

72155-28

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

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

Mr. Charles W. Boyd  
Bayer Advanced  
2 T.W. Alexander Drive  
Research Triangle, NC 27709

JAN 15 2009

Subject: Label Notification(s) for Pesticide Registration Notice 2007-4 and 2008-1

Dear Registrant:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 and 2008-1 dated December 8, 2008 for:

**EPA Registration 72155-28 Imidacloprid 0.012%+Beta-Cyfluthrin 0.0015%  
RTU Insecticide**

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and 2008-1, 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

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	United States <b>Environmental Protection Agency</b> Washington, DC 20460	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number
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**Application for Pesticide - Section I**

<b>1. Company/Product Number</b> 72155-28	<b>2. EPA Product Manager</b> Venus Eagle	<b>3. Proposed Classification</b> <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
<b>4. Company/Product (Name)</b> Imidacloprid 0.012% + Beta-cyfluthrin 0.0015% RTU Insecticide	<b>PM#</b> 1	
<b>5. Name and Address of Applicant (Include ZIP Code)</b> Bayer Advanced 2 T.W. Alexander Drive Research Triangle Park, NC 27709 <input type="checkbox"/> Check if this is a new address	<b>6. Expedited Review.</b> In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling to: <div style="text-align: center; font-weight: bold; font-size: 1.2em;">NOTIFICATION</div> EPA Reg. No. _____ Product Name <span style="float: right;">JAN 15 2009</span>	

**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.

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

See Attached

**Section - III**

<b>1. Material This Product Will Be Packaged In:</b>				<b>2. Type of Container</b>	
<b>Child-Resistant Packaging</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>Unit Packaging</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>Water Soluble Packaging</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
* Certification must be submitted		If "Yes" Unit Packaging wgt.    No. per container	If "Yes" Package wgt    No. per container	<input type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____	
<b>3. Location of Net Contents Information</b>		<b>4. Size(s) Retail Container</b>		<b>5. Location of Label Directions</b>	
<input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		24, fl. oz., 1, 1.3 Gallon		<input type="checkbox"/>	
<b>6. Manner in Which Label is Affixed to Product</b>			<input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled		
			<input checked="" type="checkbox"/> Other Integ Label _____		

**Section - IV**

**1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)**

<b>Name</b> Charles W. Boyd	<b>Title</b> Registrations Manager	<b>Telephone No. (Include Area Code)</b> (919) 549-2422
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<p style="text-align: center;"><b>Certification</b></p> <p>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 both under applicable law.</p>	<b>6. Date Application Received</b>  <div style="text-align: center; border: 1px solid black; padding: 5px;"> <b>(Stamped)</b> </div>
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<b>2. Signature</b> 	<b>3. Title</b> Registrations Manager	
<small>Digitally signed by Charles Boyd          DN: cn=Charles Boyd, c=US, o=Bayer CropScience, ou=Consumer, email=charles.boyd@bayercropscience.com          Date: 2008.12.08 13:45:41 -0500</small>	<b>4. Typed Name</b> Charles W. Boyd	<b>5. Date</b> December 8, 2008



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[FRONT PANEL]

# Imidacloprid 0.012% +Beta-cyfluthrin 0.0015% Ready-to-Use Insecticide

## KILLS INSECTS

For use on: Flowers, Roses, Shrubs

- Just one application quickly kills insects
- Protects up to 30 days
- Rainproof Within 1 Hour of Application
- Exclusive [ insert trademark]™ Formula (Technology)
- Next Generation (of )Insect Control
- More powerful (effective)
- Long-Lasting Protection
- Kills surface pests in (24) hours
- Leading(cutting edge) insect control
- Leading (Edge) (insect control) Technology
- Fast Acting Formula

- 2 way (action) Formula
- Powerful Fast Acting (2-Way) Formula

MERIT + TEMPO Ready-to-Use Insecticide is a highly effective insecticide designed to kill insect pests on

- flowers
- roses
- house plants
- ground covers
- shrubs

Contains Merit® and Tempo Ultra®

**NOTIFICATION**

**JAN 15 2009**

### ACTIVE INGREDIENTS:

Beta-cyfluthrin .....	0.0015 %
Imidacloprid .....	0.012 %

**OTHER INGREDIENTS:** ..... 99.9865 %

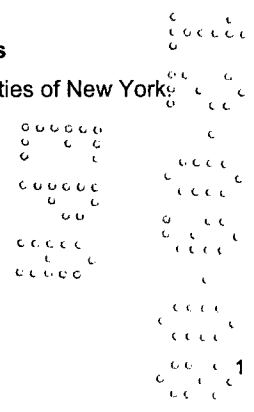
Net Contents: 24 fl oz, 1 Gal., and 1.3 Gal.

**STOP - Read This Entire Label Before Use**  
**KEEP OUT OF REACH OF CHILDREN**  
**FOR RESIDENTIAL USE ONLY**

## CAUTION

See back panel booklet for ingredients and precautionary statements

Not for sale, sale into, distribution and or use in Nassau, Suffolk, Kings, and Queens counties of New York



**[BACK PANEL]**

This product provides up to 30 days protection with a single application. Now keeping your roses and flowers free of listed pests has never been easier.

<b>QUICK FACTS</b>																																													
Kills Insects on Contact Keeps on Killing for Up to 30 Days Ready to Use -- No Mixing, No Measuring																																													
<b>KILLS</b>	(ART: Aphid, Japanese Beetle, Leafminer, Whitefly) <table border="0"> <tr> <td>Adelgids</td> <td>Flies</td> <td>Mealybugs</td> <td>Rose Slugs</td> </tr> <tr> <td>Ants</td> <td>Fungus gnats</td> <td>Midges</td> <td>Sawflies(Sawfly Larvae)</td> </tr> <tr> <td>Aphids</td> <td>Grasshoppers</td> <td>Mosquitoes</td> <td>Scale insects (crawler stages)</td> </tr> <tr> <td>Bagworms</td> <td>Gypsy moth larvae</td> <td>Pillbugs</td> <td>Sowbugs</td> </tr> <tr> <td>Boxelder bugs</td> <td>Japanese beetles (adult)</td> <td>Pine Shoot moths</td> <td>Spiders</td> </tr> <tr> <td>Caterpillars</td> <td>Lace bugs</td> <td>Pine Tip moths</td> <td>Spittlebugs</td> </tr> <tr> <td>Clover mites</td> <td>Leaf-feeding beetles</td> <td>Plant bugs</td> <td>Thrips</td> </tr> <tr> <td>Cockroaches</td> <td>Leaf-feeding caterpillars</td> <td>Psyllids</td> <td>Wasps</td> </tr> <tr> <td>Crickets</td> <td>Leafhoppers (including Glassy-Winged Sharpshooter)</td> <td>Rose Midges</td> <td>Webworms</td> </tr> <tr> <td>Earwigs</td> <td>Leafminers</td> <td></td> <td>Weevils (including root weevils)</td> </tr> <tr> <td>Elm leaf beetles</td> <td></td> <td></td> <td>Whiteflies</td> </tr> </table>	Adelgids	Flies	Mealybugs	Rose Slugs	Ants	Fungus gnats	Midges	Sawflies(Sawfly Larvae)	Aphids	Grasshoppers	Mosquitoes	Scale insects (crawler stages)	Bagworms	Gypsy moth larvae	Pillbugs	Sowbugs	Boxelder bugs	Japanese beetles (adult)	Pine Shoot moths	Spiders	Caterpillars	Lace bugs	Pine Tip moths	Spittlebugs	Clover mites	Leaf-feeding beetles	Plant bugs	Thrips	Cockroaches	Leaf-feeding caterpillars	Psyllids	Wasps	Crickets	Leafhoppers (including Glassy-Winged Sharpshooter)	Rose Midges	Webworms	Earwigs	Leafminers		Weevils (including root weevils)	Elm leaf beetles			Whiteflies
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<b>COVERAGE</b>	Treats up to 34 medium-sized plants																																												
<b>WHERE TO USE</b>	Flowers, roses and shrubs																																												
<b>WHEN TO USE</b>	When insects or damage first appear																																												
	Questions or comments, call toll-free (877) 229-3724																																												

**ACTIVE INGREDIENTS:**

Beta-cyfluthrin ..... 0.0015 %  
 Imidacloprid ..... 0.012 %

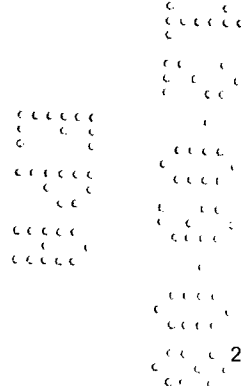
**OTHER INGREDIENTS:**

..... 99.9865 %  
 ..... 100.000 %

Beta-cyfluthrin is the chemical name for Tempo Ultra® and Imidacloprid is the chemical name for Merit®.

EPA Reg. No. 72155-28

EPA Est. No. XXXX-AA-1



## PRECAUTIONARY STATEMENTS

### Hazards to Humans and Domestic Animals

**CAUTION**

- Harmful if swallowed or inhaled.
- Causes eye irritation.
- Avoid contact with skin, eyes, or clothing.
- Avoid breathing spray mist.
- Wash thoroughly with soap and water after handling.



### First Aid

IN THE CASE OF ACCIDENTAL...	IMMEDIATELY...
<b>Swallowing</b>	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 a poison control center or doctor. Do not give anything by mouth to an unconscious person.
<b>Contact with eyes</b>	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 eyes. Call a poison control center or doctor for treatment advice.
<b>Inhalation</b>	Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouthy-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. For medical emergency information, you may call toll-free 1-877-229-3763.

Active Ingredients: 0.0015% Beta-cyfluthrin [CAS # 68359-37-5], 0.012% Imidacloprid [CAS # 138261-41-3]

### Environmental Hazards

This pesticide is highly toxic to aquatic invertebrates and fish. 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.

This pesticide is highly toxic to bees. Do not apply Imidacloprid 0.012%+Beta-cyfluthrin 0.0015% Ready-to-Use Insecticide when bees are active.

Apply this product only as specified on this label.

### DIRECTIONS FOR USE

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

For best results, be sure to read and follow all label directions.

<b>BEFORE YOU USE</b>	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. Remove animal feeding dishes prior to application. Do not use in small, enclosed areas where spray may be inhaled. Do not apply to fruits or vegetables used for food.
Read and follow these directions when using.	
<b>WHEN TO USE</b>	When insects or damage first appear

