

72155-28

11/25/2013

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



OFFICE OF
CHEMICAL SAFETY AND
POLLUTION PREVENTION

11/25/13

Bayer Advanced
Annette Bloomberg
Regulatory Product Manager
P.O. Box 12014, 2 T.W. Alexander Drive
Research Triangle Park, NC 27709

Subject: Amended label adding pollinator protection language
Product Name: Imidacloprid 0.012% + Beta-cyfluthrin 0.0015% RTU
EPA Reg. No. 72155-28
EPA Decision No. 484301
Submission dated September 26, 2013

Dear Ms. Bloomberg:

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act is acceptable. A stamped copy of your labeling is enclosed for your records. This labeling supersedes all previously accepted labeling. You must submit one (1) copy of the final printed labeling before you release the product for shipment with the new labeling. See 40 CFR 156.10(a)(6).

Under 40 CFR 152.130(d), EPA may establish dates by which all product distributed or sold by the registrant must bear revised labeling. The following paragraphs set forth the schedule for ensuring that that your product bears revised labeling within a reasonable time period.

- Any product released for shipment after 2/28/14 must bear the new label.

If these conditions are not complied with, EPA will take appropriate action against this registration. If you have any questions please contact Marianne Lewis at 703 308-8043 or lewis.marianne@epa.gov.

Regards,

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

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

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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 %

TOTAL: 100.00%

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.

ACCEPTED
 11/25/13
 Under the Federal Insecticide, Fungicide,
 and Rodenticide Act, as amended, for the
 pesticide registered under:
 EPA. Reg. No: 72155-28

[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) <table border="0" style="width: 100%;"> <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>Stink Bugs (including Brown Marmorated Stink Bugs and Kudzu Bugs)</td> </tr> <tr> <td>Crickets</td> <td>Leaf-feeding caterpillars</td> <td>Psyllids</td> <td>Thrips</td> </tr> <tr> <td>Earwigs</td> <td>Leafhoppers (including Glassy-Winged Sharpshooter)</td> <td>Rose Midges</td> <td>Webworms</td> </tr> <tr> <td>Elm leaf beetles</td> <td>Leafminers</td> <td></td> <td>Weevils (including root weevils)</td> </tr> <tr> <td></td> <td></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	Stink Bugs (including Brown Marmorated Stink Bugs and Kudzu Bugs)	Crickets	Leaf-feeding caterpillars	Psyllids	Thrips	Earwigs	Leafhoppers (including Glassy-Winged Sharpshooter)	Rose Midges	Webworms	Elm leaf beetles	Leafminers		Weevils (including root weevils)				Whiteflies
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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 %

TOTAL:..... 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.
- Harmful if absorbed through skin.
- Harmful if inhaled.
- Causes moderate eye irritation.
- Avoid contact with eyes, skin, or clothing.
- Avoid breathing spray mist.
- Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.

+ 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
If on skin or clothing:	<ul style="list-style-type: none"> • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15-20 minutes. • Call poison control center or doctor for treatment advice.

Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact 1-877-229-3763 for emergency medical treatment information.

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

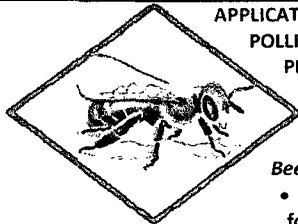
ENVIRONMENTAL HAZARDS

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 this product when bees are foraging.

Apply this product only as specified on this label.

PROTECTION OF POLLINATORS



APPLICATION RESTRICTIONS EXIST FOR THIS PRODUCT BECAUSE OF RISK TO BEES AND OTHER INSECT POLLINATORS. FOLLOW APPLICATION RESTRICTIONS FOUND IN THE DIRECTIONS FOR USE TO PROTECT POLLINATORS.

This product can kill bees and other insect pollinators.

Bees and other insect pollinators will forage on plants when they flower, shed pollen, or produce nectar.

Bees and other insect pollinators can be exposed to this pesticide from:

- Direct contact during foliar applications, or contact with residues on plant surfaces after foliar applications
- Ingestion of residues in nectar and pollen when the pesticide is applied as a seed treatment, soil, tree injection, as well as foliar applications.

When Using This Product Take Steps To:

- Minimize exposure of this product to bees and other insect pollinators when they are foraging on pollinator attractive plants around the application site.
- Minimize drift of this product on to beehives or to off-site pollinator attractive habitat. Drift of this product onto beehives or off-site to pollinator attractive habitat can result in bee kills.

Information on protecting bees and other insect pollinators may be found at the Pesticide Environmental Stewardship website at: <http://pesticidestewardship.org/PollinatorProtection/Pages/default.aspx>.

Pesticide incidents (for example, bee kills) should immediately be reported to the state/tribal lead agency. For contact information for your state, go to: www.aapco.org/officials.html. Pesticide incidents should also be reported to the National Pesticide Information Center at: www.npic.orst.edu or directly to EPA at: beekill@epa.gov

DIRECTIONS FOR USE

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



Do not apply this product while bees are foraging. Do not apply this product to plants that are flowering. Only apply after all flower petals have fallen off.

Before use, read and follow all label directions.

<p>BEFORE USE</p> <p>Read and follow all label directions.</p>	<p>RESTRICTIONS:</p> <ul style="list-style-type: none"> • 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.
<p>WHEN TO USE</p>	<ul style="list-style-type: none"> • When insects or damage first appear. • To avoid serious damage, eliminate pests early in the season before they multiply.
<p>WHERE TO USE</p>	<ul style="list-style-type: none"> • Outdoors on flowers, roses, shrubs and ground cover (see pollinator restrictions on page [X]) • Outdoors on houseplants (including flowering houseplants) • For houseplants, move them outside, treat, let dry, and bring back indoors.
<p>HOW TO USE</p> <p>Shake well before using.</p>	<ul style="list-style-type: none"> • Adjust nozzle to desired spray pattern. • Hold sprayer about 12 inches from foliage. • Spray leaves, stems, and tender new shoots. (ART: of steps above) <p>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)</p>
<p>HOW OFTEN</p>	<ul style="list-style-type: none"> • 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

Do not contaminate water, food, or feed by storage or disposal.

<p>Pesticide Storage:</p>	<p>Store in an area out of the reach of children, preferably a locked storage cabinet. Protect from freezing.</p>
<p>Pesticide Disposal:</p> <div style="text-align: center; margin: 10px 0;"> </div>	<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 Division 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) 08/19/2013, 9/23/2013, 9/24/2013, 11/04/2013, 11/15/2013