



11-16-2010

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

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OFFICE OF
CHEMICAL SAFETY
AND POLLUTION PREVENTION

NOV 16 2010

Mr. Gregory Mattern
Bayer Environmental Science
P.O. Box 12014
2 T.W. Alexander Dr,
Research Triangle Park, NC 27709

Subject: Tempo Ready-to-Use Insecticide, EPA Reg. No. 72155-24
Date of Registrant Submission: August 17, 2010
Decision: 442096

Dear Mr. Mattern:

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.

Upon review of the registration record, it has been determined that there are claims not supported by the data that have been submitted in connection with the product's registration. Therefore this registration amendment is accepted on the condition that the following claims be deleted or amended as prescribed from all labeling and all other media used in connection with the marketing of the product.

1. Delete "Just One Application Quickly Kills Insects"
2. Change third marketing bullet to read "Treats up to 5,333 sq ft of lawn (1 Qr.)"
3. Delete "Quickly Stops Harmful Insects Before They Do Damage"
4. Delete "Kills Pests Outdoors Before They Come Inside"
5. Change 9th bullet to read "Keeps on killing mosquitoes for up to 2 weeks"
6. Delete "Double protection formula" unclear as to what the double protection is
7. Delete statements that include killing "fast" or "on contact" unless you supply efficacy info to support such claims
8. Delete "Creates a Bug Barrier Around Your Yard"
9. Delete "Keeps Bugs Out of Your Yard"
10. Change statement to read "Also kills Fleas, Ticks, & 58 other listed nuisance pests"
11. Change "Keeps on Killing Mosquitoes for up to 2 Weeks"
12. Delete "Stops Mosquitoes on Contact, including even those that may carry West Nile Virus"
13. Delete "Keeps Bugs Out of Your Yard"
14. Delete "Kills Mosquitoes without harming plants"

(continued)

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. If you have any questions regarding this letter, please contact Samantha Hulkower at (703) 603-0683.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark Suarez', with a large, stylized flourish at the end.

Mark Suarez
Product Manager 13
Insecticide Branch
Registration Division (7505P)

Enclosure: Copy of Label Stamped "Accepted with Comments"

(Front Panel)

Tempo[®] 0.75%

Ready-to-Spray Insecticide

ACCEPTED
with COMMENTS
In EPA Letter Dated:
NOV 16 2010

NOV 16 2010
Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
as amended, for the pesticide
registered under EPA Reg. No.
72155-24

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This label contains two separate label statements for, Outdoor Residential Hose-end Sprayer and Concentrate product use.

For Use On: Lawns, Ground Covers, Flowers, Shrubs, Trees, Around Homes

READY TO SPRAY

CONCENTRATE

KILLS INSECTS

RAINPROOF (RAINFEST) WITHIN 1 HOUR OF APPLICATION

- Just One Application Quickly Kills Insects
- Kills Over 60 Different Outdoor Insects
- Treats ^{UP TO} 5,333 sq ft of Lawn (1 Qt.)
- Effective Home/Yard Barrier Treatment
- Quickly Stops Harmful Insects Before They Do Damage
- Effective Against a Broad Range of Listed Pests
- Kills Pests Outdoors Before They Come Inside
- Ready To Spray...No Mixing, No Measuring
- Keeps on killing mosquitoes for ^{UP TO 2} weeks
- Kills Mosquitoes including those that may carry the West Nile Virus
- Kills fleas and ticks, including deer ticks which may carry Lyme disease
- Kills Scorpions Fast
- Kills Mosquitoes and other Annoying Insects
- Creates a Bug Barrier Around Your Yard
- Keeps Annoying Insects Away
- Keeps Bugs Out of Your Yard
- Contains Tempo[®]
- Kills on contact plus protects for ^{UP TO 2} weeks
- Also kills Fleas, Ticks, & 58 other ^{LISTED} nuisance pests
- 100% Satisfaction Guaranteed
-

DOUBLE PROTECTION FORMULA

- Fast Acting Kills on Contact
- Keeps On Killing Mosquitoes for ^{UP TO 2} Weeks
- Stops Mosquitoes on Contact, (including) even those that may carry West Nile Virus
- Kills Fleas and Ticks, including Deer Ticks which may carry Lyme Disease
- Kills Scorpions Fast
- Kills Mosquitoes and Other Annoying Insects
- Creates a Bug Barrier Around Your Yard
- Keeps Annoying Insects Away
- Keeps Bugs Out of Your Yard
- Kills Mosquitoes without harming plants
- Guaranteed to work, or your money back.
- 2 Spray Settings
 - Mist for Gardens
 - Spray for large areas

ACTIVE INGREDIENT:

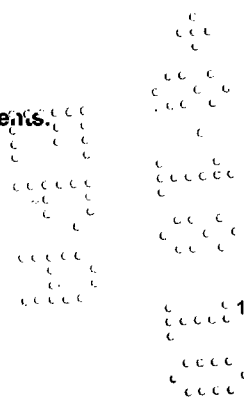
Cyfluthrin 0.75 %

OTHER INGREDIENTS 99.25 %

Net Contents: 16 fl oz or 32 fl oz, 40 fl. oz.

KEEP OUT OF REACH OF CHILDREN
CAUTION

See back panel for additional ingredients and precautionary statements.



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(Pre-packed Hose-end Sprayer Label)
(Front Panel)

Tempo® 0.75%

Ready-to-Spray Insecticide

For Use On: Lawns, Ground Covers, Flowers, Shrubs, Trees, Around Homes

READY TO SPRAY

CONCENTRATE

KILLS INSECTS

RAINPROOF (RAINFEST) WITHIN 1 HOUR OF APPLICATION

- | | |
|---|---|
| <ul style="list-style-type: none">• Just One Application Quickly Kills Insects• Kills Over 60 Different Outdoor Insects• Treats 5,333 sq ft of Lawn (1 Qt.)• Effective Home/Yard Barrier Treatment• Quickly Stops Harmful Insects Before They Do Damage• Effective Against a Broad Range of Listed Pests• Kills Pests Outdoors Before They Come Inside• Ready To Spray...No Mixing, No Measuring• Keeps on killing mosquitoes for (2) weeks• Kills Mosquitoes including those that may carry the West Nile Virus• Kills fleas and ticks, including deer ticks which may carry Lyme disease• Kills Scorpions Fast• Kills Mosquitoes and other Annoying Insects• Creates a Bug Barrier Around Your Yard• Keeps Annoying Insects Away• Keeps Bugs Out of Your Yard• Contains Tempo®• Kills on contact plus protects for (2) weeks | <ul style="list-style-type: none">• Also kills Fleas, Ticks, & 58 other nuisance pests• 100% Satisfaction Guaranteed <p>DOUBLE PROTECTION FORMULA</p> <ul style="list-style-type: none">• Fast Acting..Kills on Contact• Keeps On Killing Mosquitoes for (2) Weeks<ul style="list-style-type: none">-Stops Mosquitoes on Contact, (including) even those that may carry West Nile Virus-Kills Fleas and Ticks, including Deer Ticks which may carry Lyme Disease• Kills Scorpions Fast• Kills Mosquitoes and Other Annoying Insects• Creates a Bug Barrier Around Your Yard• Keeps Annoying Insects Away• Keeps Bugs Out Of Your Yard• Kills Mosquitoes without harming plants• Guaranteed to work, or your money back.• 2 Spray Settings<ul style="list-style-type: none">— Mist for Gardens— Spray for large areas |
|---|---|

ACTIVE INGREDIENT:

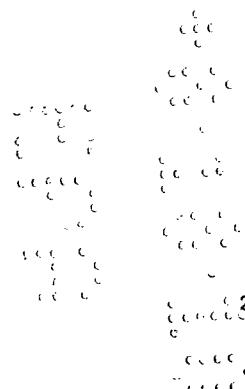
Cyfluthrin 0.75 %

OTHER INGREDIENTS 99.25 %

Net Contents: 16 fl oz or 32 fl oz, 40 fl. oz.

KEEP OUT OF REACH OF CHILDREN
CAUTION

See back panel for additional ingredients and precautionary statements.



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(BACK PANEL)

This product kills mosquitoes and other nuisance pests on contact and keeps protecting for up to 2 weeks in a single application. No mixing and measuring hassles. No messy cleanup. Controlling listed annoying outdoor insects has never been easier.

READ THE LABEL FIRST!



QUICK FACTS	
• <Marketing Claims Positioned Here>	
KILLS	Mosquitoes, Fleas, Ticks, and 58 other listed pests
COVERAGE (1 Qt.)	Covers 5,333 sq ft of lawn.
WHERE TO USE	Lawns, Ground Covers, Flowers, Shrubs, Trees, Around Homes
WHEN TO USE	When mosquitoes or other insects first appear.
HOW MUCH TO USE	No measuring needed. . . . Dilutes automatically.
For questions or comments, call toll-free 1-877-BayerAG (1-877-229-3724)	

FOR OUTDOOR RESIDENTIAL USE ONLY

ACTIVE INGREDIENT:

Cyfluthrin 0.75 %

OTHER INGREDIENTS 99.25 %

100.00 %

Cyfluthrin is the chemical name for Tempo®

EPA Reg. No. 72155-24

EPA Est. No. XXXX-AA-1

DIRECTIONS FOR USE

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

BEFORE YOU USE

Read and follow these directions when using:

- Apply the product to flowering plants during early morning or late evening, when bees are not present.
- Do not spray the product into fish pools, ponds, streams, or lakes.
- Do not apply to plants grown for food.
- Remove animal feeding dishes prior to application. Keep children and pets away from treated areas until spray has dried.
- Do not water the treated area to the point of run-off.
- Do not make applications during rain.

HOW TO USE

Shake well before using.

This product is ready to spray. Just attach this bottle to your hose according to directions. Water automatically mixes with the concentrate as you spray.

HOW TO ATTACH & SPRAY

1. Connect your garden hose to the bottle. Be sure the blue water control valve on top of the spray nozzle is in the OFF position. (ART)
 2. Turn on water at faucet. Twist the small, star-shaped, blue product-control button to align the flat portion with the lock tab. Push the button in to open. (ART)
 3. To begin spraying, point nozzle toward the area to be treated and turn the blue water control valve to the ON position. Tab will be horizontal. This (1 Qt.) bottle will cover 5,333 sq. ft. of lawn. (ART)
 4. To stop spraying, turn the blue water control valve on top of the spray nozzle to OFF. To close, push in the small round button opposite the star-shaped product-control button. Turn off faucet. (ART)
 5. Relieve water pressure by turning blue water control valve to the ON position until water slows to a drip. Turn blue water control valve back to OFF. Disconnect garden hose from bottle.
- (Optional Alternative)**
1. Connect garden hose to bottle. Be sure the product control valve is in the off position.
 2. Turn on water at faucet. Rotate the product control valve to MIST to spray shrubs and flowers or to SPRAY to spray lawns or around the foundation of your home.
 3. To begin spraying, point nozzle toward the area to be treated and turn the water control to the ON position. This bottle (30 fl oz) will cover 5,000 sq ft of lawn and garden area.
 4. To stop spraying, turn the water control valve to the OFF position. To close, turn the product control valve to the off position. Turn off faucet.
 5. Relieve water pressure by turning blue water control valve to the ON position until water slows to a drip. Turn blue water control valve back to OFF. Disconnect garden hose from bottle.


TIPS FOR APPLYING

- Extend hose to the farthest area to be treated and work back toward the faucet to avoid walking into wet, treated area. (ART)
- Walk at a steady pace while spraying, using an even sweeping motion, slightly overlapping the treated areas.
- **Mosquitoes and Other Outdoor Nuisance Pests**
 - Spray thoroughly beneath shrubs, around house foundation and in nearby tall grass or weeds. Cover evenly.
 - To control mosquitoes, pay special attention to shady areas where they rest and, when possible, drain standing water where they live. Do not spray this product into fish pools, ponds, streams, or lakes.
- **Lawn Pests**
 - To control ticks, spray tall grasses & weeds and, when possible, keep those areas mowed.
 - After spraying the lawn, wait 24 hours before mowing.
- **Flowers, Trees, Shrubs, Ground Covers**
 - Spray foliage, tender new shoots and the underside of leaves thoroughly.
 - To kill insects that hide, spray the underside of the leaves. Apply until leaves are evenly coated with spray droplets, but not dripping.

FOR BEST RESULTS

- Rain or watering one hour after application will not wash away effectiveness.
- To avoid serious damage to plants, eliminate pests early in the season before they multiply.
- For severe infestations, repeat every 7 to 14 days as necessary.

KILLS			
Ants Aphids Armyworms Aster leafhoppers Bagworms Banded sunflower moths Bluegrass billbug (adults) Boxelder bugs Budmoths Caterpillars Chiggers Chinch bugs Clover mites Cockroaches Corn borers	Corn earworms Corn rootworms (adults) Crickets Cutworms Earwigs Elm leaf beetles Fire ants Flea beetles Fleas Flies Grasshoppers Gypsy Moth Larvae Hyperodes weevil (adults) Japanese beetles (adults) Lace bugs	Leaf Beetles Leaf-feeding beetles Leaf-feeding caterpillars Leafhoppers (including Glassy-winged Sharpshooter) Leafminers Mealybugs Midges Mole Crickets Mosquitoes Pepper weevils (adults) Pillbugs Plant bugs Potato leafhoppers Scale (crawler stages) Scorpions	Seed weevils (adults) Sod Webworms Sowbugs Spiders Spittlebugs Stem weevil (adults) Stink bugs Sunflower beetles Sunflower moths Thrips Ticks (including deer ticks) Wasps Weevils (including Root Weevils) Western Flower Thrips Whiteflies

	Children and pets may re-enter the treated area after spray has dried.
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PRECAUTIONARY STATEMENTS	
Hazards to Humans and Domestic Animals	
Caution <ul style="list-style-type: none"> Harmful if swallowed or inhaled. Causes eye irritation. Avoid contact with skin, eyes, or clothing. Wash thoroughly with soap and water after handling. 	

First Aid +	
IN CASE OF ACCIDENTAL...	IMMEDIATELY...
Swallowing	<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 do so by the poison control center or doctor. Do not give anything by mouth to an unconscious person.
Contact with eyes	<ul style="list-style-type: none"> Hold eye open and rinse slowly and gently with water for 15-20 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.
Inhalation	<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 by mouth-to-mouth, if possible. Call a poison control center or doctor for further treatment advice.
NOTE: When calling poison control center, have this product label accessible. If seeking treatment at an emergency room or doctor's office, bring this product label to show medical personnel. You may call toll-free 1-877-229-3763 for medical emergency information. Active Ingredient: 0.75% Cyfluthrin [CAS # 68359-37-5]	

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Environmental Hazards

- This pesticide is toxic to fish and other aquatic organisms.
- This pesticide is highly toxic to bees. Do not apply TEMPO 0.75% Concentrate Insecticide when bees are active.
- To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutters or surface waters. Applying this product in calm weather when rain is not predicted for the next 24 hours will help to ensure that wind or rain does not blow or wash pesticide off the treatment area.

IMPORTANT: Directions for Storage and Disposal

Storage Conditions:

Store in original container in a cool, dry place, out of the reach of children, preferably a locked storage cabinet. Protect from freezing.

Disposal:



- **If empty:** Non-refillable container. Do not refill or reuse empty container. Place empty container in trash or offer for recycling if available. Protect from freezing.
- **If partly filled:** Call your local solid waste agency or toll free 1-877-229-3724 [1-800 CLEAN UP] for disposal instructions. Never place unused product down any indoor or outdoor drain.

NOTICE

Research and testing have determined that the "Directions for Use" are appropriate for the proper use of TEMPO 0.75% Ready-To-Spray Insecticide under expected conditions. The Buyer assumes responsibility for lack of performance or safety if not used according to the directions.

Money Back Guarantee: If you are not satisfied with this product, we will gladly refund your original purchase price.



A Business Unit of Bayer CropScience LP
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Research Triangle Park, North Carolina 27709