

3125-459

9/30/2002

1/6



U.S. ENVIRONMENTAL PROTECTION AGENCY
Office of Pesticide Programs
Registration Division (H7505)
401 "M" St., S.W.
Washington, D.C. 20460

EPA Reg. Number

3125-459

Date of Issuance

SEP 30 2002

Term of Issuance

Conditional

Name of Pesticide Product

Tempo® 2 E

NOTICE OF PESTICIDE:

☒ Registration☐ Reregistration

(under FIFRA, as amended)

Name and Address of Registrant (include ZIP Code):

Bayer Corporation, Agriculture Division
8400 Hawthorn Road, P.O. Box 4913
Kansas City, MO 64120-0013

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act.

Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

This product is conditionally registered in accordance with FIFRA sec. 3(c)(7)(A), provided that you:

1. Submit and/or cite all data required for registration/reregistration of your product under FIFRA sec. 3(c)(5) when the Agency requires all registrants of similar products to submit such data; and submit acceptable responses required for reregistration of your product under FIFRA section 4.
2. Provide market share data annually for the use of cyfluthrin on stored grains. You agreed to provide this information in your letter, dated September 17, 2002, and to comply with any risk mitigation measures that may be required if cyfluthrin should capture a significantly greater market share than projected and the estimated dietary and/or aggregate exposure to cyfluthrin becomes unacceptable. Market share data must be submitted annually for a period of 5 years, beginning with calendar year 2003. This information must be submitted to the Agency no later than March 15 following the end of the calendar year (January 1 through December 31). The first market share report will be due at the Agency on March 15, 2004 for the year ending December 31, 2003.
3. Make the following label changes:
 - a. Revise the EPA Registration Number to read "EPA Reg. No. 3125-459"

Signature of Approving Official:

Date:

September 30, 2002

- b. In the list of buildings and structures which may be treated in the third paragraph of the directions for "Seed Treatment" on page 3, delete "(including peanut warehouses)." The list of structures should only include structures, etc. where stored grain seed may be held. Peanuts are not considered "grain" and should not be included in this listing.

- c. Add the following note to the directions for use as a "Seed Treatment":

"NOTE: The purchaser of this product is responsible for ensuring that all seed treated with this product is adequately dyed with a suitable color to prevent its accidental use as food for man or feed for animals. Refer to 21 CFR, Part 2.25. Any dye added to treated seed must be cleared for use under 40 CFR, Part 180.1001.

Labels attached to the treated seed must read: Treated seed should not be used for or mixed with food or animal feed or processed for oil. Exposed treated seeds may be hazardous to birds and other wildlife. Dispose of all excess seed by burial away from bodies of water."

4. Submit the data listed below, conducted in accordance with the 40CFR Part 158 Test Guidelines:

Title of Study	Guideline Reference No.	Date Due
Developmental Neurotoxicity Study	870.6300	Sept. 30, 2003

5. Submit a Certification with Respect to Citation of Data on the latest approved EPA form #8570-34 and an updated data matrix for cyfluthrin/beta-cyfluthrin on the latest approved EPA form #8570-35. The originally submitted certification and matrix are on now obsolete forms and may not include all of the supporting data. Please submit this information within 30 days.
6. You will submit product information (pounds or gallons produced) for this product for the fiscal year in which the added uses are conditionally registered, in accordance with FIFRA section 29. The fiscal year begins October 1 and ends September 30. The production information will be submitted to the Agency no later than November 15 following the end of the preceding fiscal year.

The information should be submitted to:

U.S. Environmental Protection Agency
Office of Pesticide Programs (7504C)
Document Processing Desk
Ariel Rios Building
1200 Pennsylvania Avenue, NW
Washington, DC 20460

7. Please submit two (2) copies of your final printed label before you release the product for shipment. Refer to the A-79 enclosure for a further description of final printed labeling. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6(e).

3/6

Page 3
EPA Reg. No. 3125-459

Your release for shipment of the product bearing amended labeling constitutes acceptance of these conditions.
A stamped copy of the label is enclosed for your records.

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)

Enclosures

Tempo® 2 E

Grain, Bin and Warehouse Insecticide

Residual insecticide with knock-down activity. For broad-spectrum control of crawling and flying insect pests.

ACTIVE INGREDIENT:

Cyfluthrin,
cyano(4-fluoro-3-phenoxyphenyl)methyl 3-
-(2,2-dichloroethenyl)-2,2-dimethyl-
cyclopropanecarboxylate 24.3%

INERT INGREDIENTS: 75.7%
100.0%

Contains 2 pounds cyfluthrin per gallon.

(This product contains aromatic hydrocarbon solvents.)

EPA Reg. No. 3125-XXX

Net Contents:

STOP - Read the label before use.

Keep out of the reach of children.

WARNING AVISO

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

Warning: Causes substantial but temporary eye injury. Harmful if swallowed, inhaled or absorbed through the skin. Do not get in eyes, on skin, or on clothing. Prolonged or frequently repeated skin contact may cause allergic skin reactions in some individuals. Avoid breathing vapors or spray mist. Wear safety glasses, goggles, or face shield when handling the undiluted material and wear a respirator when making general surface overhead treatment.

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

Wash thoroughly with soap and warm water after handling. Remove contaminated clothing and wash before reuse.

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

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. Do not induce vomiting unless told to do so by a poison control center or doctor. Do not give any liquid to the person. Do not give anything by mouth to an unconscious person.
If on skin or clothing	<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.

In case of emergency call toll free the Bayer Kansas City Emergency Response Telephone No. 800-414-0244. Have a product container or label with you when calling a poison control center or doctor, or going for treatment.

Note To Physician: ANTIDOTE - No specific antidote is available. Treat symptomatically. Published data indicate vitamin E acetate can prevent and/or mitigate symptoms of paraesthesia caused by synthetic pyrethroids. Contains petroleum distillates. Vomiting may cause aspiration pneumonia.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish. Do not apply directly to water. Do not contaminate water when disposing of equipment wash waters. 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 2 E Grain, Bin and Warehouse Spray 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.

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

SEP 30 2002

Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
as amended, for the pesticide
registered under EPA Reg. No.
3125-459

DIRECTIONS FOR USE

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

IMPORTANT: Read these entire Directions for Use and Conditions of Sale before using TEMPO 2 E Grain, Bin and Warehouse insecticide.

CONDITIONS OF SALE: THE DIRECTIONS ON THIS LABEL WERE DETERMINED THROUGH RESEARCH TO BE APPROPRIATE FOR THE CORRECT USE OF THIS PRODUCT. THIS PRODUCT HAS BEEN TESTED UNDER DIFFERENT ENVIRONMENTAL CONDITIONS BOTH INDOORS AND OUTDOORS SIMILAR TO THOSE THAT ARE ORDINARY AND CUSTOMARY WHERE THE PRODUCT IS TO BE USED. INSUFFICIENT CONTROL OF PESTS OR PLANT INJURY MAY RESULT FROM THE OCCURRENCE OF EXTRAORDINARY OR UNUSUAL CONDITIONS, OR FROM FAILURE TO FOLLOW LABEL DIRECTIONS. IN ADDITION, FAILURE TO FOLLOW LABEL DIRECTIONS MAY CAUSE INJURY TO ANIMALS, MAN, AND DAMAGE TO THE ENVIRONMENT. BAYER OFFERS, AND THE BUYER ACCEPTS AND USES, THIS PRODUCT SUBJECT TO THE CONDITIONS THAT EXTRAORDINARY OR UNUSUAL ENVIRONMENTAL CONDITIONS, OR FAILURE TO FOLLOW LABEL DIRECTIONS ARE BEYOND THE CONTROL OF BAYER AND ARE, THEREFORE, THE RESPONSIBILITY OF THE BUYER.

PRODUCT INFORMATION

STORED GRAIN: For the protection of food, feed, oil and seed grains against injury from stored grain moths, beetles, and worms, including red and confused* flour beetles, sawtoothed grain beetle, lesser grain borer, larger grain borer, granary and rice weevil*, merchant grain beetle, Indian meal moth, Mediterranean flour and Angoumois grain moths, drugstore, cigarette, carpet, larder, hide, warehouse and other dermestid beetles, millipedes, centipedes, wasps, yellow jackets, and hornets. For optimum results, thoroughly clean and treat grain storage areas prior to storage of grain. If grain is insect infested, fumigate** to control existing populations and apply TEMPO 2 E for residual protection.

IN AND AROUND BUILDINGS, STRUCTURES AND

MODES OF TRANSPORT: Dilute TEMPO 2 E with water to give a final concentration of .05% cyfluthrin (8 mL of product per 1 gallon of finished spray). Apply finished spray to equipment, wall and floor surfaces at the rate of 1 gallon per 1,000 square feet prior to storing or handling grain. Under conditions of severe pest infestation or when quicker knock-down and/or longer residual control is needed, dilute TEMPO 2 E with water to give a final concentration of .10% cyfluthrin (16 mL of product per 1 gallon of finished spray). Use a low pressure system with a fan type nozzle to uniformly apply the dilution. Application should be made only after equipment, bins and buildings have been thoroughly cleaned and are insect free. Empty bin fumigation** is appropriate when inaccessible areas exist. Reapplication can be made at 10 day intervals, if necessary.

GENERAL DIRECTIONS FOR TREATMENT OF GRAIN BEING STORED:

Dilute TEMPO 2 E with water or FDA approved food grade mineral or soybean oils and apply to the moving grain stream as a coarse spray to provide a concentration of 1-2 ppm of cyfluthrin on the grain. Final spray volume with water solutions - 5 gallons of liquid per 1000 bushels of grain. Final spray volume with oil solutions should be applied at oil manufacturer's rates. Occasional agitation is needed in water solutions and constant agitation is necessary in oil solutions. A uniform treatment can only be obtained by treating a moving grain stream.

TEMPO 2 E is to be applied to stored grain in accordance with the General Directions at the rate of 5 gallons of solution per 1000 bushels to achieve a 1-2 ppm concentration of cyfluthrin. Apply the low rate for short term storage and the high rate for longer storage period, as shown in table(s) below:

AMOUNT OF TEMPO 2 E/ 1000 BUSHELS OF GRAIN

Grain	TEMPO 2 E at 2 PPM Treatment		Gallons of Dilute
	fl oz	mL	
Barley	6.1	180	5
Corn	7.1	210	5
Oats	4.1	121	5
Popcorn	7.1	210	5
Rice	5.7	168	5
Rye	7.1	210	5
Sorghum (milo)	7.1	210	5
Wheat	7.6	225	5

Grain	TEMPO 2 E at 1 PPM Treatment		Gallons of Dilute
	fl oz	mL	
Barley	3.05	90	5
Corn	3.55	105	5
Oats	2.05	60.5	5
Popcorn	3.55	105	5
Rice	2.85	84	5
Rye	3.55	105	5
Sorghum (milo)	3.55	105	5
Wheat	3.8	112.5	5

TEMPO 2 E is to be applied in solution in accordance with the General Directions to stored grains. Final spray volume to treat 100 metric tons of grain at 1 or 2 ppm concentrations of cyfluthrin are provided in the tables below corresponding to the grain being treated.

6/6

AMOUNT OF TEMPO 2 E/ 100 METRIC TONS OF GRAIN

Grain	TEMPO 2 E per 100 Metric Tons at 2 PPM		Liters of Dilute Solution
	fl oz	mL	
Barley	28.2	834	86.7
Corn	28.2	834	74.3
Oats	28.2	834	130.1
Popcorn	28.2	834	74.3
Rice	28.2	834	92.5
Rye	28.2	834	74.3
Sorghum (milo)	28.2	834	74.3
Wheat	28.2	834	69.4

Grain	TEMPO 2 E per 100 Metric Tons at 1 PPM		Liters of Dilute Solution
	fl oz	mL	
Barley	14.1	417	86.7
Corn	14.1	417	74.3
Oats	14.1	417	130.1
Popcorn	14.1	417	74.3
Rice	14.1	417	92.5
Rye	14.1	417	74.3
Sorghum (milo)	14.1	417	74.3
Wheat	14.1	417	69.4

SEED TREATMENT: For protection of stored grain seed against injury from stored grain insects listed above. For optimum results, thoroughly clean and treat seed storage areas prior to storage. If seed is insect infested, fumigate** to control existing populations and apply TEMPO 2 E for residual protection.

TEMPO 2 E may also be used in conjunction with registered fungicide seed protectants, to protect barley, corn, oats, popcorn, rice, rye, sorghum, and wheat seed during the seed treating process, and prior to bagging or placing in bulk seed storage at the rate of 2 ppm. Treated seed should be properly tagged, indicating the seed should not be used for food, feed or oil purposes. Seed treated with TEMPO 2 E alone is considered grain.

TEMPO 2 E Bin and Warehouse Spray is intended for use in and around buildings and structures, their surroundings and on various modes of transport. Permitted areas of use include, **but are not limited to**, empty grain bins, warehouses (including peanut warehouses), grain elevators, grain mills, grain warehouses, grain flat storage, feed and seed stores, cereal processing and manufacturing plants, as well as, trucks, trailers, rail cars, marine vessels, grain and seed containers.

USE PRECAUTIONS:

- Avoid application at extremely dusty sites.
- TEMPO 2 E solutions should be used within 48 hours.
- Check spray equipment calibration regularly to ensure proper application rates.
- When drying grain, apply TEMPO 2 E after the grain bin has cooled.
- Protectant products may not affect immature insect life stages within grain kennels.

STORAGE AND DISPOSAL**Not For Storage In or Around the House**

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 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. If the container is leaking or material is spilled for any reason or cause, carefully dam up spilled material to prevent runoff. Refer to Precautionary Statements on label for hazards associated with the handling of this material. Do not walk through spilled material. Absorb spilled material with absorbing type compounds and dispose of as directed for pesticide below. 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 800- 414-0244, or contact Chemtrec at (800) 424-9300.

Pesticide Disposal: Do not contaminate water, food or feed by storage or 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. Completely empty container into application equipment. Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or incineration, or if allowed by state and local authorities, by burning. If burned, stay out of smoke.

D - 9409-1 092702

* Suppression

** Fumigate according to manufacturer's label recommendations.

Bayer Corporation
Crop Protection Products
Box 4913
Kansas City, MO 64120-0013
(800) 842-8020
<http://usagri.bayer.com>

