

January 6, 2024

Brooks Fahy  
Predator Defense  
P.O. Box 5446  
Eugene, OR 97405

Dear Brooks,

Congratulations on your recent success banning the use of M-44 sodium cyanide devices on Bureau of Land Management (BLM) lands in the U.S. I know you have spent decades working on this issue, and you have my highest admiration and respect for never giving up in your push to end this outdated practice. Logically, removal of M-44s from U.S. Forest Service lands would be the next step, followed by a full public lands ban.

As you well know, I spent decades supervising government trappers who used M-44s. So when I say this country does NOT need sodium cyanide in its arsenal of predator-killing methods, it is from first-hand experience. I also honestly believe—based on numerous conversations with federal and county trappers—that very few want to use M-44s these days. In fact, many refuse to use them, for fear of what could happen. If their dog encountered one and triggered it, they were dead. Personally speaking, I couldn't sleep at night if I had an M-44 still out anywhere.

I spent 26 years working for USDA/Wildlife Services (WS) in Montana. This agency was originally called Animal Damage Control (ADC) and was managed by the Department of the Interior. From 1975 until 1990 I served as a District Supervisor for ADC/WS. I was in charge of roughly the western half of Montana and supervised about a dozen government trappers who lived and worked in specific districts throughout the state. Their primary job was—and is—to provide protection for mostly domestic livestock from native predators, including foxes, coyotes, mountain lions, black and grizzly bears, golden eagles, and eventually wolves. We used foothold traps, neck snares, foot snares, fixed wing aircraft, helicopters, and M-44 sodium cyanide devices to carry out these duties. We also shot predators to solve problems and/or reduce predator numbers.

Each trapper under my supervision used varied tools to do his job. Some selected aircraft to kill predators, while others preferred traps or snares. Others used M-44s at times. It was their choice, for the most part. My job was to keep inventories of our equipment, supply the trappers with tools, monitor their use, and follow up. I even helped them sometimes.

M-44 sodium cyanide capsules were the most prominent toxicant in the WS arsenal. All trappers were required to be trained and certified in M-44 use and they were distributed to all for use in the field. The Environmental Protection Agency (EPA) published a list of 27 use restrictions for M-44s beginning around 1975 and eventually updated the restrictions in 2018. The restrictions spelled out when, where and how the devices could be used. Trappers, as applicators, were required to keep the toxicants under lock and key and each person was accountable for the contents of every M-44 capsule. Using these devices was time-consuming and generally a pain because of the paperwork and bureaucratic rigamarole.

Many trappers wanted nothing to do with M-44s. Aside from everything else, they worried about having such deadly toxicants in their homes. While these trappers killed many foxes and coyotes, they also inadvertently killed non-target animals such as dogs, grizzly bears and cattle. We put up bilingual signs near entry gates into pastures when we used these devices, placing smaller signs within 15 feet of each M-44. But sometimes trappers forgot, or the signs were torn down or pulled off and eaten by livestock. Maybe they blew away. Whatever happened to them, they sometimes didn't exist, and that's primarily when accidents happened.

Despite this I was pressured by my bosses to make sure trappers were using M-44s to kill predators. The reason for this pressure is that the livestock industry in Montana is strong and powerful, and most livestock producers accepted, supported and expected federal trappers to use M-44 devices. As a 1993 report by Charles D. Lee said, M-44s are the "mainstay of the Montana ADC program."

My trappers and I mainly responded to livestock loss complaints by sheepmen and cattlemen. They were often members of the Montana Woolgrower and Montana Cattlemen associations and they let our bosses know about their alleged losses in short order. I learned quickly in my capacity as a district supervisor that state agricultural industries had powerful and influential lobbyists in Washington, D.C., and close relationships with state governors, legislatures and county commissioners. The men I supervised believed that we were federal employees, but we answered to the livestock industry. I never doubted for a minute that my job security, and that of the men I supervised, were in the hands of the livestock industry. We toed the line or would be looking for new jobs.

What stimulated federal funding for predator control was the livestock industry showing a need for our services. Much of the time the loss numbers they reported were over-inflated, at best. To see how this worked, it is important to look at the total number of sheep confirmed killed in a year versus the total of coyotes confirmed killed. For example, one year a state reported that 9,000 coyotes were killed, but the final equation showed 300 dead coyotes for every dead sheep. From my observations most of the coyote deaths resulted from M-44s that were placed after the livestock were gone or the grazing season ended—just a way to run up body counts all fall, winter and spring so the woolgrowers would be happy and the death reports at their conventions looked good. I see no justification for such killing or for the use of indiscriminate poison devices.

As a result of my long years of experience with M-44s, I don't believe that they should ever be used on public lands. If farmers and ranchers insist they be used on their private lands, then the responsibility of any indiscriminate death falls on their heads. But ideally, these devices should stay part of the past, as they have no place in a humane world.

Sincerely,

Carter Niemeyer  
Retired District Supervisor  
USDA Wildlife Services, Montana