

United States Department of Agriculture  
Animal and Plant Health Inspection Service  
**Wildlife Services Directive**

WS 2.415  
January 25, 2024

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**M-44 USE AND RESTRICTIONS**

**1. PURPOSE**

To establish guidelines for the use of the M-44 Cyanide Capsules and ejector devices by WS personnel.

**2. REPLACEMENT HIGHLIGHTS**

This Directive revises WS Directive 2.415 dated 5/14/2020.

**3. AUTHORITY**

- a. 7 U.S.C. §§ 8351 to 8353, and 16 U.S.C. § 667, authorize officers, agents, and employees of the United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Wildlife Services (WS) to conduct a program of wildlife services and to enter into agreements with states, local jurisdictions, individuals, and public and private agencies, organizations, and institutions for the purpose of conducting such services.
- b. Authority to promulgate a policy addressing employee responsibilities is pursuant to U.S. Department of Agriculture (USDA) Departmental Regulation 4070-735-001, dated October 2007.

**4. POLICY**

- a. M-44 Cyanide Capsules (EPA Registration No. 56228-15) and M-44 ejector devices may only be used for control of coyotes, red and gray foxes, and wild or feral dogs that are vectors of communicable diseases or suspected of preying upon livestock, poultry, or federally designated threatened and endangered (T/E) species. M-44 Cyanide Capsules must be used in accordance with the U.S. Environmental Protection Agency (EPA) pesticide label including the 27 Use Restrictions (revised 8/23/2023), this Directive, and the Wildlife Services Implementation Guidelines (IG) (Attachment 1). Applicators must comply with all label requirements, including those related to Personal Protection Equipment (PPE).

- b. When setting M-44 Cyanide Capsules and ejector devices, applicators must have in their possession the EPA label with the 27 Use Restrictions (URs) (revised 8/23/2023).
- c. The color of M-44 Cyanide Capsules marker particles shall indicate whether the applicator is APHIS WS or a non-APHIS applicator using an individual state's registration. M-44 Cyanide Capsules (EPA Registration No. 56228-15) containing blaze-orange marker particles are for WS official use only. WS is not authorized to use M-44 Cyanide Capsules labeled with an individual state's registration and containing light yellow marker particles.
- d. All M-44 ejector devices used by WS personnel must be stamped, marked, or engraved with "U.S. Gov't" or "Property of U.S."
- e. All M-44 Cyanide Capsules applicators must physically inventory capsules under their control at least quarterly during the year using the Controlled Material Inventory Tracking System (CMITS).
- f. Supervisors must review inventory records for accuracy at least annually during yearly field inspections and physical inventory. For inventory purposes, only intact capsules that contain sodium cyanide will be reported as part of the available inventory.
- g. In the event of a toxic or adverse incident, WS personnel must follow EPA's adverse incident reporting requirements specified in 40 CFR § 159.184. Suspected adverse incidents must be reported to WS Operational Support Staff (OSS) using WS Form 160. For reportable incidents, the State Director of the state where the incident occurred, or their delegate, must ensure WS Form 160 is completed accurately and submitted to the [WS.FIFRA6a2@usda.gov](mailto:WS.FIFRA6a2@usda.gov) mailbox. The Regional Director will refer all incidents to the WS OSS Director (or their designated delegate to the WS Pesticide Coordination Sub-committee).
- h. In addition, Wildlife Services applicators must immediately notify the appropriate State and Regional Director of any adverse incident involving: i) any toxic or adverse human effect to WS personnel, cooperators, or the public caused by the use, storage, or disposal of sodium cyanide; or, ii) any adverse incident involving a non-target domestic animal or any mammal or bird listed as Threatened and Endangered under the Endangered Species Act or covered by the Migratory Bird Treaty Act. The Regional Director will immediately refer all incidents to the WS OSS Director (or their designated delegate to the Pesticide Coordination Sub-committee).
- i. WS provides additional instruction on complying with the 27 Use Restrictions in the Wildlife Services Implementation Guidelines (IG) (Attachment 1).

## 5. SCOPE

This Directive is applicable to all WS personnel.

## 6. REFERENCES

- a. WS Directive 2.401, Pesticide Use (12/08/09)
- b. WS Directive 2.201, WS Decision Model (07/15/14)
- c. Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA; 7 U.S.C. 136 et seq., as amended), Section 6(a)(2). 40 CFR § 159.184 - Toxic or Adverse Effect Incident Reports (a)(1)(i) through (iii).
- d. WS Guidance for Reporting Adverse Effects under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (10/04/18)
- e. WS Forms 160 and 160A, B, and C, 6(a)(2) Adverse Effects Incident Information Report
- f. WS (USDA-APHIS-Wildlife Services). 2019. Human Health and Ecological Risk Assessment for the Use of Wildlife Damage Management Methods by APHIS-Wildlife Services. Chapter VII: The Use of Sodium Cyanide in Wildlife Damage Management. USDA-APHIS-Wildlife Services. October 2019. 49pp.

## 7. ATTACHMENTS

Attachment (1): APHIS Wildlife Services Implementation Guidelines for the 27 Use Restrictions for M-44 Cyanide Capsules. August 23, 2023.

Deputy Administrator  
Janet L. Bucknall

**Attachment 1**  
**APHIS Wildlife Services Implementation Guidelines for the 27 Use**  
**Restrictions for M-44 Cyanide Capsules**

**EPA Registration No. 56228-15**

Revised: August 23, 2023

Note to Applicators: Although these guidelines contain verbiage from the Environmental Protection Agency (EPA)-approved label's 27 Use Restrictions for M-44 Cyanide Capsules, possession of this document in the field does not fulfill label requirements to possess the full EPA-approved label on the capsules, which includes the 27 use restrictions, with you in the field.

| <b>EPA Use Restrictions (as written on Label)</b>   | <b>WS Implementation Guideline</b>  |
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| <p><b>1. Use of the M-44 device must conform to all applicable Federal, State, and local laws and regulations.</b></p>  | <p>State Directors are responsible for ensuring that employees under their supervision are fully aware of all relevant federal, state, and local laws and regulations, and individual M-44 Cyanide Capsules applicators are responsible for complying with these laws and regulations. Applicable laws will vary from state to state, as well as within states. WS M-44 Cyanide Capsules applicators are subject to inspection by EPA or state regulatory enforcement officials to ensure compliance with applicable laws and regulations.</p> <p>State Directors and subordinate supervisors must ensure that all M-44 Cyanide Capsules use by personnel under their jurisdiction complies with the National Environmental Policy Act (NEPA), the Endangered Species Act, and applicable documents and decisions, agreements, and federal agency work plans.</p> |
| <p><b>2. Applicators must be subject to such other regulations and restrictions as may be prescribed from time-to-time by the U.S. Environmental Protection Agency (EPA).</b></p> | <p>Additional regulations and restrictions prescribed by EPA will be provided by the WS Operational Support Staff through normal supervisory channels. Each State Director is responsible to ensure that all M-44 Cyanide Capsules applicators in the state under their supervision are properly trained and individual M-44 Cyanide Capsules applicators are responsible for complying with all Federal and State regulations regarding M-44 Cyanide Capsules use.</p>   |

| EPA Use Restrictions (as written on Label)  | WS Implementation Guideline  |
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| <p><b>3. Each applicator of the M-44 device must be trained in: (1) safe handling of the capsules and device, (2) proper placement of the device, and (3) necessary record keeping.</b></p>   | <p>Applicators of pesticides must be trained and certified by the appropriate state regulatory agency. State regulatory agency training meets WS requirements if it includes specific M-44 Cyanide Capsules requirements regarding use, safety precautions, and record keeping. In those states where generalized pesticide training lacks specific M-44 Cyanide Capsules training, the State Director must supplement the training to meet specific training needs on use, safety precautions, and record keeping requirements.</p> <p>WS State Directors must ensure that all M-44 Cyanide Capsules applicators they supervise are adequately trained and certified as often as the state pesticide agency requires. Supervisors must use the "Annual M-44 Sodium Cyanide Training Certification" form (WS Form 40) to document applicator knowledge during annual field inspections. In addition, supervisors are required to conduct and document at least one annual field inspection per applicator in their use of M-44 Cyanide Capsules (Use Restriction #17).</p> |
| <p><b>4. M-44 devices and sodium cyanide capsules must not be sold or transferred to or entrusted to the care of any person not supervised or monitored by the Animal and Plant Health Inspection Service (APHIS), Wildlife Services (WS) or any agency not working under a WS cooperative agreement.</b></p> | <p>M-44 Cyanide Capsules and ejector devices will be used only by staff under the supervision of the WS State Director who are Certified Applicators, and who have received specific M-44 Cyanide Capsules training as described in Use Restriction #3. Those personnel will transfer M-44 Cyanide Capsules or equipment only to other staff who are certified M-44 Cyanide Capsules applicators. When transfer of M-44 Cyanide Capsules is necessary, the capsules shall be tracked using the WS Controlled Materials Inventory Tracking System (CMITS).</p>  |
| <p><b>5. The M-44 device must only be used to take coyotes (<i>Canis latrans</i>), red foxes (<i>Vulpes vulpes</i>), gray foxes (<i>Urocyon cinereoargenteus</i>), and wild or feral dogs (<i>Canis familiaris</i>): (1) suspected of preying on livestock or poultry; (2) suspected of</b></p>               | <p>M-44 Cyanide Capsules may not be used to protect wildlife other than Federally designated threatened or endangered species. "Livestock or poultry" includes the species listed in "Livestock" and "Commercial Game Animals (Pen-raised)" subcategories of the "Management Information System" (MIS) Resources Protected codes.</p>  |

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| <p><b>preying on Federally designated threatened or endangered species; or (3) that are vectors of a communicable disease.</b></p>   | <p>Use of M-44 Cyanide Capsules to take coyote, red fox, gray fox, and wild or feral dogs (see label and WS Directive 2.340 "Feral, Free Ranging, and Hybrid Dog Damage Management") may be subject to further restrictions by state or local regulations. States can restrict but cannot expand the list of approved target species. Only EPA can designate additional target species.</p>   |
| <p><b>6. The M-44 device must not be used solely to take animals for the value of their fur.</b></p>   | <p>This restriction reinforces long-standing WS policy prohibiting the taking of animals solely for the value of their fur by M-44 Cyanide Capsules or any other method.</p>  |
| <p><b>7. The M-44 device must only be used on or within 7 miles of a ranch unit or allotment where losses due to predation by coyotes, red foxes, gray foxes, or wild or feral dogs are occurring or where losses can be reasonably expected to occur based upon recurrent prior experience of predation on the ranch unit or allotment. Full documentation of livestock depredation, including evidence that such losses were caused by the target species, will be required before applications of the M-44 are undertaken. This use restriction is not applicable when the target species are controlled to protect Federally designated threatened or endangered species or are vectors of a communicable disease.</b></p> | <p>The 7-mile rule applies only to M-44 Cyanide Capsules use for the protection of livestock or poultry. "Recurrent prior experience of predation on the ranch unit or allotment" means a history of predation that has been documented in MIS records. MIS documentation of reported or confirmed livestock or poultry losses, on a MIS Direct Control Work Task or a MIS Technical Assistance Work Task, constitutes "full documentation of livestock depredations, including evidence that losses were caused by wild canids."</p> <p>Personnel will place M-44 Cyanide Capsules only on properties identified in "Work Initiation Document for Wildlife Damage Management" (WS Forms 12A, 12B, and 12C) signed by the property owner, manager, or lessee or in compliance with applicable Memoranda of Understanding with public land management agencies. M-44 Cyanide Capsules use must be specifically authorized through a signed written agreement or through provisions in work plans with cooperating agencies. Each WS pesticide applicator is responsible for determining the boundaries of properties covered by control agreements, and to place M-44 Cyanide Capsules only where authorized by the agreement.</p> |
| <p><b>8. The M-44 device must not be used: (1) on Federal lands set aside for recreational use, (2) in</b></p>   | <p>(1) Use of M-44 Cyanide Capsules is prohibited on federal lands, in areas specifically designated for recreational use. M-44 Cyanide Capsules non-use areas</p>  |

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| <p><b>areas where exposure to the public and family or pets is probable, (3) in prairie dog towns, or (4) in National or State Parks; National or State Monuments; federally designated wilderness areas; and wildlife refuge areas, except that the M-44 device may be used in the areas listed above in (4) only for the protection of Federally designated threatened or endangered species.</b></p> <p><b>To determine whether the applicable land management agency has set aside any area on Federal Lands for recreational use either on a permanent or temporary basis, the APHIS State Director or his/her designated representative who are considering authorizing or are responsible for ongoing use of M-44 capsules on public lands, must contact each applicable land management agency quarterly to determine whether any portions of the projected or current M-44 use areas are, or are to be, set aside for recreational use. Within 30-days of that contact, the APHIS State Director, or his/her designated representative, must provide the applicable land management agency with written documentation specifying the applicable land management agency's determinations of what projected or current M-44 use areas are to be set aside for</b></p> | <p>on public lands will be identified through interagency consultations at the WS State Office or District Office level. These areas are oftentimes specifically identified on public maps; such non-use areas will include beaches, campgrounds, and locations where specific seasonal recreation use occurs.</p> <p>(2) Compliance with this rule requires common sense and good judgment, as well as input from local sources regarding public use and seasonal variations in such use. Regardless of any other consideration, every effort will be made to avoid areas of heavy public use and public exposure.</p> <p>(3) The exclusion of M-44 Cyanide Capsules from prairie dog towns is intended to protect black-footed ferrets.</p> <p>Consultations are not needed for types of lands where M-44 Cyanide Capsules will never be used; see list in Use Restriction #8, item (4). "Wildlife refuge areas" means officially designated Federal or State wildlife refuges or wildlife management areas that are identified by appropriate signs and maps.</p> <p>WS will coordinate quarterly with the land management agency to determine recreational areas where M-44 Cyanide Capsules may not be set. These quarterly contacts can be made through work plan meetings, telephone conversations, in person, or email. Within 30 days after each quarterly contact, WS must provide written documentation of the land management agency's determination of any identified set aside recreation areas (i.e., projected or current areas).</p> <p>Quarterly contacts will also allow for addressing the use of M-44 Cyanide Capsules and unscheduled events that were not planned or discussed during the annual work plan meetings. For WS offices with no plans for use of M-44 Cyanide Capsules on public lands, quarterly contacts are not necessary.</p> <p>Prior to placement of M-44 Cyanide Capsules on any</p> |

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| <p><b>recreational use. For purposes of this Use Restriction, areas set aside for recreational use include areas where and when there are scheduled recreational events, areas identified on maps with “recreation” in the title, areas where developed or known camping occurs, areas near designated or known recreational trail heads and designated or known vehicle access sites.</b></p>  | <p>federal lands, WS must ensure compliance with any Pesticide Use requirements of the land management agency.</p>  |
| <p><b>9. The M-44 devices must only be used in areas where either 1) Federally endangered or threatened species under the Endangered Species Act (“endangered or threatened species”) are not expected to be exposed to the devices or the pesticide contained in the devices, or 2) where site- and/or species-specific measures have been prepared by or in coordination with the U.S. Fish and Wildlife Service (“Service”) that will avoid endangered and threatened species’ exposure to such devices or the pesticide contained in them. At the time of application, each applicator must have in their possession a list of threatened and endangered species (“species list”), not more than 3 months old, from the Service that may be present within the area in which M-44 devices are to be deployed. Species lists and Service points of contact are available through the</b></p> | <p>Personnel will use M-44 Cyanide Capsules in ways that minimize adverse impacts to non-target animals and the environment and will conduct Section 7 consultations with U.S. Fish and Wildlife Service (USFWS), as required.</p> <p>An official species list of threatened and endangered species or experimental populations in the area where M-44 Cyanide Capsules are to be deployed must not be more than 3 months old. The official species list will be obtained by each WS State Director from appropriate USFWS point of contact or from the USFWS Information, Planning and Consultation (IPaC) website (<a href="https://ecos.fws.gov/ipac/">https://ecos.fws.gov/ipac/</a>) for the geographic area in which M-44 Cyanide Capsules are to be set.</p> <p>If the official list of endangered or threatened species capable of triggering the ejector devices or scavenging on carcasses killed by sodium cyanide are shown on the official species list, the WS State Director will obtain written documentation from USFWS of any appropriate site- and/or species-specific measures to avoid exposure prepared by or developed in coordination with the USFWS that is current to the period of application.</p> <p>At the time of application, each M-44 Cyanide Capsules applicator must be in possession of:</p> |



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| <p><b>Information, Planning and Consultation (IPaC) website (<a href="https://ecos.fws.gov/ipac/">https://ecos.fws.gov/ipac/</a>). To procure an official species list, the geographic area in which M-44 devices are to be deployed must be entered into IPaC. Each applicator must ensure that one of the following conditions are met: 1) there are no endangered or threatened species shown on the species list for the area in which M-44 devices are to be deployed that can trigger the device or can scavenge on carcasses impacted by the device; or 2) if endangered and threatened species capable of triggering the device or scavenging on carcasses impacted by the device are shown on the species list, the applicator must also have in their possession written documentation of any appropriate site- and/or species-specific measures that avoid exposure and are prepared by or developed in coordination with the Service.</b></p> | <ol style="list-style-type: none"> <li>1. The official species list (not more than 3 months old) that shows no federally endangered or threatened species capable of triggering the ejector devices or scavenging on carcasses killed by sodium cyanide in the application area; and</li> <li>2. If the official list of federally endangered and threatened species capable of triggering the ejector devices or scavenging on carcasses killed by sodium cyanide are shown on the species list, then applicators must also possess written documentation from USFWS of any appropriate site and/or species-specific measures to avoid exposure prepared by or developed in coordination with the USFWS.</li> </ol> |
| <p><b>10. At least one person within APHIS in addition to the individual applicator must have knowledge of the exact placement of all M-44 devices in the field. This includes initial placement and any subsequent changes of M-44 GPS locations as soon as possible but no later than 14 days. In the case of applications to privately owned land, the applicator must also</b></p>  | <p>Applicators will meet this requirement by providing their supervisors with electronic or hard copies of M-44 Cyanide Capsules with ejector device GPS locations including the initial placement and any subsequent changes as soon as possible, but no later than 14 days after placement. No one in addition to the certified applicator need be present during placement or replacement of M-44 Cyanide Capsules with ejector devices, but at least one person within APHIS, in addition to the individual applicator must have knowledge of the exact placement of all M-44 Cyanide Capsules with ejector devices in the field.</p>  |

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| <p><b>have written permission from the landowner or lessee who has requested M-44 device use prior to their placement. When devices are placed on private land, all residences on the property must be notified of the M-44 device use.</b></p>   | <p>In the case of applications to privately owned land, prior to placing an M-44 Cyanide Capsule with ejector device, the applicator must also have written permission from the landowner, manager or lessee who has requested use of the M-44 ejector device prior to their placement. A Work Initiation Document (WID) that authorizes the use of M-44 Cyanide Capsules and is signed by the cooperator satisfies this requirement. When devices are placed on private land, the applicator must notify all residences on the property of the use of M-44 Cyanide Capsules.</p>   |
| <p><b>11. In areas where more than one governmental agency is authorized to place M-44 devices, the agencies must exchange placement information and other relevant facts to ensure that the maximum number of M-44s allowed is not exceeded.</b></p>   | <p>As a general policy, WS will not use M-44 Cyanide Capsules on any property where persons other than personnel under the direction of the State Director are using them.</p> <p>Each exception to this rule must be authorized in writing by the supervisor or State Director before any M-44 Cyanide Capsules are set. In such exceptional cases where WS and other governmental agencies or private individuals are using M-44 Cyanide Capsules concurrently, personnel will communicate with other users sufficiently to ensure that the maximum number of M-44 Cyanide Capsules placed by all users does not exceed the totals set forth in Use Restrictions #15 and #16.</p> |
| <p><b>12. The M-44 device must not be placed within 200 feet of any nonfrozen lake, stream, or other body of water, provided that natural depression areas which catch and hold rainfall for short periods of time shall not be considered “bodies of water” for purposes of this restriction. M-44 devices may be set within 200 feet of frozen bodies of water only if (i) they are removed before the water body is no longer completely frozen, and</b></p> | <p>Dry irrigation ditches, water troughs, and completely frozen lakes, ponds, and streams are not "bodies of water" for purposes of this Use Restriction.</p> <p>Avoidance of hazard to humans and non-target animals may require at times that M-44 Cyanide Capsules with ejector devices be set more than 200 feet away from water. Wherever uncertainty exists about the suitability of specific placement locations, applicators should consult with their supervisors before placing M-44 Cyanide Capsules. (See Use Restriction #14).</p> <p>This space intentionally left blank.</p>   |

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| <b>(ii) are set at such elevation to prevent inundation in the event of an untimely thaw.</b>   |  |
| <b>13. The M-44 device must not be placed in areas where food crops are planted.</b>  | This use restriction is intended to protect people who work in fields where crops are planted as well as people who consume the food products from the fields. This Use Restriction does not prohibit the placement of M-44 Cyanide Capsules in: (i) areas adjacent to food crop fields; or (ii) in fields where food crops have been completely harvested, provided that M-44 Cyanide Capsules are removed prior to replanting.   |
| <b>14. The M-44 device must not be placed within 300 feet of any designated public road or public pathway.</b>  | Applicators must not set M-44 Cyanide Capsules closer than 300 feet to a designated public road or public pathway. "Public road or public pathway" generally means a road or trail that is designated and identified as such on maps, is open to unrestricted public access and is maintained by a government or public entity. A pickup track or livestock path is not a "designated public road or public pathway" for purposes of this use restriction. Any uncertainty about specific public roads or pathways on public lands should be resolved through informal consultation with local land management agency personnel. Personnel will not place M-44 Cyanide Capsules in any location where exposure to the public and family pets is probable (Use Restriction #8). |
| <b>15. The maximum density of M-44s placed in any 100-acre pasture land areas must not exceed 10; and the density in any 1 square mile of open range shall not exceed 12.</b> | Implementation of Use Restriction #15, on its own and in combination with Use Restriction #16, creates the potential for conflicting standards for the maximum allowable density of M-44 Cyanide Capsules with ejector devices that can be set in an area. To simplify interpretation of Use Restrictions #15 and #16, and ensure compliance with both, Applicators must not set more than 12 M-44 Cyanide Capsules with ejector devices per square mile (640 acres), whether in pasture or open range. Additionally, applicators must not set more than 10 M-44 Cyanide Capsules with ejector devices in any pasture 100 acres in size or smaller.  |

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|  | <p>Applicators should exercise caution when setting M-44 Cyanide Capsules with ejector devices on neighboring pastures, properties, or grazing allotments to ensure that neighboring clusters of M-44 Cyanide Capsules with ejector devices do not exceed these maximum densities when considered as a single area.</p>  |
| <p><b>16. M-44 devices must not be placed within 30 feet of a livestock carcass used as a draw station. No more than four M-44 devices may be placed per draw station and no more than five draw stations may be operated per square mile.</b></p> | <p>Use Restriction #16 allows the placement of up to 5 draw stations per square mile and limits the number of M-44 Cyanide Capsules with ejector devices placed per draw station to 4. Additionally, applicators must not set more than 12 M-44 Cyanide Capsules with ejector devices in a square mile.</p> <p>Implementation of Use Restriction #16, in combination with Use Restriction #15, creates the potential for conflicting standards for the maximum allowable number of M-44 Cyanide Capsules with ejector devices that can be set in an area. To ensure compliance with both, applicators must not set more than 12 M-44 Cyanide Capsules with ejector devices per square mile (640 acres), whether in pasture or open range. Additionally, applicators must not set more than 10 M-44 Cyanide Capsules with ejector devices in any pasture 100 acres in size or smaller.</p> <p>Applicators will not set M-44 Cyanide Capsules with ejector devices within 30 feet of any livestock or other animal carcass with meat or viscera attached, regardless of whether the carcass is intended to be a draw station. Applicators should inspect each application site to ensure that any carcass parts are at least 30 feet from the nearest M-44 ejector device with a Cyanide Capsule. Applicators should take all reasonable precautions, including staking carcasses to the ground, to prevent scavengers from dragging them to within 30 feet of any M-44 ejector devices.</p> |
| <p><b>17. Supervisors of applicators must check the records, warning signs, and M-44 devices of each applicator at least once a year to verify that all applicable laws,</b></p>   | <p>Supervisors of applicators must conduct at least one field inspection annually to ensure records, warning signs, and M-44 Cyanide Capsules and ejector devices are in compliance with all applicable laws, regulations and restrictions. These inspections will be documented</p>   |

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| <p><b>regulations, and restrictions are being strictly followed.</b></p>  | <p>on the "Field Inspection Report" (WS Form 82). Additional field inspections may be conducted as deemed necessary by the supervisor. Supervisors will also complete the "Annual M-44 Sodium Cyanide Training" form (WS Form 40) during annual field inspections to document review of applicator's knowledge of M-44 Cyanide Capsules guidelines and restrictions. Additionally, supervisors will check to ensure that inventory and use records of M-44 Cyanide Capsules are in accordance with the CMITS requirements.</p>   |
| <p><b>18. Each M-44 device must be visually inspected by an applicator or cooperator at least once every week, weather permitting access, to check for interference or unusual conditions; and must be serviced as required, by the applicator.</b></p> | <p>Applicators will record each required M-44 ejector device check on an MIS "Direct Control Work Task" showing the number of M-44 ejector devices checked and fired (including 0 if none were fired). M-44 ejector devices may be checked by cooperating ranchers. Cooperator checks will be limited to visual inspection to determine if M-44 ejector devices have been disturbed or pulled, followed by verbal report to the applicator who will submit appropriate MIS documentation. Cooperators may not reset or handle the M-44 ejector devices and they should not disturb any animal taken with M-44 Cyanide Capsules.</p> <p>Each required check prevented by adverse weather or for any other reason should be documented specifically for each property or agreement in MIS.</p> |
| <p><b>19. Damaged or nonfunctional M-44 devices must be removed from the field.</b></p>   | <p>Applicators must not discard damaged or unserviceable M-44 ejector devices (ejector, capsule holder, and/or tube) in the field, and should remove or replace damaged M-44 ejector devices with working ones as appropriate. Removal or replacement of damaged or nonfunctional M-44 ejector devices requires no special documentation beyond routine reporting in an MIS Direct Control Work Task of the numbers of M-44 Cyanide Capsules set on the property.</p>  |
| <p><b>20. An M-44 device must be removed from an area if, after 30 days, there is no sign that a</b></p>  | <p>"Site" in this context means the property described in the WS Work Initiation Document (WID) for wildlife damage management (WS Form 12A, 12B, and 12C).</p>  |

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| <p><b>target predator has visited the site.</b></p>  | <p>Documentation of predator damage to livestock anywhere on the ranch unit or allotment or other physical evidence of their presence will be regarded as evidence that a target predator has visited the site.</p> <p>M-44 Cyanide Capsules and ejector devices will be removed when they are no longer needed. This decision will be made consistent with Use Restriction #7.</p>   |
| <p><b>21. All persons authorized to possess and use sodium cyanide capsules and M-44 devices must store such capsules and devices under lock and key, including when in transit.</b></p>   | <p>M-44 Cyanide Capsules and ejector devices must be stored under lock and key at all times when unattended, including when in transit. Personnel will use locking metal boxes for this purpose. M-44 Cyanide Capsules may be transported in the cab or passenger compartment of a vehicle in a locked storage box.</p>   |
| <p><b>22. See the STORAGE AND DISPOSAL section (of label) for instructions for disposal of damaged, unused, and spent sodium cyanide capsules in accordance with local, state, and federal regulations, and APHIS WS policy (APHIS WS Directive 2.415).</b></p>                              | <p>Applicators under the supervision of the WS State Director <b>will not</b> dispose of any intact, damaged, or spent M-44 Cyanide Capsules by deep burial or incineration. Wildlife Services will dispose of any intact, damaged, or spent capsules in accordance with local, state, and federal regulations, and Wildlife Services Standard Operating Procedure HS/WS 003 Collection, Storage, and Disposal of EPA Regulated Hazardous Waste within Wildlife Services</p> <p><a href="#">WS Intranet and Program Resources - Wildlife Services field SOPs - Order Series Number (sharepoint.com)</a></p> |
| <p><b>23. Bilingual warning signs in English and Spanish must be used in all areas containing M-44 devices. All such signs must be removed when M-44 devices are removed.</b></p> <p><b>a. Main entrances or commonly used access points to areas in which M-44 devices are set must</b></p> | <p>Warning signs are the first line of defense against accidental exposures. WS has designed “premise” signs for placement at common property access points to comply with Use Restriction #23(a), and “device” signs for compliance with Use Restriction #23(b). Both sign types can be acquired from the Pocatello Supply Depot.</p> <p>Applicators should place premise signs in a conspicuous location at all commonly used access points to the property. Additional free-standing premise signs may be</p>  |

| EPA Use Restrictions (as written on Label)   | WS Implementation Guideline  |
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| <p><b>be posted with warning signs to alert the public to the toxic nature of the cyanide and to the danger to pets. Install freestanding warning signs at access points or on property boundaries where no fence lines exist, as appropriate. Signs must be inspected weekly to ensure their continued presence and ensure that they are conspicuous and legible.</b></p> <p><b>b. Two elevated signs, placed in the most likely directions of approach, must be placed within 15 feet of each individual M-44 device warning persons not to handle the device.</b></p> | <p>placed along property boundaries where no fence lines exist if there is reason to believe people may access the property in that location.</p> <p>Applicators must install two WS-authorized elevated signs ("device sign") as required by Use Restriction #23(b). Device signs must be securely anchored to a stake, post or wire and they must be positioned vertically above ground level. Device signs may also be hung from a low hanging tree limb in a manner that renders the sign clearly visible. Device signs must be placed within 15 feet of each device and in the most likely direction of approach by persons traversing the area.</p> <p>All signs must be inspected weekly to ensure they remain present, properly placed, and legible. All warning signs must be removed when M-44 ejector devices are removed from the field.</p> <p>In addition to placing warning signs, applicators must advise resource/landowners of the dangers of sodium cyanide, and the potential for death or injury to people, pets, and livestock if M-44 Cyanide Capsules are misused. Ranchers and landowners are responsible to inform any persons entering their property of the presence and hazards of M-44 Cyanide Capsules.</p> |
| <p><b>24. In all areas where the use of the M-44 device is anticipated, local medical professionals must be notified of the intended use. This notification may be through a poison control center, local medical society, the Public Health Service, or directly to a doctor or hospital. It must be the responsibility of the supervisor to perform this function. Notifications must be made at least annually.</b></p>   | <p>Where local hospitals and medical centers rely on poison control centers for help in treating poisoning cases, notification of the poison control centers will meet this requirement. If hospitals in a WS applicator's application area do not use or do not have access to a poison control center, hospitals and medical clinics will be notified individually. Such written notifications will be made by WS State Office personnel, District Supervisors, or the designated field personnel in the local area where M-44 Cyanide Capsules are to be used. Copies of written materials documenting the required notifications will be kept at the WS State Office. Notifications must be made at least annually.</p>  |

| EPA Use Restrictions (as written on Label)   | WS Implementation Guideline  |
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| <p><b>25. Each authorized M-44 applicator must keep records dealing with the placement of the device and the results of each placement. Such records must include, but need not be limited to:</b></p> <ul style="list-style-type: none"> <li><b>a. The number of devices placed.</b></li> <li><b>b. The location of each device placed.</b></li> <li><b>c. The date of each placement, as well as the date of each inspection and removal.</b></li> <li><b>d. The number and location of devices which have been discharged and the apparent reason for each discharge.</b></li> <li><b>e. Species of animals taken.</b></li> <li><b>f. All accidents or injuries to humans or domestic animals.</b></li> </ul> | <p>In general, WS applicator's records must be detailed enough to account for the locations of all M-44 Cyanide Capsules, as well as for all results of M-44 Cyanide Capsules use. Items under Use Restriction #25(a), (c), and (e) must be recorded in MIS "Direct Control Work Task section." To comply with Use Restriction #25(b), WS applicators must document the GPS coordinates of each device placed. Each date of inspection (Use Restriction #25(c)) and status of M-44 Cyanide Capsules set (discharged) on each property will be recorded on a separate work task. Each required check that cannot be made due to adverse weather or for any other reason must be documented specifically for each property or agreement. If a state pesticide regulatory agency requires M-44 Cyanide Capsules location information to be recorded in a different format, then the WS applicator must also adhere to that requirement unless an exception has been granted by the regulatory agency.</p> <p>The apparent reason for discharge (Use Restriction #25(d)) is normally recorded only when the WS applicator can identify the apparent reason based on physical evidence. WS applicators will not speculate about apparent reason(s) for discharge when evidence is lacking. If the reason for the discharge is unknown, the report must identify the reason as "unknown". If the WS State Director or supervisor determines the reasons for discharge need to be documented in greater detail than is possible in MIS, the supervisor will direct the WS applicator as to what report format to use.</p> <p>In addition to the records mandated by Use Restriction #25, WS applicators are required to provide pesticide application records to each cooperator or landowner within 30 days of applying pesticides. WS applicators can comply with this regulation by notifying the landowner/cooperator in writing that WS will maintain these records, if the landowner agrees, and will provide copies upon request.</p> <p>The "Work Initiation Document for Wildlife Damage Management" form (WS Form 12A, 12B and 12C)</p> |



| EPA Use Restrictions (as written on Label)  | WS Implementation Guideline  |
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|   | includes the above notification.   |
| <p><b>26. The M-44 device must not be used within 600 feet of occupied residences, except those of any cooperating entity who has given APHIS written permission for M-44 device placement on their property.</b></p>   | <p>M-44 Cyanide Capsules will not be placed within 600 feet of occupied residences except for those belonging to a cooperater who has requested the use of M-44 Cyanide Capsules and has signed a Work Initiation Document authorizing their use. Even if a cooperater authorizes M-44 Cyanide Capsules use, the M-44 Cyanide Capsules and ejector devices must comply with all other Use Restrictions including #8(2) prohibiting placement in areas where exposure to the public and family or pets is probable.</p> <p>Personnel are responsible for accurately identifying property boundaries where M-44 ejector devices are to be placed. If the property boundaries are not clearly posted, or if the landowner, manager or lessor is unable to accurately identify the property boundaries, WS personnel shall use electronic mapping or aerial imagery to: a) ensure M-44 Cyanide Capsules with ejector devices are placed within the boundaries of property covered by the agreement; and b) identify non-cooperater residences within 0.5 mile of the device and/or residences that may require notification, per Use Restriction #27. Buildings that are obviously abandoned or not actively occupied are not considered residences. Applicators should err on the side of caution when evaluating the seasonal or periodic occupancy of hunting camps and other temporary residences.</p> |
| <p><b>27. Prior to device placement, APHIS must notify any occupied residence within 0.5 miles of an M-44 device of the presence of M-44s by one or more of the following methods: face-to-face communication, person to person telephone conversation (voice message is not acceptable), door hanger notice, certified mail.</b></p> | <p>Before placing M-44 Cyanide Capsules and ejector devices, applicators will notify the occupants of any residence within 0.5 miles of the anticipated location of M-44 Cyanide Capsules and ejector devices in the area. Buildings that are obviously abandoned or not actively occupied are not considered residences. Applicators should err on the side of caution when evaluating the seasonal or periodic occupancy of hunting camps and other temporary residences for notification purposes.</p> <p>Applicators will use one or more of the following notification methods: face-to-face communication, person to person telephone conversation, door hangers,</p>  |

| EPA Use Restrictions (as written on Label) | WS Implementation Guideline  |
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|  | <p>or certified mail. Voice messages are not sufficient to satisfy this requirement.</p> <p>The identity of the Cooperator and of the Cooperator’s property will not be shared directly with the notified individuals unless the Cooperator has authorized disclosure in writing.</p> <p>Applicators will document notification on WS Form 205A. Completed forms will be maintained by the WS State Director or their WS designee.</p> |