

432-1373

10-21-2003

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

OCT 21 2003

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

Subject: Label Amendment to Update First Aid Statements (PR Notice 2001-1) and Revise Warranty Statements

EPA Reg. No. 432-1373
Tempo® 1% Dust
Your Submission Dated August 29, 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 listed below. Two (2) 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. Insert "*by mouth*" to the last sentence of the "If swallowed" first aid statement so it reads: "*Do not give anything by mouth to an unconscious person*"
2. Under "Pests" highlight "Flying pests" and "Moths" in the same manner as "Crawling pests".
3. Revise the Pesticide Disposal statements to read: "*Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility*".
4. Under Environmental Hazards add: "*and other aquatic organisms*" to the end of the first sentence. Delete "*For terrestrial uses*" from the beginning of the second sentence.

5. Under Pests add "*non-food/feed areas of*" to the first sentence right before food/feed handling establishments.
6. Under Disclaimer of Warranties revise the statement beginning with: "*Bayer Environmental Science disclaims any liability whatsoever...*" to read: "*To the extent permitted by law Bayer Environmental Science disclaims any liability whatsoever...*".

If you have any questions regarding this action, please contact Olga Odiott of my team at (703) 308-9369.

Sincerely,



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

Enclosure

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TEMPO® 1% DUST

• For Use Only By Pest Management Professionals and Commercial Applicators.

ACTIVE INGREDIENT:

Cyfluthrin, cyano(4-fluoro-3-phenoxyphenyl)methyl 3-(2,2dichloroethyl)-2, 2-dimethylcyclopropane-carboxylate 1%

INERT INGREDIENTS: 99%

Total: 100%

EPA Reg. No. 432-1373

EPA Est. No.

STOP - Read the label before use.

Keep out of reach of children.

CAUTION

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION: Causes moderate eye irritation. Harmful if swallowed, inhaled or absorbed through the skin. Do not get into eyes, on skin, or on clothing. Avoid breathing dust. If clothing becomes contaminated, remove and wash before reuse. Wash hands thoroughly with soap and warm water after handling.

ACCEPTED
with COMMENTS
In EPA Letter Dated
OCT 21 2003
Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
as amended, for the pesticide
registered under EPA Reg. No.
432-1373

FIRST AID	
If in eyes	<ul style="list-style-type: none"> • 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. • Call a poison control center or doctor for treatment advice.
If swallowed	<ul style="list-style-type: none"> • Call a poison control center or doctor immediately for treatment advice. • Have person sip a glass of water if able to swallow. • Do not induce vomiting unless told to by a poison control center or doctor. • Do not give anything to an unconscious person.
If inhaled	<ul style="list-style-type: none"> • Move person to fresh air. • If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible. • Call a poison control center or doctor for further treatment advice.
If on skin	<ul style="list-style-type: none"> • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15 to 20 minutes. • Call a poison control center or doctor for treatment advice.
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.	
Note To Physician: No specific antidote is available. Treat the patient symptomatically.	

NET CONTENTS:

BAYER ENVIRONMENTAL SCIENCE

A Business Group of Bayer AG
95 Crescent Ridge Road • P.O. Box 10000

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ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish. For terrestrial uses, do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Apply this product only as specified on this label.

PRO FACTS	
<ul style="list-style-type: none"> • Ready-to-use • Low-odor • Non-staining 	
TEMPO 1% DUST Insecticide Ready To Use	Contains 1% cyfluthrin
CONTROLS	<ul style="list-style-type: none"> • Ants, cockroaches, and other crawling pests • Bees and wasps • Pantry and stored product pests • Wood-infesting pests • For specific insects, see inside label
WHERE TO APPLY	In and around buildings and structures
COVERAGE	Treats up to 8,000 square feet (4 lb size)
HOW TO APPLY	Directly in voids, cracks and crevices. For bees, wasps and ant mounds, see directions inside. Use appropriate dusting or injection equipment.
RE-APPLY	Every 7 to 10-days, if needed
QUESTIONS ??	For questions or comments, call toll-free 1-800-331-2867 www.bayerprocentral.com

DIRECTIONS FOR USE

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

PESTS	
<p>For residual pest control in and around buildings, structures, food/feed handling establishments and modes of transport. This includes houses, hotels, motels and other non-food areas of stores, warehouses, hospitals, food processing facilities, and modes of transport. For a list of common facilities where this product may be used, see appendix.</p>	
General Household Pests	
Crawling Pests	
Ants (except Pharaoh)	Millipedes
Bedbugs	Pillbugs
Boxelder Bugs	Scorpions
Carpet beetles	Silverfish
Centipedes	Sowbugs
Clothes moths	Spiders
Cockroaches	Flying Pests
Crickets	Bees
Earwigs	Hornets
Firebrats	Wasps
Ground Beetles	Yellow jackets
Pantry and Stored Product Pests	
Beetles (exposed adults & immature stages)	
Cadelle	Lesser mealworm
Cigarette	Merchant grain
Confused Flour	Mealworm
Darkling	Red flour
Dermestid	Rice weevil
Granary weevil	Sawtoothed grain
Hide	Warehouse
Larder	Moths
Leather	Indian meal
Lesser grain borer	Mediterranean flour

PESTS	
Wood-Infesting Pests*	
Beetles	Termites
Ambrosia	Subterranean
Deathwatch	Formosan
False powderpost	Drywood
Old house borer	
Powderpost	
Carpenter ants	
Carpenter bees	
* The purpose of such applications of TEMPO 1% Dust for termites is to kill workers or winged reproductive forms which may be present in treated channels at the time of treatment. Such applications are not a substitute for mechanical alteration, soil treatment, or foundation treatment, but merely a supplement. This product is not recommended as sole protection against termites. For active indoor termite infestations get a professional inspection.	
WHERE TO APPLY	<ul style="list-style-type: none"> • Apply where pests have been seen or found or can find shelter. • In living areas, avoid deposits on exposed surfaces and avoid introducing the dust into the air. Apply in wall voids, cracks and crevices; in or behind base boards, service ducts, false floors and ceilings; around electrical entrances, water and sewer pipe entrances; under and behind cabinets, refrigerators, and sinks; in equipment legs and bases; around window and door frames; in attics and crawl spaces. • For specific sites, see appendix.
USE RATE HOW TO APPLY APPLICATION FOR PESTS)	0.5 lb to 1 lb of TEMPO 1% Dust per 1000 square feet. Apply directly into voids, cracks and crevices using hand or power dusters or other suitable equipment. Apply lightly and uniformly.
WHEN TO APPLY	<ul style="list-style-type: none"> • When pests are seen or found. • Every 7 to 10 days, if needed.
RESTRICTIONS	<ul style="list-style-type: none"> • In living areas, avoid deposits on exposed surfaces and avoid introducing the dust into the air. • Do not use in aircraft cabins. • Do not apply in any rooms while the elderly or infirm are present. • Do not apply in occupied classrooms. • Do not apply to clothing. • Do not apply to food/feed areas of commercial food/feed handling establishments, restaurants, or other commercial establishments where food/feed is commercially prepared, processed or served. • Do not apply to animal feedstuffs or watering equipment.

APPLICATION FOR PESTS	
CRAWLING PESTS	
Ants	Apply to voids, cracks and crevices in and around doors and windows, baseboard cracks, and other places where ants enter structures.
Bedbugs	Apply to areas such as mattress folds and tufts, spring coils, cracks or hollow places in bed frames, furniture upholstery, and picture frame moldings. Let powder remain on treated surfaces for 4 to 6 hours, then vacuum the powder thoroughly, dispose of the vacuum bag properly, and place clean linens on the bed.
Carpet beetles	Apply under edges of floor coverings, baseboard cracks, under rugs and furniture, and in cracks and crevices in closets.
Clothes moths and silverfish	Apply to cracks and crevices in closets and other storage areas. This is an adjunct treatment and will not control moth larvae already on the clothes. Do not apply to clothing.
Fire Ants (including Red Harvester Ants, and Pavement Ants)	USE RATE: 2 to 6 teaspoons of TEMPO 1% Dust per mound. Avoid disturbing the mound before applying. If possible, treat all colonies in the area. Distribute the product evenly over each mound and around the perimeter of the mound (about 18 inches from the outer edge); use the higher rates for larger mounds. For best results, water mounds gently after applying. High water pressure will cause the ants to move the mound. Treat new mounds as they appear.
FLYING PESTS	
Bees Hornets Wasps Yellow jackets	Thoroughly dust nests and entrances and surrounding areas. To treat nests in wall voids, drill a hole in the area, dust entrance and surrounding areas. Wear protective clothing if necessary to avoid stings. You may also help avoid stings by treating wasp and bee nests in the evening when the insects are less active and are inside the nest. For best results, check nests within one or two days to ensure complete kill. Remove and destroy treated nests to prevent emergence of newly hatched insects, secondary pest problems, and possible staining from honey. If removal is not possible, retreat the nest, if necessary.
PANTRY & STORED PRODUCT PESTS	
Beetles and Moths	Clean area thoroughly, removing infested foodstuffs and all utensils, uncovered foodstuffs (or any with opened package), shelf paper and other objects. Apply in voids, cracks and crevices behind and under cupboards, food storage areas, and cabinets. Do not apply directly on food, utensils, or food storage shelves.
WOOD-INFESTING PESTS	
Termites and wood-infesting beetles	Apply to voids and galleries in damaged wood, in spaces between wooden structural members, and between the sill plate and foundation where wood is vulnerable. For inaccessible areas, drill into the damaged wood or wall voids and then inject dust using a suitable directional injector. Note that drilling and treating may not give complete coverage of infested and vulnerable voids or galleries.
Termite carton nests	Termite carton nests in building voids may be injected with a pointed injection tool at varying depths. For best results, remove carton nests material when possible.
Above-ground termites and carpenter ants	For control inside trees, utility poles, fencing and decking materials and similar structural members, drill to find the interior infested cavity and inject dust.
Carpenter ants	Treat wall voids by access around electrical entrances, water lines or similar openings. Apply to voids, cracks and crevices in and around doors and windows, under fascia boards, top of sill plate, cracks and crevices in crawl space, under shingles, behind gutters, and other areas where carpenter ants may enter.
Carpenter bees	Apply directly into gallery entrance holes. Leave entrance holes open for 24 hours after treatment to be sure that returning bees are also killed. When there is no activity, seal the hole with a suitable sealant.

STORAGE AND DISPOSAL	
Do not contaminate water, food, or feed by storage or disposal.	
Storage:	<ul style="list-style-type: none"> • Store in a cool, dry place and in such a manner as to prevent cross contamination with other pesticides, fertilizers, food, or feed. • Store in original containers and out of the reach of children, preferably in a locked storage area. • Handle and open container in a manner as to prevent spillage.
Pesticide Disposal:	Pesticide wastes are hazardous. Improper disposal of excess pesticide 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:	<ul style="list-style-type: none"> • Do not use container in connection with food, feed, or drinking water. • Completely empty container into application equipment. • Dispose of container by offering for recycling or reconditioning or puncture and dispose of container in a sanitary landfill, or incinerator, or if allowed by state and local authorities by burning. If burned, stay out of smoke.
Spills:	<p>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.</p> <ul style="list-style-type: none"> • Do not walk through spilled material. • Dispose of pesticide as directed above. • Keep unauthorized people away. • You may contact the Bayer Environmental Science Emergency Response Team for decontamination procedures or any other assistance at 1-800-334-7577 or contact Chemtrec at 800-424-9300.

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Appendix	
FOR RESIDUAL PEST CONTROL IN AND AROUND BUILDINGS	
Permitted areas of use include, but are not limited to:	
animal quarters and kennels	kitchens
apartment buildings	laboratories
bakeries	livestock housing structures
bottling facilities	manufacturing establishments
breweries	mausoleums
cafeterias	pet kennels
candy plants	meat and produce canneries
cereal processing and manufacturing plants	mobile homes and recreational vehicles
correctional facilities	nursing homes (see restrictions)
dairies and dairy product processing plants	pickle factories
day care centers	restaurants
frozen food plants	schools (see restrictions)
grain mills	spice plants
granaries	stores and institutions
greenhouses (structures only)	theaters
grocery stores and supermarkets	utility vaults and conduits
hospitals (see restrictions)	warehouses
hotels and motels	wineries and similar structures
houses	zoos
industrial buildings and installations	transportation vessels such as aircraft (see restrictions), buses, trucks, trailers, rail cars, and marine vessels
FOR FOOD/FEED HANDLING ESTABLISHMENTS	
TEMPO 1% Dust applications are permitted in non-food/feed areas of food handling establishments only as a void or crack and crevice treatment. It is not permitted in the food/feed areas of food/feed handling establishments.	
Food/feed handling establishments are defined as places other than private residences where exposed food/feed is held, processed, prepared or served. Included also are areas for receiving, storing, packing (canning, bottling, wrapping, boxing), preparing, edible waste storage and enclosed processing systems (mills, dairies, edible oils, syrups) of food. Serving areas where food is exposed and the facility is in operation are also considered food areas.	
Non-food/ non-feed handling areas of food/feed handling establishments include garbage rooms, lavatories, floor drains (to sewers), entries and vestibules, offices, locker rooms, machine rooms, boiler rooms, garages, mop closets, and storage (after canning or bottling).	

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.

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