

72155-28

9/14/2010

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

OFFICE OF CHEMICAL SAFETY  
AND POLLUTION PREVENTION

Gregory C. Mattern  
Bayer Advanced  
2 T.W. Alexander Drive  
P.O. Box 12014  
Research Triangle Park, NC 27709

SEP 14 2010

Dear Mr. Mattern:

Subject: Labeling Amendment; Pyrethroid Label Call-In  
Imidacloprid 0.012% + Beta-Cyfluthrin 0.0015% RTU  
EPA Registration No. 72155-28  
Submission Date: August 17, 2010

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, is acceptable with the following provisions:

- 1) On the first page of the label, revise "KILLS INSECTS" to read "KILLS LISTED INSECTS".
- 2) Regarding the statement, "[The word "listed" can appear as a footnote with the appropriate phrase, such as \*listed insects]", include language that requires the footnote be on the same page of the label as the claim.

A stamped copy is enclosed for your records. Please submit one (1) final printed copy for the referenced label, incorporating the above changes, before releasing the product for shipment. If you have any questions regarding this letter, please contact Kable Bo Davis at (703) 206-0415 or [davis.kable@epa.gov](mailto:davis.kable@epa.gov).

Sincerely,

A handwritten signature in black ink that reads "Venus Eagle".

Venus Eagle  
Product Manager (01)  
Insecticide-Rodenticide Branch  
Registration Division (7505P)

Enclosure- Stamped Label

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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 kills listed insects
- Protects up to 30 days
- Rainproof Within 1 Hour of Application
- Long-Lasting Protection
- 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 listed insect pests on

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

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

**SEP 14 2010**

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

**72155-28**

Contains Merit® and Tempo Ultra®

\*contains both contact and systemic insecticides

[The word "listed" can appear as a footnote with the appropriate phrase, such as \*listed insects]

### 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 Listed Insects through 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>Fungus gnats</td> <td>Mealybugs</td> <td>Rose Slugs</td> </tr> <tr> <td>Aphids</td> <td>Grasshoppers</td> <td>Midges</td> <td>Sawflies(Sawfly Larvae)</td> </tr> <tr> <td>Bagworms</td> <td>Gypsy moth larvae</td> <td>Pillbugs</td> <td>Scale insects (crawler stages)</td> </tr> <tr> <td>Boxelder bugs</td> <td>Japanese beetles (adult)</td> <td>Pine Shoot moths</td> <td>Sowbugs</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>Crickets</td> <td>Leaf-feeding caterpillars</td> <td>Psyllids</td> <td>Webworms</td> </tr> <tr> <td>Earwigs</td> <td>Leafhoppers (including Glassy-Winged Sharpshooter)</td> <td>Rose Midges</td> <td>Weevils (including root weevils)</td> </tr> <tr> <td>Elm leaf beetles</td> <td>Leafminers</td> <td></td> <td>Whiteflies</td> </tr> </table>	Adelgids	Fungus gnats	Mealybugs	Rose Slugs	Aphids	Grasshoppers	Midges	Sawflies(Sawfly Larvae)	Bagworms	Gypsy moth larvae	Pillbugs	Scale insects (crawler stages)	Boxelder bugs	Japanese beetles (adult)	Pine Shoot moths	Sowbugs	Caterpillars	Lace bugs	Pine Tip moths	Spittlebugs	Clover mites	Leaf-feeding beetles	Plant bugs	Thrips	Crickets	Leaf-feeding caterpillars	Psyllids	Webworms	Earwigs	Leafhoppers (including Glassy-Winged Sharpshooter)	Rose Midges	Weevils (including root weevils)	Elm leaf beetles	Leafminers		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

4095

**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.

Before use, read and follow all label directions.


BEFORE USE	Restrictions
Read and follow all label directions.	<ul style="list-style-type: none"> <li>• Apply the product to flowering plants during early morning or late evening, when bees are not present.</li> <li>• Do not spray the product into fish pools, ponds, streams, or lakes.</li> <li>• Remove animal feeding dishes prior to application.</li> <li>• Do not use in small, enclosed areas where spray may be inhaled.</li> <li>• Do not apply to fruits or vegetables used for food.</li> <li>• Do not water the treated area to the point of run-off.</li> <li>• Do not make applications during rain.</li> </ul>

<b>WHEN TO USE</b>	When insects or damage first appear To avoid serious damage, eliminate pests early in the season before they multiply.
<b>HOW TO USE</b>  Shake well before using.	Adjust nozzle to desired spray pattern. Hold sprayer about 12 inches from foliage. Spray leaves, stems and tender new shoots. (ART: of steps above) To kill insects that hide, spray the underside of the leaves. Apply until leaves are evenly coated with spray, but not dripping. (ART: spraying undersides of leaves)
<b>HOW OFTEN</b>	Kills listed insects through contact and keeps on killing for up to 30 days. For severe infestations, repeat every 7 to 14 days as necessary.

**FOR BEST RESULTS**  
Do not wet the foliage within one hour after applying. To avoid serious damage to plants, eliminate pests early in the season before they multiply.

	Children and pets may re-enter after spray has dried.
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**IMPORTANT: Directions for Storage and Disposal**

Pesticide Storage:	Store in an area out of the reach of children, preferably a locked storage cabinet. Protect from freezing.
Pesticide Disposal: 	<p><b>If Empty:</b></p> <ul style="list-style-type: none"> <li>• Non-refillable container. Do not refill or reuse container.</li> <li>• Place empty container in trash or offer for recycling if available</li> </ul> <p><b>If Partly Filled:</b></p> <ul style="list-style-type: none"> <li>• Call your local solid waste agency or toll free 1-877-229-3724 for disposal instructions.</li> <li>• Never place unused product down any indoor or outdoor drain.</li> </ul>

**Important:** It is best to use all of the product in accordance with label directions. If it is necessary to dispose of unused product, please follow any applicable state or local guidelines.

**NOTICE**

Research and testing have determined that the "Directions for Use" are appropriate for the proper use of Imidacloprid 0.012%+Beta-cyfluthrin 0.0015% Ready-to-Use Insecticide under expected conditions. The Buyer assumes responsibility for lack of performance or safety if not used according to the directions.



A Business Unit of Bayer CropScience LP  
P.O. Box 12014, 2 T.W. Alexander Drive  
Research Triangle Park, North Carolina 27709

Imidacloprid 0.012%+Beta-Cyfluthrin 0.0015% RTU (PENDING) 09/08/10