

432-1452

12/11/2009

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

DEC 11 2009

Ms Norma C. Pangilinan, Ph.D
Bayer Environmental Science
2 T. W. Alexander Drive,
Research Triangle, NC 27709

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

Dear Registrant:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated November 12, 2009 for:

EPA Registration 432-1452 Tempo Ultra GC 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 nonrefillable 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 me directly at 703-305-6249 or Banza Djapao of my staff at 703-305-7269.

Sincerely,

A handwritten signature in black ink, appearing to be "Linda Arrington".

Linda Arrington
Notifications & Minor Formulations Team Leader
Registration Division (7505P)
Office of Pesticide Programs

Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060. Approval expires 2-28-95



United States
Environmental Protection Agency
Washington, DC 20460

Registration
 Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 432-1452	2. EPA Product Manager Kimberly Nesci	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Tempo Ultra GC Insecticide	PM# 11	
5. Name and Address of Applicant (Include ZIP Code) Bayer Environmental Science 2 T. W. Alexander Dr. Research Triangle Park, NC 27709 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. 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 _____	

Section II

<input type="checkbox"/> Amendment - Explain Below	<input type="checkbox"/> Final printed labels in response to Agency Letter dated _____
<input type="checkbox"/> Resubmission in response to Agency Letter dated _____	<input type="checkbox"/> "Me Too" Application.
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - explain below.

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

- Revise container disposal statement per PR Notice 2007-04.

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	
	If "yes," Unit Package wgt.	No. per container	If "Yes," Package wgt.	<input type="checkbox"/> Plastic	
				<input type="checkbox"/> Glass	
				<input type="checkbox"/> Paper	
				<input type="checkbox"/> Other (Specify) _____	
* Certification must be submitted.					
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) of Retail Container 16/32 fl oz., 1 Gal		5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product	
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input checked="" type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled		<input type="checkbox"/> Other (_____)			

Section IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Norma C. Pangilinan, Ph.D.	Title Manager, Registrations	Telephone No. (Include Area Code) 919-549-2428

Certification

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 (Stamped)

2. Signature 	3. Title Manager, Registrations
4. Typed Name Norma C. Pangilinan, Ph.D.	5. Date November 12, 2009

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RESTRICTED USE PESTICIDE

Due to toxicity to fish and aquatic organisms.

For retail sale to, and use only by, Certified Applicators or persons under their direct supervision and only by the Certified Applicator's certification.

NOTIFICATION

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Tempo[®] Ultra GC Insecticide

SHAKE WELL BEFORE USING

For broad-spectrum control of insect pests infesting turf, trees and ornamentals on residential and commercial sites including golf courses.

ACTIVE INGREDIENT:

β-Cyfluthrin, cyano(4-fluoro-3-phenoxyphenyl)methyl-3-(2,2-dichloroethenyl)-2,2-dimethyl-cyclopropanecarboxylate..... 11.8%

INERT INGREDIENTS:..... 88.2%

Contains 1 lb β-cyfluthrin per gallon 100.0%

EPA Reg. No. 432-1452

EPA Est. No. 432-TX-1

STOP - Read the label before use.

Keep out of reach of children.

CAUTION

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 a person sip a glass of water if able to swallow. • Do not induce vomiting unless told to do so by a poison control center or doctor. • Do not give anything to an unconscious person.
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.
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.
<p>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</p> <p>NOTE TO PHYSICIAN: No specific antidote is available. Treat the patient symptomatically.</p>	

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION

Causes moderate eye irritation. Harmful if swallowed, absorbed through the skin or inhaled. Avoid contact with eyes, skin, or clothing. Avoid breathing spray mist. Wash thoroughly with soap and water after handling and before eating, drinking or using tobacco. Remove contaminated clothing and wash before reuse.

ENVIRONMENTAL HAZARDS

This pesticide is extremely toxic to fish and aquatic invertebrates. Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Do not apply when weather conditions favor drift from treated areas. 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® Ultra GC 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.

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.

STORAGE AND DISPOSAL

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

Pesticide Storage: Store in cool, dry place and in such a manner as to prevent cross contamination with other pesticides, fertilizers, food, and feed. Protect from freezing. 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. 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 1-800-424-9300.

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: Non-refillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying.

Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container ¼ full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Offer for recycling, if available, or reconditioning, or puncture and dispose of container in a sanitary landfill, by incineration or if allowed by state and local authorities by burning. If burned, avoid smoke.

GENERAL INFORMATION

When used at recommended rates and as directed under RECOMMENDED APPLICATIONS, Tempo® Ultra GC will control the designated pests turf grasses, and on trees, shrubs, foliage plants and flowers in outdoor landscaped areas.

NOTE: Not for use in commercial greenhouses, nurseries, sod farms or grass grown for seed. Not for use on plants being grown for sale or other commercial use, or for commercial seed production, or for research purposes.

MIXING: Add product when filling spray tank with water. Shake or agitate the mixture. The diluted spray mixture can be stored overnight; agitate before using.

TANK MIXING: Tempo® Ultra GC can be tank mixed with other pesticides currently registered for similar uses. Follow the most restrictive labeling directions and precautions. Do not exceed label rates.

COMPATIBILITY: Tempo® Ultra GC is compatible with 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.

APPLICATION ON ORNAMENTALS: Tempo® Ultra GC mixes readily with water and may be used in all types of spray equipment. Mix product with the required amount of water and apply thoroughly as a dilute spray but do not allow runoff to occur. When spraying hard-to-wet foliage such as holly, pine or ivy, a spreader/sticker may enhance both knock-down 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.

APPLICATIONS ON TURF: Tempo® Ultra GC mixes readily with water and/or various fertilizer solutions and can be used in appropriate spray equipment. Applications should be made with accurately calibrated equipment and applied uniformly, using a coarse, large droplet, spray application 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.

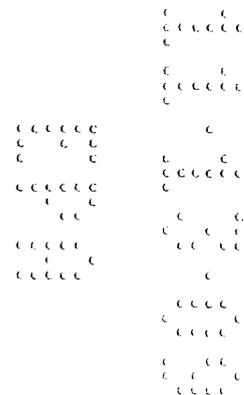
Recommended Applications for Turfgrass				
(including golf courses, home lawns, around business and office complexes and multifamily residential complexes, airports, cemeteries, parks, playgrounds and athletic fields, and other landscape turfgrass)				
PEST				DOSAGE Tempo® Ultra GC
Ants	Cutworms	Grasshoppers	Sod webworms	0.135-0.270 fl. oz. (4-8 mL) per 1000 sq ft or 6-12 fl. oz. (177-355 mL) per acre
Armyworms	Cranberry girdler	Japanese beetles (adults)	Ticks (including deer ticks)	
Crickets	Earwigs			
Billbugs (adults)	Chiggers	Fleas	Mole crickets ²	0.270 fl. oz. (8 mL) per 1000 sq ft or 12 fl. oz. (355 mL) per acre
Black turfgrass ataenius (adults)	Fire ants ¹	Annual bluegrass weevil (adults)	Scorpions	
Chinch bugs				
¹ Aids in control only. ² To control mole crickets, apply at peak egg hatch for best results. Apply when pests first appear. Reapply when necessary based on pest reinfestation, not exceeding 6 applications per year. For optimum control of armyworms, cutworms, cranberry girdler, and sod webworms, do not irrigate until spray residue is dry. Use the high rate for severe infestations, faster knockdown, and longer residual. Keep children and pets off treated areas until lawn has dried following the 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.

To avoid risk to sensitive aquatic areas, do not make applications within 25 feet of lakes, reservoirs, rivers, permanent streams, marshes or natural ponds, estuaries and commercial fish farm ponds.

Apply product using spray nozzles which produce a coarse droplet size, such as flood jet nozzles. Do not apply when turfgrass 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.



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.

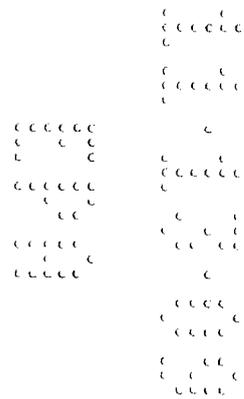
CONDITIONS: The directions for use of this product are believed to be adequate and must be followed carefully. However, it is impossible to eliminate all risks associated with the use of this product. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or the manner of use or application, all of which are beyond the control of Bayer CropScience LP. All such risks shall be assumed by the user or buyer.

DISCLAIMER OF WARRANTIES: TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BAYER CROPSCIENCE LP 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. BAYER CROPSCIENCE LP 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 LP'S ELECTION, THE REPLACEMENT OF PRODUCT.

Net Contents: 30.43 fl. oz.

Tempo is a registered trademark of Bayer Environmental Science



**A Business Group of Bayer CropScience LP
2 T. W. Alexander Drive
RTP, NC 27709**

Tempo® Ultra GC (MASTER) Approved 03/20/06, Notification 04/17/09