



DEPARTMENT of the INTERIOR

news release

Fish and Wildlife Service

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SERVICE UNABLE TO CONDITIONALLY APPROVE BISMUTH SHOT UNTIL MANUFACTURER COMPLETES REQUIRED STUDY

The U.S. Fish and Wildlife Service has announced it is unable to grant conditional approval at this time for use of bismuth-tin shot for the 1994-95 waterfowl hunting season. The Service is currently awaiting completion of a required toxicity study by the principal manufacturer before conditional approval can be considered. This study is the initial one of three the applicant is required by regulation to complete before full approval can be granted.

"The Service had hoped to conditionally approve the use of bismuth-tin shot in time for the start of this year's waterfowl season," said Mollie Beattie, the Service's director. "Unfortunately, the stated requirements for this action were not completely met by the manufacturer.

"When full results of the initial study are submitted to the Service for review by the manufacturer, the Service will make a prompt decision."

The manufacturer has indicated that the results are due to the Service. It is anticipated the Service will be able to make a final determination 2 weeks after receipt of this report.

The Bismuth Cartridge Company petitioned the Service in June 1994 to legalize the use of bismuth-tin shot on an interim, conditional basis for both the 1994-95 and 1995-96 seasons. In August, the Service issued a proposed rule to grant the petition for the 1994-95 season pending completion of the initial short-term 30-day acute toxicity study. However, the Service cannot proceed toward publishing a final rule on conditional approval until all aspects of the toxicity study are completed and results reviewed by the Service.

The petition acknowledged the responsibility of the company to complete two additional studies to determine the effects of ingested bismuth shot on waterfowl before full approval could be granted by the Service.

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The two additional studies that must be completed by the manufacturer include a chronic 14-week toxicity test in cold weather using birds on a nutritionally deficient diet and a chronic dosage study that includes reproductive assessment.

The Service received substantial public comment on the proposed rule for this interim approval. Most comments simply support the approval of bismuth-tin as a legal nontoxic shot. However, concerns were expressed that testing is incomplete, that enforcement would be difficult without a simple procedure for distinguishing between bismuth and lead shot types in the field, and that the timing of approval is not appropriate.

Should the full completion of all studies demonstrate that bismuth-tin shot is nontoxic to waterfowl, the Service will immediately initiate a final rulemaking procedure.

If ultimately given full approval, bismuth-tin shot would join steel shot as the only permissible loads for waterfowl hunting. Lead shot was made illegal for waterfowl hunting because it is toxic to birds that ingest it accidentally while feeding.

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