

432-1366

9/05/2010

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

OFFICE OF  
PREVENTION, PESTICIDES  
AND TOXIC SUBSTANCES

Mr. Jan Brill  
Bayer Environmental Science  
2 T.W. Alexander Drive  
Raleigh, NC 27709

SEP 05 2010

Subject: Label Notification(s) for Pesticide Registration 2007-4

Dear Mr. Brill:

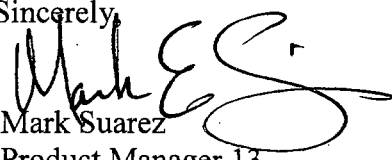
The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated for July 20, 2010

**EPA Registration Number: 432-1366      Tempo Ultra Technical Insecticide**

The Registration Division (RD) has conducted a review of this request for applicability Under PRN 2007-4 and finds that the label change(s) requested falls within the scope of PRN-2007-4. The label has been date-stamped "Notification" and will be placed in our records.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying the batch of the pesticide distributed and sold be placed on non-refillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.

If you have any questions, please contact Melody Banks on 703 305-5413.

Sincerely,  
  
Mark Suarez  
Product Manager 13  
Insecticide Branch  
Registration Division (7504P)



United States  
Environmental Protection Agency  
Washington, DC 20460

- Registration
- Amendment
- Other:

OPP Identifier Number

**Application for Pesticide - Section I**

1. Company/Product Number <b>432-1366</b>	2. EPA Product Manager <b>M. Suarez</b>	3. Proposed Classification  <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) <b>Tempo Ultra Technical Insecticide</b>	PM# <b>13</b>	
5. Name and Address of Applicant (Include ZIP Code) <b>Bayer Environmental Science 2 T.W. Alexander Dr. Raleigh, NC 27709</b>		6. <b>Expedited Review.</b> In accordance with FIFRA Section 3(c)(3) (b)(I), my product is similar or identical in composition and labeling to: EPA Reg. No. _____  Product Name _____
<input type="checkbox"/> Check if this is a new address		

**Section - II**

- Amendment - Explain below.
- Resubmission in response to Agency letter dated \_\_\_\_\_
- Notification - Explain below.
- Final printed labels in response to Agency letter dated \_\_\_\_\_
- "Me Too" Application
- Other - Explain below

**NOTIFICATION**  
**SEP 05 2010**

**Explanation:** Use additional page(s) if necessary. (For Section I and Section II.)

**Notification of Label Changes per PR Notice 2007-4**

This notification is consistent with the guidance of PR Notices 2007-4 and the requirements of EPA's regulations at 40 CFR § 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the terms of 40 CFR § 156, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

**Section - III**

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input checked="" type="checkbox"/> Metal	<input checked="" type="checkbox"/> Plastic
	If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt.	No. per container	<input type="checkbox"/> Glass
<b>*Certification must be submitted</b>					<input type="checkbox"/> Paper
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 50 - 500 lbs.		5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input checked="" type="checkbox"/> On labeling accompanying product	
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph <input type="checkbox"/> Other _____ <input checked="" type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled					

**Section - IV**

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application)		
Name <b>Jan Brill</b>	Title <b>Manager, Registrations</b>	Telephone No. (include Area Code) <b>919/549-2421</b>
<b>Certification</b> I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.		6. Date Application Received <b>(Stamped)</b>
2. Signature 	3. Title <b>Manager, Registrations</b>	
4. Typed Name <b>Jan Brill</b>	5. Date <b>20 July 2010</b>	

# Bayer Environmental Science



Document Processing Desk (NOTIF)  
Office of Pesticide Programs (7504P)  
U.S. Environmental Protection Agency  
Room S-4900, One Potomac Yard  
2777 South Crystal Drive  
Arlington, VA 22202-4501

ATTN: Mark Suarez, PM #13

Subject: Tempo Ultra Technical Insecticide  
EPA Reg. No. 432-1366  
Notification of Label Changes per PR Notice 2007-4

Dear Mr. Suarez,

With this submission, Bayer Environmental Science notifies EPA of Label Changes to bring the subject product into compliance with PR Notice 2007-4.

To effect this action, enclosed please find the following;

1. EPA Form 8570-1
2. 1 copy of proposed labeling for the subject product
3. 1 copy of proposed labeling with the changes highlighted

July 20, 2010

Bayer Environmental  
Science  
P.O. Box 12014  
2 T.W. Alexander Drive  
Research Triangle Park,  
NC 27709

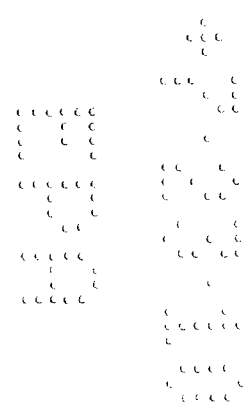
I trust that this completes the documentation for this registration action. If you have any questions, or require further information, please contact me either by telephone at 919/549-2421 or email at [jan.brill@bayercropscience.com](mailto:jan.brill@bayercropscience.com)

Tel. 919 549-2421  
Fax. 919-549-3937

Sincerely,

Manager, Registration

Email; [jan.brill@bayercropscience.com](mailto:jan.brill@bayercropscience.com)



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# Tempo<sup>®</sup> Ultra Technical Insecticide

An insecticide for formulating use only.

**ACTIVE INGREDIENT:**

Cyano(4-fluoro-3-phenoxyphenyl)methyl 3-(2,2-dichloroethenyl)-2,2-dimethylcyclopropanecarboxylate ..... 98.96%

**INERT INGREDIENTS:**..... 1.04%

**TOTAL:**..... 100%

**EPA Reg. No. 432-1366**

**Net Weight - Pounds**

**STOP - Read The Label Before Use**      **NOTIFICATION**  
**KEEP OUT OF REACH OF CHILDREN**      **SEP 05 2010**  
**WARNING**

<b>FIRST AID</b>	
<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> </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>
<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.</li> <li>• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eyes.</li> <li>• Call a poison control center or doctor for treatment advice.</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>
Have the product container or label with you when calling a poison control center or doctor or going for treatment. The Bayer Environmental Science Emergency Response Telephone No. is 1-800-334-7577.	
<b>Note To Physician:</b> No specific antidote is available. Treat the patient symptomatically.	

## PRECAUTIONARY STATEMENTS

### HAZARDS TO HUMANS AND DOMESTIC ANIMALS

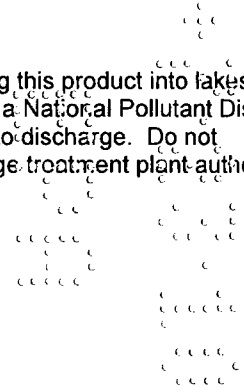
**WARNING:** May be fatal if swallowed or inhaled. Do not breathe dust. Wear a mask or pesticide respirator approved by the National Institute for Occupational Safety and Health. Causes moderate eye irritation. Avoid contact with eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, or using tobacco. Remove contaminated clothing and wash clothing before reuse.

Do not contaminate feed of food. Keep out of reach of children. Wear protective clothing, rubber gloves and goggles, face shield or safety glasses.

**SYMPTOMS OF POISONING:** In case of poisoning, call a physician or Poison Control Center. Have patient lie down and keep quiet.

### ENVIRONMENTAL HAZARDS

This pesticide is toxic to birds, fish, and aquatic invertebrates. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer systems with out previously notifying the sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA.



### DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. Only for formulation into an insecticide for

- (1) the following uses:
  - Indoor Food, Non-Food and Residential Uses
  - Greenhouse Non-Food Crop
  - Terrestrial Non-Food Crop
  - Residential Outdoor
- (2) uses for which US EPA has accepted the required data and/or citations of data that the formulator has submitted in support of registration; and
- (3) uses for experimental purposes that are in compliance with US EPA requirements.

### STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal.

**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. Store in original container and out of the reach of children, preferably in a locked storage area.

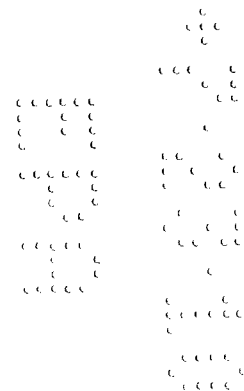
Handle and open container in a manner as to prevent spillage. If the container is leaking or material is spilled for any reason or cause, carefully sweep material into a pile. Refer to Precautionary Statements on label for hazards associated with the handling of this material. Do not walk through spilled material. Dispose of as directed for pesticides below. In spill or leak incidents, keep unauthorized people away. You may contact the Bayer Emergency Response Team for decontamination procedures or any other assistance that may be necessary. The Bayer Kansas City Emergency Response Telephone No. is 1-800-334-7577, or contact Chemtrec at (800) 424-9300.

**Pesticide Disposal:** Pesticide wastes are toxic. Improper disposal of excess pesticide 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:**  
For Non-Refillable Containers:

Non-refillable container. Do not reuse or refill this container. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container 1/4 full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times. Offer for recycling, if available or dispose of empty bag in a sanitary landfill or, if allowed by government regulations, by burning or incineration. If bag is burned, stay out of smoke. Consult Federal, State or Local disposal authorities for approved alternative procedures.

For Refillable Containers: Refillable container. Refill this container with pesticide only. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To clean the container before final disposal, empty the remaining contents from this container into application equipment or mix tank. Fill the container about 10 percent full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times.



**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 must be followed carefully. However, because of manner of use and other factors beyond Bayer CropScience's control, it is impossible for Bayer CropScience 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:** TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BAYER CROPSCIENCE 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 CropScience is authorized to make any warranties beyond those contained herein or to modify the warranties contained herein. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, Bayer CropScience disclaims any liability whatsoever for special, incidental or consequential damages resulting from the use or handling of this product.

**LIMITATIONS OF LIABILITY:** TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, 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 CROPSCIENCE'S ELECTION, THE REPLACEMENT OF PRODUCT.



Bayer Environmental Science

A Business Group of Bayer CropScience LP  
PO Box 12014, 2 T.W. Alexander Drive  
Research Triangle Park, NC 27709

TEMPO ULTRA TECHNICAL INSECTICIDE (MASTER) 11/14/00, Notification 05/04/10

