



Predator Defense

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September 19, 2007

Stephen Johnson
Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460 -0001

Dear Mr. Johnson:

Predator Defense demands an immediate investigation by EPA's law enforcement division of the May 4, 2003 poisoning of Dennis Slaugh, Vernal Utah, by an M-44 sodium cyanide capsule device. Mr. Slaugh was recreating on Bureau of Land Management property (Cowboy Canyon, Bonanza) when he encountered what he thought might be a survey marker. There were no warning signs in the area. As he brushed the top of it to see whether it stated township and range, the device ejected particles of sodium cyanide hitting him in the chest and face. Mr. Slaugh immediately became dizzy and disoriented. Blood tests performed on May 4, 2003 at Ashley Valley Medical Center indicated that Mr. Slaugh had been poisoned by sodium cyanide.

Mr. Slaugh has been unable to work since this incident. He and his wife have suffered greatly as a result of the poisoning. They have received no compensation for the health effects. It is possible, if not probable, that the damage incurred to his health as a result of this poisoning will shorten Mr. Slaugh's life. Certainly it has and will continue to diminish the quality of his life. The Slaughs are not seeking compensation; they simply want to know that this will not happen to anyone else.

Utah does not have a private applicator M-44 label. The United States Department of Agriculture, Wildlife Services Program is the only U.S. agency authorized to use the M-44. The device that harmed Mr. Slaugh is clearly marked "U.S. GOVT". Yet Wildlife Services states that *this* M-44 was not set by their trapper despite acknowledging Wildlife Services was using M-44s in the area. We find this assertion hard to believe. Wildlife Services' failure to even prepare an adverse pesticide report is alarming and suspicious.

Predator Defense also requests an immediate moratorium on the use of M-44s until the results of such an investigation are available to any interested parties. We are making our requests of the EPA because the agency holds the registration authority for M-44s.

In the fall of 1994, Amanda Wood was visiting her family's farm in Harrisburg, OR when she suffered secondary poisoning while attempting to revive her dog Ruby who had pulled on an M-44 that exploded in her mouth. Again there were no warning signs posted at the main entrances to the property as required under FIFRA. Ms. Wood reported this incident to the U.S.D.A. Wildlife Services' state office in Portland, Oregon. Although Wildlife Services is required by FIFRA to forward this information to the EPA within 15 working days, the documents provided through Predator Defense's FOIA request included no mention whatsoever of this incident. Predator Defense has appealed this FOIA specifically requesting any information on the Amanda Wood incident. We are concerned that U.S.D.A. Wildlife Services has attempted to cover up human poisonings from its M-44 use.

In addition to the two cases described here, Predator Defense has documented other cases of serious M-44 use restriction violations that have put the public at high risk.

We urge the EPA to give our requests the highest consideration and utmost urgency.

Sincerely,

A handwritten signature in black ink that reads "Brooks Fahy". The signature is written in a cursive, flowing style.

Brooks Fahy
Executive Director
Predator Defense

CC: Representative Peter DeFazio, Oregon