

72155-31

10-18-2007

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

OCT 18 2007

Charles W. Boyd
Registrations Manager
Bayer Advanced
2 T. W. Alexander Drive
Research Triangle Park, NC 27709

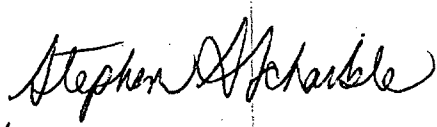
SUBJECT: Applications for Pesticide Notification – Modify Claims
Imidacloprid 0.72% + Beta-cyfluthrin 0.36% Ready-to-Spray Insecticide
EPA Reg. No. 72155-29
/ 0.15% Imidacloprid + 0.05% Beta-cyfluthrin Granular Insecticide
EPA Reg. No. 72155-31
Applications Dated October 17, 2007

Dear Mr. Boyd:

The Agency is in receipt of your Applications for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 for the above products. The Registration Division (RD) has conducted a preliminary screen of these requests for their applicability under PRN 98-10 and finds that the actions requested falls within the scope of PRN 98-10. The labels submitted with the applications have been stamped "Notification" and will be placed in our records.

If you have any questions, please me directly at 703-305-6249 or Terri Stowe of my staff at 703-305-6117.

Sincerely,


for Linda Arrington
Notifications & Minor Formulations Team Leader
Registration Division (7505P)
Office of Pesticide Programs



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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 	
Application for Pesticide - Section I				
1. Company/Product Number 72155-31		2. EPA Product Manager Venus Eagle		
4. Company/Product (Name) 0.15% Imidacloprid + 0.05% beta-cyfluthrin Granular Insecticide		3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted		
5. Name and Address of Applicant (Include ZIP Code) Bayer Advanced 2 T.W. 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"/> Resubmission in response to Agency letter dated _____ <input checked="" type="checkbox"/> Notification - Explain below.		<input type="checkbox"/> Final printed labels in response to Agency letter dated _____ <input type="checkbox"/> "Me Too" Application. <input type="checkbox"/> Other - Explain below.		
Explanation: Use additional page(s) if necessary. (For section I and Section II.) See Attached				
NOTIFICATION OCT 18 2007				
Section - III				
1. Material This Product Will Be Packaged In:				
Child-Resistant Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No If "Yes" Unit Packaging wgt. No. per container	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No If "Yes" Package wgt No. per container	2. Type of Container <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				
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 <input type="checkbox"/> 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 Charles W. Boyd		Title Registrations Manager		
		Telephone No. (Include Area Code) (919) 549-2422		
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) OCT 18 2007	
2. Signature <div style="font-size: small;"> Digitally signed by Charles W. Boyd DN: cn=Charles W. Boyd, o=US, ou=Bayer CropScience, email=charles.boyd@bayercropscience.com Date: 2007.10.17 16:06:11 -0400 </div>		3. Title Registrations Manager		
4. Typed Name Charles W. Boyd		5. Date October 17, 2007		

Section II - Explanation

Bayer Advanced is submitting a **Notification** to modify following claims:

The existing claim "Kills surface pests in 24 hours" has been modified to say "Kills surface insects in 24 hours."

The existing claim "3-month soil insect protection" has been modified to say "Kills soil insects for up to 3 months."

The original New York statement has been removed and the optional statement has been adopted.

Please find enclosed 1 copy of the proposed label.

This notification is consistent with the provision of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

NOTIFICATION
OCT 18 2007

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0.15% Imidacloprid + 0.05% Beta-Cyfluthrin Granular Insecticide

For Use on: Lawns, Ground Covers, Flower Beds, Around Trees & Shrubs, and Around Homes

- **READY TO USE**
- **KILLS INSECTS**
- **KILLS ANTS**
- **KILLS GRUBS**
- Exclusive [insert trademark]™ formula
- Exclusive [insert trademark]™ technology
- Beta-Track Technology
- Creates long-lasting kill zone
- Controls pests above ground or below ground (from the grass to the roots/top to bottom)
- Systemic Action (systemic protection) for protection
- Long-Lasting – up to 90-Day Subsurface Insect Protection
- Up to 90 Day grub Protection
- 3-Month Soil Insect Protection
- Long-Lasting Protection
- Stops Ants Outdoors—Before They Come Inside
- Effective Home Barrier Treatment
- Kills Nuisance Pests Outdoors
- Quickly Kills Above Ground Outdoor Pests
- Kills Below Ground Outdoor Pests Like White Grubs
- Kills Ants Fast
- Kills surface pests in (24) hours
- Protects your lawn from top to bottom
- Kills Bugs (Insects) At Every Level
- Exclusive 2-Way Action – Kills Soil and Surface Insects
- Works 2 ways to control insects
- Combo Product
- Insect Control – Surface and Soil Insects
- Kills Tough Bugs (Like Scorpions, Mole Crickets, and Ants)
- Stops and Prevents Insect Damage
- One Step (Lawn) Insect Protection
- Kills Insects Above and Below Ground
- One Application Keeps on Killing (Working) for Weeks
- Guaranteed Results
- Kills 30+ Outdoor Pests in Lawns & Around Home
- Kills Lawn Pests
- Kills White Grubs and Mole Crickets
- One Application Kills White Grubs
- Kills White Grubs Early, Before They Damage Your Lawn
- One Application Stops/Kills Grubs
- Contains Merit® and Tempo Ultra®
- Sprinkle On Ant Mound and Walk Away
- Highly Effective Fast Acting Formula
- Kills Fire Ant Queens and Colony
- Even Effective/Works in the Rain
- Long Lasting...Keeps on Killing for Weeks
- Also stops spiders, ticks, fleas, cockroaches and other pests
- Leading(cutting edge) insect control
- Leading (Edge) Technology insect control
- Fast Acting Granules (Kills bugs at every level) (Kills bugs Above & Below ground)
- Powerful Fast Acting Granules
- 100% Satisfaction Guaranteed
- Highly Effective Systemic Protection
- Kills surface insects in 24 hours
- Kills soil insects for up to 3 months

ACTIVE INGREDIENT:

Imidacloprid0.15%
Beta-Cyfluthrin 0.05%

OTHER INGREDIENTS*99.80%

Net Contents: 10 lbs

KEEP OUT OF REACH OF CHILDREN

NOTIFICATION

CAUTION

OCT 18 2007

See back panel for ingredients and
Precautionary statements

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

[] Information is optional

[BACK PANEL]

This product contains Bayer's proprietary 2-way action [insert trademark TM] Granules (formula). Bayer Advanced's 2-way action controls turf pests like ants fleas, and ticks plus soil pests like grubs in one easy step. It not only kills existing pests quickly but also keeps on protecting for up to 90 days. Keeping the yard, lawn, and around your home free of listed nuisance pests has never been easier.

READ THE LABEL FIRST!

QUICK FACTS

- Kills Insects both Above & Below Ground
- Controls existing populations plus keeps on preventing new infestations for up to 90 days
- Kills Pests Outdoors in Lawns, Ground Covers, Flower Beds, Around Trees & Shrubs, and Around Homes
- Kills White Grubs Early, Before They Damage the Lawn
- One Application Kills White Grubs
- For Use With Lawn or Hand-held Spreaders
- Convenient, Ready to Use Shaker Bottle
- Kills Ants Outdoors in Lawns and Around Homes
- Effective as a Spot Treatment for Ant Mounds
- Kills Fire Ant Queens and Destroys the Colony-Results in 3 Days
- Easy-To-Use Granules

KILLS	Annual Bluegrass weevil (hyperodes weevil) Ants Armyworms Billbugs Black turfgrass Ataenius Centipedes Chiggers Chinch Bugs Cockroaches Crickets Cutworms Digger wasps (Cicada killer) Earwigs European crane fly Larvae Fire Ants Fleas Grasshoppers Leafhoppers Mealybugs	Millipedes Mole Crickets Mosquitoes Pillbugs Scorpions Sod webworms (lawn moths) Sowbugs Spiders Termites* Ticks (including deer ticks) White Grubs (including larvae of Asiatic Garden Beetle, Black Turfgrass Ataenius, Chafers; Japanese Beetle, May or June Beetle, and Oriental Beetle)
COVERAGE	Covers up to 5,000 sq ft	
WHERE TO USE	Lawns, Ground Covers, Flower Beds, Around Trees & Shrubs, and Around Homes	
WHEN TO USE	General Surface Pests: Whenever insects are present White Grubs: May thru July European crane fly larvae: Apply once, when adult insects are present in large numbers.	
HOW MUCH TO USE	See directions	
	For questions or comments, call toll-free 1-877- BayerAL or visit us on-line at www.AdvancedLawn.com	

OCT 18 2007

FOR OUTDOOR RESIDENTIAL USE

EPA Reg. No. 72155-31

EPA Est. No. XXXX-AA-XX

ACTIVE INGREDIENT:

Imidacloprid.....0.15%

Beta-Cyfluthrin.....0.05%

OTHER INGREDIENTS.....99.80%

100.00%

Treats Up to 5,000 sq ft

* "This product will kill workers and winged reproductive forms of termites that enter into the treated areas. Use of this type of product to kill termites should not be considered a substitute for soil treatment of subterranean termites done by a professional pest control operator."

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.

BEFORE YOU USE

Read and follow these directions when using:

- Do not apply near fish pools, ponds, streams or lakes.
- Food utensils such as teaspoons and measuring cups should not be used for food purposes after use with this insecticide.
- Keep children and pets away from treated area until it has been watered and allowed to dry.
- Do not use in vegetable gardens.

HOME PERIMETER TREATMENT

HOW TO USE

PESTS

Ants
Centipedes
Cockroaches

Crickets
Digger wasps
Earwigs
Millipedes

Pillbugs
Scorpions
Sowbugs
Spiders
Termites*

HOW MUCH TO APPLY

1/3 to 1/2 cup per 45 to 50 ft (2 to 3 ft band)

[2 to 3 lbs per 1000 sq ft]

Covers up to 5,000 sq ft (a band 5 feet wide and 1000 feet long.)

Treats perimeter of thirteen, 30 ft by 60 ft structures

HOW TO APPLY

Around the House

To keep these pests away from your home, apply granules in a band 2 to 3 feet wide around and up to the structure.

Tip: A hand-held spreader makes this easy.

PEST

Ants Digger wasps (Cicada killer)

HOW MUCH TO APPLY

1 to 2 tsp. per mound or wasp burrow

HOW TO APPLY

For Ant Mounds or Wasp Burrows

Sprinkle 1 to 2 teaspoons of granules over the ant mound or wasp burrow. Treat wasps at night, after they are back in their nest.

Continued in next column

* "This product will kill workers and winged reproductive forms of termites that enter into the treated areas. Use of this type of product to kill termites should not be considered a substitute for soil treatment of subterranean termites done by a professional pest control operator."

DIRECTIONS FOR USE continued	
TO CONTROL PESTS IN AND AROUND THE LAWN	
HOW TO USE	PESTS Annual Bluegrass weevil (hyperodes weevil) Ants Armyworms Billbugs Black Turfgrass Ataenius Chiggers Chinch Bugs Cutworms European crane fly Larvae Fleas Grasshoppers Leafhoppers Mealybugs
	Mole Crickets Mosquitoes Sod Webworms (lawn moths) Ticks (including deer ticks) White Grubs (including larvae of Asiatic Garden Beetle, Black Turfgrass Ataenius, Chafers, Japanese Beetle, May or June Beetle, and Oriental Beetle)
	HOW MUCH TO APPLY Apply 2 to 3 lbs per 1000 sq ft (This bag covers up to 5000 sq ft) Adjust your spreader to the proper setting. See the table below. This bag covers 5,000 sq ft which is the same as a band 5 feet wide and 1000 feet long.
	HOW TO APPLY Use rotary or drop type spreaders to apply granules evenly over the lawn, flower beds, ground covers, and around trees/shrubs. To be sure you cover lawn areas uniformly, first treat the border of the lawn then fill in the center. Make parallel passes, walking at a steady pace to ensure even distribution of the granules. Water thoroughly within a day after applying. TIP: For best control of white grubs, mole crickets, and European crane flies apply just before egg hatch. Contact your County Extension Agent for the ideal dates to apply in your area.
	PEST
	Fire Ants
	HOW MUCH TO APPLY ¼ cup per mound
	HOW TO APPLY <u>Fire Ant Mounds</u> Sprinkle evenly over mound. Treat new mounds as they appear.
FOR BEST RESULTS	Water in thoroughly after applying. Do not mow until the granules are thoroughly watered in. To prevent pest damage, apply this product early—when pests are still young and easier to kill. For control of European crane fly larvae apply 3 lbs per 1,000 sq ft. Also, for improved and extended protection against all pests, apply at the high rate of 3 lbs per 1,000 sq ft.

SPREADER SETTINGS


If your spreader is not listed, please call our Consumer Service Hotline toll-free (877) 229-3724 for help.

Rate: 2 to 3 lbs per 1,000 sq ft

SPREADER	SETTING* to deliver 2 lbs or 3 lbs per 1,000 sq ft
Vigoro Drop Vigoro Rotary Sta-Green Drop Sta-Green Rotary Bandini Ev-N-Spread Rotary Ortho Drop Ortho Rotary Precision Drop Precision Rotary Quaker Rotary Republic EZ Drop Republic EZ Grow Republic EZ Rotary Scotts Drop Scotts Accugreen Scotts Easygreen Scotts Evengreen Scotts Speedy Green True Temper Rotary ADD: NEW TWO-IN-ONE SPREADERS	To be determined.
<ul style="list-style-type: none"> Settings are approximate. The condition of your spreader, the speed at which you walk and uneven terrain may affect the rate of application. Calibrate your spreader according manufacturer's directions. Tip: 1000 sq ft = 20 ft x 50 ft Do not use a spreader that applies granules in narrow, concentrated or uneven bands. Be sure the spreader works properly and spreads granules evenly. 	

Children and pets may re-enter after the treated area has been watered and allowed to dry.

IMPORTANT: Directions for Storage and Disposal

Storage Conditions:	Store in original container in a cool, dry place, out of the reach of children, preferably in a locked storage cabinet.
Disposal: 	<p>If empty: Do not reuse this container. Place in trash or offer for recycling if available.</p> <p>If partly filled: Call your local solid waste agency or 1-800 Cleanup for disposal instructions. Never place unused product down any outdoor or indoor drain.</p>

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION

- Harmful if swallowed, inhaled or absorbed through skin.
- Causes moderate eye irritation.
- Avoid contact with skin, eyes or clothing.
- Wash hands thoroughly with soap and water after handling and before eating, drinking, chewing gum or using tobacco.
- Remove contaminated clothing and wash clothing before reuse.

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 a poison control center or doctor. • Do not give anything by mouth to an unconscious person.
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 by mouth-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 a poison control center or doctor for treatment advice.
Contact with 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 eye. • Call a poison control center or doctor for 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 877-229-3763 for medical emergency information. Active Ingredient: 0.15% Imidacloprid [CAS # 138261-41-3] and 0.05% Beta-Cyfluthrin [CAS # 68359-37-5].	

ENVIRONMENTAL HAZARDS
<ul style="list-style-type: none"> • This pesticide is toxic to fish. Do not apply directly to water. • Do not contaminate water when cleaning equipment or disposing of equipment wash water. • Apply this product only as specified on this label.

NOTICE
Research and testing have determined that the "Directions for Use" are appropriate for the proper use of this product 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.



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

0.15% Imidacloprid + 0.05% Beta-Cyfluthrin Granular Insecticide (MASTER) Approved 10/22/04, Notification Submitted 09/1/05, Notification submitted 02/03/06, Notifi 02/15/06, Notifi 08/31/07, Notifi 10/17/07