

72155-28

6/27/2012

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

OFFICE OF
CHEMICAL SAFETY AND
POLLUTION PREVENTION

Annette M. Bloomberg
Bayer Advanced
P.O. Box 12014, 2 T.W. Alexander Dr.
Research Triangle Park, NC 27709

JUN 27 2012

Dear Ms. Bloomberg:

Subject: Notification of the addition of the stink bug, a previously approved alternate brand name, a marketing claim and a money back guarantee
Imidacloprid 0.012% + Beta-cyfluthrin 0.0015% RTU Insecticide
EPA Registration No. 72155-28
Submission Date: May 23, 2012

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated May 23, 2012, for the product Imidacloprid 0.012% + Beta-cyfluthrin 0.0015% RTU Insecticide, EPA Reg. # 72155-28. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action requested falls within the scope of PRN 98-10. The label submitted with the application has been stamped "Notification" and will be placed in our records. If you have any questions, please call me directly at 703-347-0156 or urbanski.jennifer@epa.gov.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Jennifer Urbanski".

Jennifer Urbanski, Ph.D.
Insecticide-Rodenticide Branch
Registration Division (7505P)



Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060

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 United States Environmental Protection Agency 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

1. Company/Product Number 72155-28	2. EPA Product Manager Venus Eagle	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Imidacloprid 0.012% + Beta-cyfluthrin 0.0015% RTU Insecticide	PM# 1	
5. Name and Address of Applicant (Include ZIP Code) Bayer Advanced 2 TW Alexander Drive 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.

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

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____
* Certification must be submitted		If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt No. per container		
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions <input type="checkbox"/>	
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph 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 Annette M. Bloomberg	Title Regulatory Product Manager	Telephone No. (Include Area Code) 919-549-2608
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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 Regulatory Product Manager		
4. Typed Name Annette M. Bloomberg	5. Date May 23, 2012		

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[FRONT PANEL]

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

(ABN) Bayer Advanced Dual Action Rose & Flower Insect Killer

KILLS LISTED 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
 - Kills Stink Bugs (including Brown Marmorated Stink Bugs and Kudzu Bugs)
 - Kills insects through contact
- 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

Contains Merit® and Tempo Ultra®

*contains both contact and systemic insecticides

[The word "listed" can appear as a footnote on the same page as the claim with the appropriate phrase, such as "listed insects"]

ACTIVE INGREDIENTS:

Beta-cyfluthrin	0.0015 %
Imidacloprid	0.012 %

OTHER INGREDIENTS:	99.9865 %
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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.


NOTIFICATION

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[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.

QUICK FACTS	
Kills Listed Insects through Contact	
Keeps on Killing for Up to 30 Days	
Ready to Use -- No Mixing, No Measuring	
Kills Stink Bugs (including Brown Marmorated Stink Bugs and Kudzu Bugs)	
KILLS	(ART: Aphid, Japanese Beetle, Leafminer, Whitefly)
Adelgids	Fungus gnats
Aphids	Grasshoppers
Bagworms	Gypsy moth larvae
Boxelder bugs	Japanese beetles (adult)
Caterpillars	Lace bugs
Clover mites	Leaf-feeding beetles
Crickets	Leaf-feeding caterpillars
Earwigs	Leafhoppers (including Glassy-Winged Sharpshooter)
Elm leaf beetles	Leafminers
	Mealybugs
	Midges
	Pillbugs
	Pine Shoot moths
	Pine Tip moths
	Plant bugs
	Psyllids
	Rose Midges
	Rose Slugs
	Sawflies(Sawfly Larvae)
	Scale insects (crawler stages)
	Sowbugs
	Spittlebugs
	Stink Bugs (including Brown Marmorated Stink Bugs and Kudzu Bugs)
	Thrips
	Webworms
	Weevils (including root weevils)
	Whiteflies
COVERAGE	Treats up to 34 medium-sized plants
WHERE TO USE	Flowers, roses and shrubs
WHEN TO USE	When insects or damage first appear
	For questions or comments, call toll-free 1-877 BayerAG (1-877-229-3724) or visit our website at www.bayeradvanced.com

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

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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

If Swallowed	<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 a poison control center or doctor. • Do not give anything by mouth to an unconscious person.
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 eyes. • 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 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"> • 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. • Do not water the treated area to the point of run-off. • Do not make applications during rain. • Do not allow children or pets to re-enter until sprays have dried.

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WHEN TO USE	When insects or damage first appear To avoid serious damage, eliminate pests early in the season before they multiply.
HOW TO USE 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)
HOW OFTEN	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.

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>If Empty:</p> <ul style="list-style-type: none"> • Non-refillable container. Do not refill or reuse container. • Place empty container in trash or offer for recycling if available <p>If Partly Filled:</p> <ul style="list-style-type: none"> • Call your local solid waste agency or toll free 1-877-229-3724 for disposal instructions. • Never place unused product down any indoor or outdoor drain.
Important: 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. To the extent consistent with applicable law, 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.

PRODUCED FOR



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 (MASTER) 10/14/10, Notifications 08/01/11, 05/16/12