

**Texas Department of Agriculture**  
Enforcement Division  
P.O. Box 12847  
Austin, Texas 78711-2847

tel (512) 463-7558 • fax (800) 909-8520

For the hearing impaired:  
voice (800) 735-2988 • TDD (800) 735-2989

[www.TexasAgriculture.gov](http://www.TexasAgriculture.gov)



May 6, 2012

Angel Walker

P.O. Box [REDACTED]

[REDACTED] Texas [REDACTED]

Re: TDA Incident No. 2414-00006891

Dear Ms. Walker:

During the investigation of Incident Number 2414-00006891, the Texas Department of Agriculture (Department) received a copy of an article entitled, *M-44 Tragedy in Texas: USDA Wildlife Services Kills Dog and Puts Family at High Risk* ([http://www.predatordefense.org/m44s\\_bella.htm](http://www.predatordefense.org/m44s_bella.htm)). According to the article, you received a copy of the M-44 Use Restrictions from Predator Defense and were asked to photograph and document the placement of the M-44 that killed your dog as well as the other loaded M-44 devices still in the area thereby compromising your safety.

M-44 devices contain sodium cyanide, an extremely toxic substance. The M-44 device label permits only trained and certified applicators instructed in the safe handling of the capsules and devices to use the pesticide. These authorized or licensed M-44 device applicators must carry an antidote kit when placing or inspecting M-44 devices. The M-44 device label language and use restrictions were written to protect the unsuspecting public and the applicator from the dangers of this pesticide.

By requesting you to photograph loaded M-44 devices, Predator Defense exposed you to unreasonable risks that trained and certified applicators are fully versed in to expect and are prepared to handle. M-44 devices must be used in accordance with the 26 EPA mandated use restrictions and the label language to prevent adverse or harmful effects to human and the environment. Predator Defense effectively disregarded the safety precautions afforded by the label and use restrictions. Furthermore, having a copy of the Use Restriction does not make a person qualified or prepared to handle M-44 devices. The Department strongly advises that in the future should you or any of your family come across another M-44 device, heed the warnings and do not take action yourselves; rather, contact the appropriate authorities (e.g., local law enforcement or the Texas Department of Agriculture).

Sincerely,

A handwritten signature in black ink that reads "Dee Marlo Chico".

Dee Marlo Chico  
Assistant General Counsel

DMC/af