

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

WASHINGTON, D.C. 20460

OFFICE OF  
PREVENTION, PESTICIDES  
AND TOXIC SUBSTANCES

DEC 15 2003

Mr. Adrian Krygsman  
Aventis Environmental Science  
95 Chestnut Ridge Road  
Montvale, NJ 07645

Subject: Label Amendment Updating First Aid per PR Notice 2001-1  
Tempo® 20 WP Power Pak  
EPA Reg. No. 432-1306  
Your Submission, Dated September 23, 2003

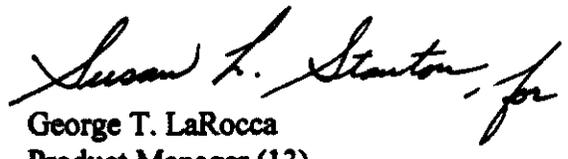
Dear Mr. Krygsman:

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, is acceptable subject to the comments below. Two copies of the finished labeling must be submitted prior to releasing the product for shipment. A stamped copy of the label is enclosed for your records.

1. Delete the "In Case of Poisoning" section from the "Hazards to Humans and Domestic Animals". These statements are incomplete and/or in conflict with the required First Aid statements.
2. In the last sentence of the paragraph under "Disclaimer of Warranties," delete the word "whatsoever". As currently written ("Bayer Environmental Science disclaims any liability whatsoever for special, incidental or consequential damages, ...") the statement negates and/or detracts from labeling requirements as set forth by the Agency in 40 CFR Part 156, and is, therefore, considered misbranding.

If you have any questions regarding this action, please contact Susan Stanton of my team at (703) 305-5218.

Sincerely,



George T. LaRocca  
Product Manager (13)  
Insecticide Branch  
Registration Division (7505C)

Enclosure



# TEMPO® 20 WP POWER PAK

- \* For commercial use only.
- \* For broad-spectrum control of crawling and flying insect pests on outdoor surfaces, livestock structures, and pet kennels, as well as insect pests of trees, landscape ornamentals and residential and commercial lawns.

**ACTIVE INGREDIENT:**

Cyfluthrin, cyano(4-fluoro-3-phenoxyphenyl) methyl 3-(2,2-dichloroethenyl)-2,2-dimethylcyclopropanecarboxylate ..... 20%

**OTHER INGREDIENTS:** ..... 80%

Total: ..... 100%

**ACCEPTED  
with COMMENTS  
In EPA Letter Dated:**

**DEC 15 2003**

**Under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, for the pesticide registered under EPA Reg. No. K32-1306**

EPA Reg. No. 432-1306

EPA Est. No.

Keep water soluble packets in this container and store in a cool dry place but not below freezing (32°F). Sell in original packages only.

**STOP - Read the label before use.  
KEEP OUT OF REACH OF CHILDREN.  
CAUTION**

PRECAUCION AL USUARIO: Si usted no puede leer o entender inglés, no use este producto hasta que la etiqueta le haya sido explicada ampliamente.

(TO THE USER: If you cannot read or understand English, do not use this product until the label has been fully explained to you).

**PRECAUTIONARY STATEMENTS**

**HAZARDS TO HUMANS AND DOMESTIC ANIMALS**

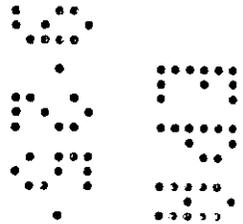
**CAUTION:** Exposure to the wettable powder can cause moderate eye irritation. Harmful if swallowed, inhaled or absorbed through the skin. Do not get in eyes, on skin, or on clothing. Avoid breathing dust or spray mist.

Do not contaminate feed or food. Keep out of reach of children.

Do not allow children or pets to enter treated areas until surfaces are dry. Wash hands thoroughly with soap and warm water after handling. If clothing becomes contaminated, remove and wash before reuse.

**IN CASE OF POISONING:** Call physician or Poison Control Center immediately. Have patient lie down and keep quiet.

**NET CONTENTS:**



BAYER ENVIRONMENTAL SCIENCE

400 North Zeeb Road, Research Triangle Park, NC 27709  
 1-800-451-7000

FIRST AID	
<b>If in eyes:</b>	<ul style="list-style-type: none"> <li>• Hold eye open and rinse slowly and gently with water for 15 to 20 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
<b>If swallowed:</b>	<ul style="list-style-type: none"> <li>• Call a poison control center or doctor immediately for treatment advice.</li> <li>• Have person sip a glass of water if able to swallow.</li> <li>• Do not induce vomiting unless told to do so by a poison control center or doctor.</li> <li>• Do not give anything to an unconscious person.</li> </ul>
<b>If on skin or clothing:</b>	<ul style="list-style-type: none"> <li>• Take off contaminated clothing.</li> <li>• Rinse skin immediately with plenty of water for 15 to 20 minutes.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
<b>If inhaled:</b>	<ul style="list-style-type: none"> <li>• Move person to fresh air.</li> <li>• If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible.</li> <li>• Call a poison control center or doctor for further treatment advice.</li> </ul>
HOT LINE NUMBER	
Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact 1-800-334-7577 for emergency medical treatment.	
<b>Note To Physician:</b> No specific antidote is available. Treat the patient symptomatically.	

### ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish. Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Drift and runoff from treated areas may be hazardous to aquatic organisms in neighboring areas. Do not contaminate water when disposing of equipment washwaters. Apply this product only as specified on this label.

This pesticide is highly toxic to bees exposed to direct treatment or residues on crops or weeds. Do not apply TEMPO 20 WP insecticide or allow it to drift onto crops or weeds on which bees are actively foraging. Additional information may be obtained by consulting your Cooperative Extension Service.

### DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

#### GENERAL INFORMATION

TEMPO 20 WP Insecticide contains 20% active ingredient which will provide effective knockdown and residual control of the pests cited in this label.

This package contains pre-measured 50-gram water-soluble (PVA) "PowerPak" of TEMPO 20 WP Insecticide. These pre-measured packages are designed for use in power spray equipment. Do not allow the inner packets to become wet before adding to the spray tank. Do not handle the clear inner packets of TEMPO 20 WP Insecticide with wet hands or gloves. Rough handling may cause breakage. Do not store at temperatures below 32°F. Allow packages to warm above 50°F before use. Cooler water temperatures increase the time needed for the inner packet to dissolve completely. Reseal outer carton to protect remaining packets.

TEMPO 20 WP Insecticide is intended for use around buildings and structures, in livestock housing structures (including poultry houses) and pet kennels, and on trees, landscape ornamentals and residential and commercial lawns.

**MIXING:** The inner package contains TEMPO 20 WP Insecticide and is water soluble.

To prepare the spray mixture, drop the unopened PVA packet into the spray tank while filling with water to the desired level. Operate the agi-

tator while mixing. Depending on the water temperature and the degree of agitation, the packets should be completely dissolved within a few minutes from the time they were added to the water.

If spray tank previously exposed to product containing boron, you may experience difficulty in dissolving the PowerPaks. The presence of boron prevents the breakdown of the water soluble film. To avoid this problem, pre-dissolve packet(s) in a separate container of water and then pour mixture into the spray tank.

#### GENERAL SURFACE SPRAY FOR STRUCTURAL AND PERIMETER PEST CONTROL

For control of: *Ants (including carpenter ants), bees, boxelder bugs, centipedes, clusterflies, cockroaches, crickets, darkling beetles (adult and larvae), earwigs, elmleaf beetles, fire ants, flies, fleas, gnats, hornets, lesser mealworms, midges, millipedes, mosquitoes, pillbugs, scorpions, sowbugs, spiders, ticks, wasps, and yellow jackets*, as well as other occasional invading pests.

Mix one 50-gram packet of TEMPO 20 WP in sufficient water to adequately cover 5,000 sq ft. Under conditions of severe pest infestations or when quicker knockdown and/or longer residual control is needed, mix one 50-gram packet of TEMPO 20 WP in sufficient water to adequately cover 2,500 sq ft. Refer to GENERAL INFORMATION section for mixing instructions.

It is recommended to wear safety glasses, goggles, or face shield, and a respirator when making a general surface treatment above one's head.

For perimeter pest control, make applications to surfaces of buildings, porches, patios, garages and other areas where pests have been seen or found. To help prevent infestations of buildings by the above pests, treat soil, turf or other substrates adjacent to buildings and the building foundation, walls and soffit areas where these pests are active and/or may find entrance or harborage.

For control of soil tunneling carpenter ants, apply a drench or inject the suspension or foam at intervals of 8 to 12 inches, establishing a uniform vertical barrier at the edge of walks, driveways or other hard surfaces where ants are tunneling beneath these areas. ••••

For control of flying insects outdoors use a 0.05% to 0.1% suspension (one 50-gram packet per 5 to 2.5 gallons of water) or mix one 50-gram packet in sufficient water to adequately cover 5,000 to 2,500 sq ft and make applications to outside surfaces of buildings, porches, patios, garages and other areas where these pests have been seen or found. Use a 0.1% suspension and make pin stream applications directly to the nests of wasps, yellow jackets and hornets.

For control of imported red fire ants, thoroughly drench or inject the entire mound area. Treat all areas of the mound showing activity to provide contact control of the adult fire ants. TEMPO 20 WP will provide contact activity and residual repellency in the active mound. •••

When using the injection treatment method it is essential that treatment be made to the bottom of the active mound. Apply suspension or sufficient volume of foam throughout the mound using a downward and upward motion of the injector tool. Multiple injection sites may be needed to ensure complete distribution of the suspension or foam throughout the active mound.

Do not use TEMPO 20 WP to treat fire ant mounds in any food crop production area, pasture or area where food crop production may occur.

For use by pest control operators or livestock producers in livestock housing structures (including poultry houses) and pet kennels to control crawling and flying insect pests. Apply as a general surface and/or a crack and crevice spray. Control will be enhanced when facilities are cleaned and interior applications are supplemented with exterior perimeter treatments. Do not make interior applications of TEMPO 20 WP in areas of facility where animals other than cattle or horses are present. Do not make applications to animal feedstuffs or watering equipment. •••••



**FOAM APPLICATION USE DIRECTIONS:** Mix end-use dilution of TEMPO 20 WP in water soluble Packets with manufacturer's recommended volume of foaming agent. For a 0.05 to 0.1% foam concentration, foam one 50-gram packet of TEMPO 20 WP formulation per 2.5 to 5 gallons of pre-foamed dilution.

**TURF AND LANDSCAPE ORNAMENTAL PEST CONTROL GENERAL INFORMATION**

When used at recommended rates and as directed under RECOMMENDED APPLICATIONS, TEMPO 20 WP Insecticide will control the designated pests on trees, shrubs, foliage plants and flowers in outdoor landscaped areas such as parks, recreational areas, athletic fields, institutional grounds, etc., and interior plantscapes (such as in hotels, shopping malls, office buildings, etc.) where these plants are grown. TEMPO 20 WP Insecticide also controls designated pests on landscape and recreational turf, including home lawns, business and office complexes, shopping complexes, multi-family residential complexes, airports, cemeteries, parks, playgrounds and athletic fields, and other

landscape turfgrass.

**NOTE:** Not for use in commercial greenhouses, nurseries, sod farms or grass grown for seed. Not for use on golf course turf.

**APPLICATION TO ORNAMENTALS:** TEMPO 20 WP Insecticide mixes readily with water and may be used in all types of power spray equipment. Mix product with the required amount of water and apply as a dilute spray application to the point of runoff but do not allow runoff to occur. When spraying hard-to-wet foliage such as holly, pine or ivy, the addition of a spreader/sticker may enhance both knockdown and residual activity. If concentrate or mist type spray equipment is used, an equivalent amount of product should be used on the area sprayed, as would be used in a dilute application. Phytotoxicity testing has been carried out on a wide range of ornamental plants under various environmental conditions and no phytotoxicity has been observed. It is advised to pre-spray a selection of ornamentals if local use experience is unavailable. Time applications to flowering plants during periods when pollinating insects are not present, such as early morning or late evening.

**RECOMMENDED APPLICATIONS - LANDSCAPE ORNAMENTALS**

(Including Trees, Shrubs, Evergreens, Flowers, Foliage Plants)

PEST			DOSAGE TEMPO 20 WP	REMARKS
Ants*	Gypsy moth larvae	Redhumped caterpillars	50 grams Per 93 Gal	Applications should be started prior to establishment of high pest populations and reapplication made as necessary. Good spray coverage is necessary to provide the most effective level of control. Addition of a spreader/sticker at recommended rates may enhance control of insects on certain species of ornamentals having hard-to-wet foliage. *The use of TEMPO 20 WP Insecticide for the control of ants, crickets, spiders, midges, flies, mosquitoes, and wasps is limited to ornamental areas and areas adjacent to buildings. Apply as a general spray, concentrating on damp areas beneath shrubbery, around foundations and in areas of tall grass or weeds. Do not apply to any food crop. Remove any animal feeding dishes prior to treatment and do not allow spray or drift to contact fish-bearing water. **Outdoor cockroach control (including Asian cockroaches) is obtained by spraying hiding or resting places such as under shrubbery, in ground covers and mulching materials, in hollow trees, etc.
Aphids	Japanese beetles (adult)	Sawfly larvae		
Armyworms	June beetles (adult)	Scale insects (crawler stages)		
Azalea caterpillars	Lace bugs	Sowbugs		
Bagworms	Leaf skeletonizers	Spiders*		
Boxelder bugs	Leaf-feeding caterpillars	Spittlebugs		
Bristly rose slugs	Leafhoppers	Striped oakworms		
Budworms	Leafrollers	Striped beetles		
California oakworms	Mealybugs	Tent caterpillars		
Cankerworms	Midges*	Thrips		
Casebearers	Mosquitoes*	Ticks (including deer ticks)		
Clover mites	Oleander moth larvae	Tussock moth larvae		
Cockroaches**	Orchid weevil	Walnut caterpillars		
Crickets*	Pear psylla	Wasps*		
Cutworms	Peppertree psyllid	Webworms		
Elm leaf beetles	Pillbugs	Whitflies		
Elm spanworms	Pine tip moths	Yellownecked caterpillars		
Flea beetles	Pine shoot moths			
Flies*	Plant bugs			

**APPLICATIONS ON TURF:** TEMPO 20 WP Insecticide mixes readily with water and/or various fertilizer solutions and can be used in appropriate spray equipment to treat listed turfgrass. Applications should be made with accurately calibrated equipment and applied uniformly, using a coarse, large droplet, spray applications procedure. Do not allow drift onto ponds, streams, or lakes. For optimum control of armyworms, cutworms and sod webworms, delay irrigation and mowing for

at least 24 hours following the application. Keep children and pets off treated areas until grass has dried following application.

**RESTRICTIONS FOR TURFGRASS APPLICATION**

Do not apply this product by aerial application or by any type of chemigation system. Do not apply when the average windspeed is greater than 15 mph. Apply product using spray nozzles which produce a coarse droplet size, such as flood jet nozzles. Do not apply when turf-

grass areas are water-logged or the soil is saturated with water (i.e., will not accept irrigation). Use this product only as directed on label.

**TANK MIXING:** The user, at his or her discretion, can tank mix pesticides currently registered for similar use patterns, unless the product labels specifically prohibit such use. No label dosage rates should be exceeded. For example, TEMPO 20 WP Insecticide Water Soluble Packets can be tank mixed with MERIT 75 WSP Insecticide for use on turf and landscape ornamentals in accordance with the more (most) restrictive of label limitations and precautions. When tank mixing TEMPO 20 WP Insecticide in Water Soluble Packets with MERIT 75 WSP Insecticide, the mixing sequence does not matter.

**COMPATIBILITY:** TEMPO 20 WP Insecticide has been found to be compatible with all commonly used fungicides, miticides, liquid fertilizers and other insecticides. Check physical compatibility using the correct proportion of products in a small jar if local experience is unavailable. Do not apply this product through any type of irrigation system.

Handle and open container carefully. Do not cut water soluble packets when opening. If the container is leaking or material spilled for any reason or cause, carefully sweep material into a pile. Refer to PRECAUTIONARY STATEMENTS on label for hazards associated with the handling of this material. Do not walk through spilled material. Dispose of pesticide as directed below. In spill or leak incidents, keep unauthorized people away. You may contact the Bayer Environmental Science Emergency Response Team for decontamination procedures or any other assistance that may be necessary. The Bayer Environmental Science Emergency Response Telephone No. is 1-800-334-7577 or contact Chemtrec at 800-424-9300.

**Pesticide Disposal:** Pesticide wastes are hazardous. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

**Container Disposal:** Do not use container in connection with food, feed, or drinking water. After removing all PVA packets, the carton may be disposed of in the trash. The empty foil wrappers may be wrapped in newspaper and disposed of in the trash.

**RECOMMENDED APPLICATIONS - LANDSCAPE AND RECREATIONAL TURFGRASS**

(including home lawns, business and office complexes, shopping complexes, multi-family residential complexes, airports, cemeteries, parks, playgrounds and athletic fields, and other landscape turfgrass)

PEST	DOSAGE		REMARKS
	Japanese beetles (adult)	TEMPO 20 WP	
Ants		50 grams per 7,500 to 10,000 sq ft	Apply when pests first appear. Reapply when necessary based on pest reinfestations, not exceeding 6 applications per year. Delay watering or mowing for 24 hours for optimum control of armyworms, cutworms, and sod webworms. Keep children and pets off treated areas until lawn has dried following the application. * Aids in control only.
Armyworms			
Crickets	Sod		
Cutworms	webworms		
Earwigs	Ticks		
Grasshoppers	(including deer ticks)		
Black turfgrass	Fire ants*	50 grams per 7,500 sq ft	
ataenius (adults)	Fleas		
Bluegrass	Hyperodes weevil (adult)		
billbug (adult)	Mole crickets		
Chinch bugs	Scorpions		
Chiggers			

**IMPORTANT: READ BEFORE USE**

Read the entire Directions for Use, Conditions, Disclaimer of Warranties and Limitations of liability before using this product.

If terms are not acceptable, return the unopened product container at once. By using this product, user or buyer accepts the following conditions, disclaimer of warranties and limitations of liability.

**CONDITIONS:** The directions for use of this product are believed to be adequate and should be followed carefully. However, because of manner of use and other factors beyond Bayer Environmental Science's control it is impossible for Bayer Environmental Science to eliminate all risks associated with the use of this product. As a result, crop injury or ineffectiveness is always possible. All such risks shall be assumed by the user or buyer.

**DISCLAIMER OF WARRANTIES:** BAYER ENVIRONMENTAL SCIENCE MAKES NO OTHER WARRANTIES, EXPRESS OR IMPLIED, OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE OR OTHERWISE, THAT EXTEND BEYOND THE STATEMENTS MADE ON THIS LABEL. No agent of Bayer Environmental Science is authorized to make any warranties beyond those contained herein or to modify the warranties contained herein. Bayer Environmental Science disclaims any liability whatsoever for special, incidental or consequential damages, resulting from the use or handling of this product.

**LIMITATIONS OF LIABILITY:** THE EXCLUSIVE REMEDY OF THE USER OR BUYER FOR ANY AND ALL LOSSES, INJURIES OR DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, WHETHER IN CONTRACT, WARRANTY, TORT, NEGLIGENCE, STRICT LIABILITY OR OTHERWISE, SHALL NOT EXCEED THE PURCHASE PRICE PAID, OR AT BAYER ENVIRONMENTAL Science's ELECTION, THE REPLACEMENT OF PRODUCT.

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Bayer Environmental Science  
A Business Group of Bayer CropScience LP  
95 Chestnut Ridge Road  
Montvale, NJ 07645

09/19/03 amendment

**STORAGE AND DISPOSAL**

Do not contaminate water, food, or feed by storage or disposal. Not For Storage In or Around the House

**Pesticide Storage:** Store in a cool, dry place and in such a manner as to prevent cross contamination with other pesticides, fertilizers, food, and feed. Do not store below freezing (32F). Exposure to moisture or excessive handling of water soluble packets may cause breakage. Store water soluble packets in foil and in original container and out of the reach of children, preferably in a locked storage area.

(continued)

