



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

OFFICE OF CHEMICAL, SAFETY
AND POLLUTION PREVENTION

AUG - 8 2012

DECISION MEMORANDUM

SUBJECT: Approval of Revised Label for Rozol Prairie Dog Bait (EPA Reg. No. 7173-286)

FROM: Lois Rossi, Director
Registration Division

TO: Steven Bradbury, PhD., Director
Office of Pesticide Programs

This memorandum recommends that you concur on the approval of the revised label for Rozol Prairie Dog Bait (EPA Reg. No. 7173-286), an end-use product containing the active ingredient chlorophacinone. On April 10, 2012, EPA received the *Final Biological Opinion For Rozol Use on Black-tailed Prairie Dogs Registered Under Section 3 of the Federal Insecticide, Fungicide and Rodenticide Act* from FWS. The Final Biological Opinion reached the conclusion, predicated on the implementation of certain conservation measures, that use of Rozol Prairie Dog bait is not likely to jeopardize the continued existence of species listed under the Endangered Species Act. The proposed label submitted by Liphatech will implement the conservation measures and Reasonable and Prudent Measures specified in the Biological Opinion.

COMMENTS

Five comments were submitted to the docket during the 30 day comment period:

1. Two comments were submitted by private citizens (North Dakota ranchers) that support the label amendment and continued registration of the product.
2. The North Dakota Stockmen's Association commented that "ranchers need effective management tools.....Rozol is one of the most effective tools for controlling prairie dog populations." The only labeling comment the Association had was that they want EPA to consider adding mechanical application to the label as an acceptable method of application.
3. Although the Fish and Wildlife Service completed the final B.O. for this product, they chose to comment on the resulting label. FWS recommended that the carcass search language be modified to prohibit burial in inactive burrows. They also want the label to reference guidance on the line-transect carcass search methodology. RD believes that the carcass search language should not be revised. This issue was not discussed by FWS during the development of the B. O. Regarding the guidance for line-transect searches, FWS, EPA and Liphatech are currently working together to develop the line-transect

methodology. This methodology will be included in the product stewardship plan and applicator training that are required by the B. O.

4. The North Dakota Department of Agriculture (NDDA) commented on the reporting requirements in the "Follow-up" section of the label. The Department questioned the enforceability of the language. However, as this label language was negotiated as a conservation measure between FWS, Liphatech and EPA, RD recommends that it not be changed. NDDA also had comments on rephrasing and reformatting the label for enhanced clarity. RD agrees that these suggestions provide better wording and will revise the label as follows:
 - a. Use Restriction 7 is revised to read: "Do not use any other rodenticide containing an anticoagulant (diphacinone) in prairie dog towns during the treatment period allowed on this label.
 - b. The "Follow-up" section of the label has been reorganized and reformatted to better separate the carcass, post application language from the reporting requirements.

RECOMMENDATION

I recommend for the approval of the revised label for Rozol Prairie Dog Bait, under FIFRA Section 3(c).

Concur: _____

Steven Bradbury, PhD., Director
Office of Pesticide Programs

Nonconcur: _____

Steven Bradbury, PhD., Director
Office of Pesticide Programs