DO NOT** use bait materials that resemble human foods in any sites that are accessible to children.
- Before toxic baits made from this product are applied, sites that are to be treated **must be observed** for evidence of nontarget activity and **must be prebaited** (see specific instructions for these activities under **PREBAITING**).
- **DO NOT** apply toxic baits in locations where nontoxic prebait has not been accepted well by target species or where nontarget wildlife have been observed to feed on prebait.
- **DO NOT** apply in areas where toxic baits may be consumed by Threatened and Endangered Species unless special precautions are taken to limit such exposures. See **ENDANGERED SPECIES CONSIDERATIONS**.

For Staging Areas:

- **DO NOT** graze animals on treated areas for 365 days following the last toxic bait application.
- **DO NOT** apply toxic baits in any way that could contaminate food or feed crops, or that would allow bait to be consumed by livestock.
- **DO NOT** apply toxic baits to orchards
- **Rotational Crop (Plantback) Restrictions:** After the last application of toxic bait, the plantback intervals are: rice, wheat, corn, and barley (15 days); sunflower and soybeans (30 days); and other crops (365 days).

For Commercial Animal Operations:

- **DO NOT** place bait in pens that are occupied by livestock, poultry, game birds, or furbearers.

DIRECTIONS FOR USE, continued

ENTRY RESTRICTIONS

Keep pets and livestock, and persons other than authorized handlers away from the bait at all times, and exclude all unauthorized persons from application sites during prebaiting, application, and posttreatment clean-up.

PRETREATMENT OBSERVATIONS

Prior to application of toxic bait, the applicator or land manager must carefully observe and document the habits of target birds to:

- (1) determine their relative numbers,
- (2) locate preferred feeding sites that can be baited in accordance with this label,
- (3) determine the optimum time of day for applying bait, and
- (4) evaluate the potential for hazards of the application to nontarget and protected species.

BAIT MATERIALS

To target European starling (*Sturnus vulgaris*), Compound DRC-1339 Concentrate – Bird Control – ID can be used to make ground bakery, confectionary, snack, and cereal/granola waste mixture baits following the instructions indicated on this label under **BAIT PREPARATION**.

PREBAITING

- Prebaiting with nontoxic bait material of the same type to be used for toxic baiting is required.
- After daily activity patterns of target species have been noted and the appropriate baiting location has been selected, apply the prebait using the same application method that is to be used for toxic baiting (see **APPLICATION DIRECTIONS**).
- Expose the prebait for 3-7 days or until the prebait is generally well accepted.
- Change prebaiting locations and nontoxic bait material if necessary to achieve good acceptance by target species or if nontarget species have been observed eating the prebait.
- **DO NOT** apply toxic bait at sites where the prebait has not been well accepted by target species or where nontarget species have been observed eating the prebait.

BAIT PREPARATION

Toxic baits made with Compound DRC-1339 Concentrate – Bird Control – ID must be prepared as specified in Table 1.

NOTE: During bait preparation, wear all PPE as listed under **PERSONAL PROTECTIVE EQUIPMENT** on the label for EPA Reg. No. 56228-63.

Place toxic bait into a container marked "**POISON**." Immediately use toxic bait that has been exposed to sunlight or heat in excess of 110 °F (43 °C) following preparation, or dispose of as directed under **STORAGE AND DISPOSAL** on the label for EPA Reg. No. 56228-63. Use toxic bait within the shelf life time period shown in Table 1, or dispose of as directed under **STORAGE AND DISPOSAL** on the label for EPA Reg. No. 56228-63.

TABLE 1

Bait Material	Bait Mixing Instructions	Amount of DRC-1339 in Toxic Bait	Shelf Life
Ground Bakery, Confectionary, Snack, and Cereal/Granola Waste Mixture	<ol style="list-style-type: none">1. Screen bait material to remove small particles and dust.2. Dissolve 3.2 oz (92 g) of Compound DRC-1339 Concentrate in 13.5-20.3 fl oz (400-600 ml) of warm potable water at 110 °F (43 °C).3. Binding agents such as lecithin oils, latexes, or polyvinyl acetates, or corn starch may be used to enhance retention and reduce losses due to moisture. Add up to 1 fl oz (30 ml) of a binding agent, if needed.4. Pour the solution or cornstarch mixture over 10 lbs (4.5 kg) of bait material, and mix or tumble slowly until mixture appears evenly distributed.5. Air dry at ambient temperature if necessary.6. Dilution requirement: Dilute toxic bait 1:10 or more with the same nontoxic bait material.	2.0%	Use toxic bait within 7 days

DIRECTIONS FOR USE, continued

APPLICATION DIRECTIONS

For use only at use sites and with the bait application methods listed in Table 2.

NOTE: During toxic bait application, wear all PPE as listed under **PERSONAL PROTECTIVE EQUIPMENT** on the label for EPA Reg. No. 56228-63. Use a scoop or other appropriate utensil when applying toxic bait.

TABLE 2

Use Site	Baiting Instructions
<p>Staging areas: For the purposes of this label, staging areas are defined as non-crop areas where target birds gather to feed, loaf, or roost.</p> <p>Examples of staging areas are stubble fields, harvested dormant hay fields, open grassy or bare-ground noncrop areas, non-crop borders of crop areas, roads, roadsides, paved or concrete surfaces, secured parking areas, rooftops, power utilities, airports, dumps, landfills, and other industrial and commercial structures or sites.</p>	<p>Retrievable Feeding Stations, Bait Stations, or Trays:</p> <ul style="list-style-type: none">Place bait in one or more retrievable feeding stations, bait stations, or trays at locations within staging areas that appear most likely to selectively attract target species. When practical, use stations/trays that minimize consumption or access by nontarget species.When practical, observe bait throughout the day.Replace toxic bait if $\geq 75\%$ of the applied bait has been consumed, if more than 0.4 inches (1 cm) of precipitation has fallen, or after 7 days of exposure to birds to toxic bait.Do not replenish toxic bait if target species are no longer present or are no longer feeding on bait. <p>Hand Broadcast:</p> <ul style="list-style-type: none">Use a scoop or other utensil to hand broadcast at a rate suitable for the level of target bird pressure, but not exceeding the maximum application rate limits specified under USE RESTRICTIONS.Apply bait to (alternate) swaths 20-50 feet (6.1-15.2 m) wide that are spaced at least one swath width apart.When practical, observe bait throughout the day.Re-treat the same swath or bait previously untreated swaths if $\geq 75\%$ of the applied bait has been consumed, if more than 0.4 inches (1 cm) of precipitation has fallen, or after 7 days of exposure to birds to toxic bait.Do not replenish toxic bait if target species are no longer present or are no longer feeding on bait.
<p>Commercial Animal Operations: For purposes of this label, commercial animal operations are defined as areas where cattle, swine, sheep, goats, poultry, game birds, or furbearers are confined primarily for the purpose of production for commercial markets. Fenced pastures and other areas where one or few animals are kept or tethered are not considered to be commercial animal operations.</p>	<p>Retrievable Feeding Stations, Bait Stations, or Trays:</p> <ul style="list-style-type: none">On the perimeter of the lot OUTSIDE of the pen areas, in alleyways, or in unoccupied pens, place bait in one or more retrievable feeding stations, bait stations, or trays before target birds arrive in the morning. When practical, use stations/trays that minimize consumption or access by nontarget species.Unoccupied pens can be baited ONLY by using retrievable feeding stations, bait stations, or trays or other physical barriers that prevent bait from contacting the soil and facilitate cleanup of unconsumed toxic bait.When practical, observe bait throughout the day. <p>Manual Baiting:</p> <ul style="list-style-type: none">On the perimeter of the lot OUTSIDE of the pen areas and/or in alleyways, using a scoop or other appropriate utensil, manually scatter bait thinly and uniformly over dry or frozen areas before target birds arrive in the morning.When practical, observe bait throughout the day.

POSTTREATMENT CLEAN-UP

NOTE: During clean-up, wear all PPE as listed under **PERSONAL PROTECTIVE EQUIPMENT** on the label for EPA Reg. No. 56228-63. To further reduce the potential for exposure, use appropriate implements such as scoops or other tools to collect carcasses or uneaten toxic bait.

TOXIC BAIT CLEAN-UP:

- The applicator must remove all unconsumed, regurgitated, or spilled toxic bait according to the directions for bait retrieval in Table 2.
- Use shovels, scoops or other tools to collect uneaten toxic bait. If baits have broken down or are otherwise difficult to retrieve in their entirety, bury via manual methods (e.g., shoveling under) to a minimum depth of 2 inches (5.08 cm), as appropriate.
- Dispose of collected, unused, and outdated toxic bait according to instructions under **STORAGE AND DISPOSAL** on the label for EPA Reg. No. 56228-63.

CARCASS CLEAN-UP:

- Within 72 hours after each toxic bait application, the applicator or land manager will search treated areas and other locations frequented by target birds, and remove all dying birds and carcasses found. Repeat carcass searches at 1-3 day intervals as long as bait is exposed and likely to remain toxic.
- Dispose of all carcasses in accordance with applicable Federal, State, and local laws and regulations. Carcass collections should not be made in areas where human entry would adversely affect nontarget species and their breeding efforts, unless the carcasses themselves also pose risks to nontarget species.

24(c) Registrant:

U.S. Department of Agriculture
Animal and Plant Health Inspection Service
4700 River Road, Unit 149
Riverdale, MD 20737

Local Contact:

Idaho Wildlife Services State Director
USDA APHIS Wildlife Services
9134 W. Blackeagle Drive
Boise, ID 83709