



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

OFFICE OF CHEMICAL, SAFETY
AND POLLUTION PREVENTION

APR 23 2013

Rose Kachadoorian
Oregon Department of Agriculture
635 Capitol St. NE
Salem, OR 97301

Subject: EPA SLN # OR-130002
Submission Date: March 14, 2013

Dear Ms. Kachadoorian:

This will acknowledge receipt of the above notification of a registration pursuant to section 24(c) of the Federal Insecticide, Fungicide, and Rodenticide Act, as follows:

SLN #:	OR-130002
Parent Product:	Zinc Phosphide Concentrate
EPA Reg. #:	56228-6
24(c) Registrant:	APHIS
Site:	Alfalfa
Pest:	Belding's ground squirrels
Expiration Date:	December 31, 2013

A review of this label indicates it is acceptable. Please inform the registrant that we have placed the label for this product in our files. If you have any questions, please contact Gene Benbow at (703) 347-0235 or via email at benbow.gene@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "John Hebert", is written over a large, stylized circular flourish.

John Hebert
Product Manager (07)
Insecticide-Rodenticide Branch
Registration Division (7505P)

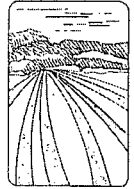


Oregon

John A. Kitzhaber, MD, Governor

Department of Agriculture

635 Capitol St NE
Salem, OR 97301-2532



March 14, 2013

Document Processing Desk (SLN)
Office of Pesticide Programs – 7504P
U.S. Environmental Protection Agency
200 Pennsylvania Ave. NW
Washington, D.C. 20460-0001

RE: Revised Label
USDA APHIS / Zinc Phosphide Concentrate
EPA Reg. No. 56228-6, OR-130002
Pest/Crop – Beldings Ground Squirrel Control in Alfalfa
Use - Harney County in Oregon only
Expiration Date – December 31, 2013

On February 15, 2013 the Oregon Department of Agriculture (ODA) granted SLN OR-130002, a registration under FIFRA Section 24(c), to allow for the use of Zinc Phosphide Concentrate to control Beldings Ground Squirrels in alfalfa in one county (Harney) in eastern Oregon.

During an ODA grower training specifically focused on use under OR-130002, the growers expressed confusion regarding the following restriction on the SLN label (statement was copied directly from the Section 3 label).

- Collect and bury spilled or unused bait and observed animal carcasses within 3 days after bait application. All applicators and any person who retrieves carcasses and unused bait must wear gloves.

To clarify the label, ODA developed the following replacement label language with the assistance of USDA-APHIS and Bill Jacobs-EPA.

- Do not bait unoccupied, inactive, or dormant burrows. Follow the directions for use regarding pre-baiting.
- Collect any spilled bait, and bury any spilled or unused bait.
- Any uneaten bait that has not decomposed three days after baiting must be collected and buried, unless the field is irrigated (overhead irrigation) within that time. Irrigation should accelerate the decaying of treated cabbage leaves and the deactivation of zinc phosphide.
- All applicators and other persons who retrieve carcasses, spilled bait or uneaten bait must wear water-resistant gloves

Also, under PRE-BAITING DIRECTIONS the following sentences were added:

- Do not apply toxic bait at burrow openings where prebait has not been consumed.
- Do not shred cabbage.

In addition since specific instructions for bait preparation were provided, it was confusing to also have the following paragraph below on the label, and therefore it was removed:

Bait materials resembling human foods must be altered in form by cubing, crushing, balling or pelletizing so that they are not readily recognizable as human food. Prepare bait so that it is of a type, size and form that is likely to be accepted well by target species and not especially attractive to nontarget species.

If you have any questions, please do not hesitate to contact me.

Thank you.

Sincerely,



Rose Kachadoorian
Natural Resource Specialist 4
Pesticide Registration/ Certification and Licensing Leader
Endangered Species Specialist
Pesticides Program
Oregon Department of Agriculture
635 Capitol St. NE, Salem, OR 97301
503/986-4651 Phone, 503/986-4735 Fax
Email: rkachadoorian@oda.state.or.us
Web Page: <http://oregon.gov/ODA/PEST/>

RESTRICTED USE PESTICIDE
DUE TO ACUTE ORAL, DERMAL AND INHALATION HAZARDS TO HUMANS
AND HAZARDS TO NONTARGET 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.

FIFRA Section 24c Special Local Need Label
 FOR DISTRIBUTION AND USE ONLY WITHIN
 HARNEY COUNTY OREGON

**This label is valid until December 31, 2013 or until otherwise amended,
 withdrawn, cancelled, or suspended.**

This product may only be used to control Belding's ground squirrels
 in alfalfa using cabbage bait.

ZINC PHOSPHIDE CONCENTRATE
 EPA Reg. No. 56228-6
 SLN OR-130002

ACTIVE INGREDIENT	
Zinc Phosphide	63.2%
OTHER INGREDIENTS	36.8%
TOTAL	100.0%

KEEP OUT OF REACH OF CHILDREN
DANGER-PELIGRO
POISON



THIS LABEL AND THE FEDERAL LABEL MUST BE IN POSSESSION OF THE USER AT THE TIME OF PESTICIDE APPLICATION. READ THE ENTIRE LABEL AND THE ENTIRE MAIN FEDERAL LABEL (ZINC PHOSPHIDE CONCENTRATE, EPA Reg. No. 56228-6). FOLLOW ALL APPLICABLE DIRECTIONS, RESTRICTIONS AND PRECAUTIONS FOUND ON BOTH LABELS.

DIRECTIONS FOR USE

It is a violation of Federal Law to use this product in a manner inconsistent with its labeling. Do not apply to any site, against any pest, by any method of application or timing not stated on this label.

Users are advised that the Migratory Bird Treaty Act makes it unlawful to kill any migratory bird except as permitted by regulation. Any bird deaths caused by application of this pesticide is a violation of both state and federal law. In North America, all birds are considered migratory except for upland game birds (e.g. grouse, ptarmigans, prairie-chickens, quail, ring-necked pheasant and wild turkey) and introduced bird species (e.g. European starling, house sparrow, and rock dove). Refer to full product label for Endangered Species Considerations.

READ THIS LABEL: Read this entire label and the label for Zinc Phosphide Concentrate (EPA Registration Number 56228-6). This product must be used strictly in accordance with the precautionary statements and applicable use directions on both labels, as well as with all applicable State and Federal laws and regulations.

Before using this product, contact the U.S. Fish and Wildlife Service and the applicable State wildlife agency and obtain all necessary kill or collecting permits.

PRE-BAITING DIRECTIONS:

Pre-baiting is necessary. Only use cabbage as the pre-bait and bait. Prebaiting with untreated cabbage of the type to be used for toxic baiting may lead to more consistent acceptance of the toxic bait. Prebait should be applied, at rates identical to toxic baiting, beginning 2 to 3 days before toxic baits are to be used. Do not apply toxic bait at burrow openings where prebait has not been consumed.

To prepare prebait: Cut cabbage into 3- to 6-inch (7.62 – 15.24 cm) lengths. Drain fluids or juices from cabbage. Do not shred cabbage. Place 10 pounds (4.54 kg) of cut-up cabbage in a 5-gallon (0.019 m³) container. Mix cabbage with vegetable oil (use same type as you will when making toxic bait) at a rate of 1 ounce of oil per 10 pounds of cabbage. Tumble or stir mixture until oil is evenly mixed with bait.

MIXING DIRECTIONS- TOXIC BAIT

Wear required PPE (see main label for list) when mixing/holding bait, and applying bait. Due to compaction of the concentrate, shake the cans before opening them. To minimize exposure to any airborne dust, do not open can until product has settled.

To prepare toxic bait: Cut cabbage into 3- to 6-inch (7.62 – 15.24 cm) lengths. Mix cabbage with vegetable oil at a rate of 1 ounce of oil per 10 pounds (4.54 kg) of cabbage. Add 1.14 ounces (40 grams) of **Zinc Phosphide Concentrate** to mixture and blend thoroughly by manual stirring or by use of a mechanical tumbling type mixer. Continue mixing until cabbage, oil, and concentrate are evenly mixed.

APPLICATION DIRECTIONS:

Spot Baiting: Scatter 0.05 ounces (10 grams) of treated cabbage leaves around active burrow entrances. Do not broadcast treated cabbage. Apply bait at a rate up to 10 pounds (4.54 kg) per acre. A second application may be made after 10 days. A maximum of 20 pounds (9.08 kg) bait per acre may be applied per year.

Timing: All applications must occur between dormancy and prior to new growth attaining a length of 2 inches (January – approximately March). Male ground squirrels usually emerge prior to female ground squirrels. It is suggested that applications take place in the morning, so hungry emerging ground squirrels can quickly take treated bait into their burrows. This will minimize the potential for non-target exposure.

ADDITIONAL RESTRICTIONS

- Do not apply this product to alfalfa within 30 days of harvest. Do not use in alfalfa pasture. Do not allow domestic animals to graze treated fields.
- If you observe nontarget species, including geese or other migratory birds, or migratory animals routinely present in fields, or feeding on prebait, choose another baiting location, and do not treat the field.
- In a situation where migratory birds are unexpectedly in the field that you intend to treat, haze* the geese in field and do not treat until you are assured that the birds will not return.
- Monitoring of fields to be treated and treated fields for non-target species is required. If geese or other migratory birds enter the field post-treatment, hazing* is required.
- If nearby fields have been burned or damaged, pay extra attention. Animals might visit your alfalfa fields that have not done so in the past.
- If non-target birds/animals are observed feeding on the non-treated pre-bait, do not apply toxic bait.
- Do not apply this product by air.
- Do not allow hunting in treated fields during application period.
- Do not bait unoccupied, inactive, or dormant burrows. Follow the directions for use regarding pre-baiting.
- Collect any spilled bait, and bury any spilled or unused bait.
- Any uneaten bait that has not decomposed three days after baiting must be collected and buried, unless the field is irrigated (overhead irrigation) within that time. Irrigation should accelerate the decaying of treated cabbage leaves and the deactivation of zinc phosphide.
- All applicators and other persons who retrieve carcasses, spilled bait or uneaten bait must wear water-resistant gloves
- For use in Harney County, Oregon Only
- * Contact your local fish and wildlife office to determine if hazing permits are required.

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STORAGE AND DISPOSAL:

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

STORAGE: Store only in original container, in a dry place inaccessible to children, pets, and domestic animals.

PESTICIDE DISPOSAL: Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide, spilled bait, or rinsate is a violation of Federal law. If these wastes cannot be disposed of according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

CONTAINER DISPOSAL: Nonrefillable container. Do not reuse or refill this container.

Outer Packaging: Outer Packaging for this product is secondary packaging containing non water-soluble plastic bags. Thoroughly rinse any soluble powder residue from outer packaging jar into application equipment; then offer for recycling if available or dispose of in a sanitary landfill.

Non water-soluble plastic bags: Completely empty plastic bags into application equipment ensure that all product is removed from the bag and then offer for recycling if available or dispose of in a sanitary landfill.

EPA SLN NUMBER OR-130002

24(c) Registrant:

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

Local Contact:

Oregon Wildlife Services State Director
USDA APHIS
6135 NE. 80th, Suite A8
Portland, OR 97218

Batch Code No.: _____