

72155-35

4/10/2009

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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

APR 10 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 March 23, 2009 for:

EPA Registration 72155-35 Beta-Cyfluthrin 0.05% Granular Insectide

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 and 2008-1. The label has been date-stamped "Notification" and will be placed in our records.


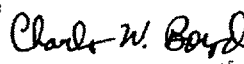
Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying the batch of the pesticide distributed and sold be placed on nonrefillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or 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

 <p>United States Environmental Protection Agency Washington, DC 20460</p>		<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: 72155-35		2. EPA Product Manager Kimberly Nesci	
4. Company/Product (Name) Beta Cyfluthrin 0.05% 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. _____ NOTIFICATION Product Name _____ APR 10 2009	
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			
Section - III			
1. Material This Product Will Be Packaged In:			
Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes" Unit Packaging wgt. No. per container	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes" Package wgt No. per container	2. Type of Container <input type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 1.5, 10, and 20 pound	
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 checked="" type="checkbox"/> Other Printed	
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)
2. Signature  <small>Digitally signed by Charles Boyd DN: cn=Charles Boyd, c=US, o=Bayer CropScience, ou=Consumer, email=charles.boyd@bayercropscience.com Date: 2009.03.23 11:03:47 -0400</small>		3. Title Registrations Manager	
4. Typed Name Charles W. Boyd		5. Date March 23, 2009	

Section II - Explanation

Bayer Advanced is submitting a **Notification** to add the text prescribed by PR Notice 2007-4 and 2008-1 to the label for the above-mentioned product:

In the disposal section, we have added the statement “Non-refillable container.” Also we have added “refill or” to the statement Do not refill or reuse empty container.

We have also added the following statement “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.

Enclosed is one copy of the label with the changes highlighted.

Notification of label changes per PR Notice 2007-4, and PR Notice 2008-1. This notification is consistent with the guidance of PR Notice 2007-4, 2008-1 and EPA regulations at 40 CFR § 156.10, 156.80, 156.140, 156.144, 156.146, 156.156, and 152.46. 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 2007-4, 2008-1 and 40 CFR § 156.10, 156.80, 156.140, 156.144, 156.146, 156.156, and 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.

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[FRONT PANEL]

Beta-cyfluthrin 0.05% Granular Insecticide

For Use on: Lawns and Around Homes

READY TO USE

KILLS INSECTS

KILLS ANTS

- Long-Lasting 30-Day Protection
- Stops Ants Outdoors--Before They Come Inside
- Effective Home Barrier Treatment
- Kills Nuisance Pests Outdoors
- Quickly Kills Outdoor Pests
- Kills Ants Fast
- Results Guaranteed
- Kills 28 Outdoor Pests in Lawns & Around Home
- Contains Tempo Ultra®
- Kills Lawn Pests
- Exclusive [insert trademark]™ Formula (Technology)
- Kills insects you see and gets the ones you don't.
- Long-Lasting (30 day) Protection
- Fast Acting Formula
- 2 way (action) Formula
- Powerful Fast Acting (2-Way) Formula
- 100% Satisfaction Guaranteed
- Kills on contact

Long Lasting...Keeps on Killing for (4) Weeks

Also stops spiders, ticks, fleas, cockroaches and other pests

ACTIVE INGREDIENT:

Beta-cyfluthrin 0.05%

OTHER INGREDIENTS: 99.95%

Net Contents: 10 lbs

NOTIFICATION

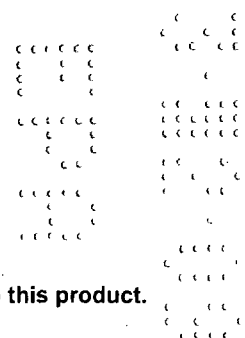
APR 10 2009

KEEP OUT OF REACH OF CHILDREN

CAUTION

See back panel for additional precautionary statements

Do not apply liquid sprays containing beta-cyfluthrin or cyfluthrin in addition to this product.



[BACK PANEL]

This product provides protection against most common insects, including ants, ticks, and fleas. Keeping your yard free of nuisance pests has never been easier.

READ THE LABEL FIRST!

QUICK FACTS

- Easy to Use Granules
- Kills Pests Outdoors in Lawns and Around Homes
- 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	Annual Bluegrass weevil (hyperodes weevil) Ants Armyworms Billbugs Black turfgrass Ataenius Centipedes Chiggers	Chinch Bugs Cockroaches Crickets Cutworms Digger wasps (Cicada killer) Earwigs Fire Ants Fleas	Grasshoppers Leafhoppers Mealybugs Millipedes Mole Crickets Mosquitoes	Pillbugs Scorpions Sod webworms (lawn moths) Sowbugs Spiders Ticks (including deer ticks)
COVERAGE	Covers 5,000 sq ft			
WHERE TO USE	Lawns and Around house foundations			
WHEN TO USE	When insects or damage first appear			
HOW MUCH TO USE	See directions			
	For questions or comments, call toll-free 1-877- BayerAG or visit us on-line at www.AdvancedGarden.com			

FOR OUTDOOR RESIDENTIAL USE

ACTIVE INGREDIENT:

Beta-cyfluthrin 0.05%

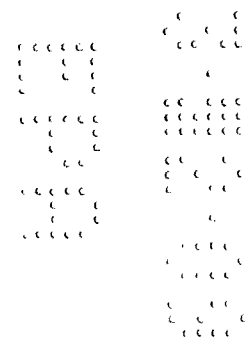
OTHER INGREDIENTS: 99.95%

100.0%

Treats 5,000 sq ft

EPA Reg. No. 72155- 35

EPA Est. No. XXXX-AA-XX



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.

HOME PERIMETER TREATMENT

HOW TO USE

[Break seal and open top.]

PESTS

Ants
Centipedes
Cockroaches

Crickets
Digger wasps
Earwigs

Millipedes
Pillbugs
Scorpions

Sowbugs
Spiders

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 1,000 sq ft (a band 2 feet wide and 500 feet long.) (2 lb container)

Treats perimeter of 16 ft by 30 ft structure

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 building.

Tip: A hand-held spreader makes this easy.

PEST

Ants Digger wasps (Cicada killer)

HOW MUCH TO APPLY

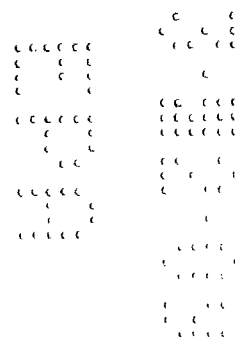
1 to 2 tsp. per mound or wasp burrow

HOW TO APPLY

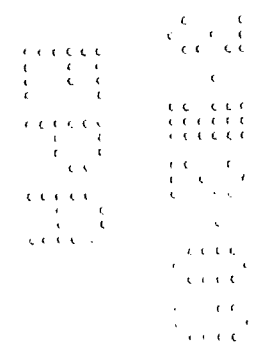
For Ant Mounds or Wasp Burrows

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



DIRECTIONS FOR USE continued				
TO CONTROL PESTS IN AND AROUND THE LAWN				
HOW TO USE [Break seal and open top.]	PESTS <div> Annual Bluegrass weevil (hyperodes weevil) Ants Armyworms Billbugs </div>			
	<div> Black Turfgrass Ataenius Chiggers Chinch Bugs </div>			
	<div> Cutworms Fleas Grasshoppers Leafhoppers </div>			
	<div> Mealybugs Mole Crickets Sod Webworms (lawn moths) Ticks (including deer ticks) </div>			
	HOW MUCH TO APPLY Apply 2 to 3 lbs per 1000 sq ft (This bag covers 5000 sq ft) Adjust your spreader to the proper setting. See the table below. This can covers 1,000 sq ft which is the same as a band 10 feet wide and 100 feet long.			
	HOW TO APPLY Use rotary or drop type spreaders to apply granules evenly over the lawn. To be sure you cover the entire area 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. (ART) Water thoroughly within a day after applying. TIP: For best control of mole crickets, apply during the period when their eggs are hatching. Contact your County Extension Agent for the ideal dates to apply in your area.			
	PEST Fire Ants			
FOR BEST RESULTS	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.			
	Water in thoroughly after applying. Do not mow until the granules are thoroughly watered in. To prevent damage, apply Beta-cyfluthrin 0.05% Granular Insecticide early--when pests are still young and easier to kill.			



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 per 1,000 sq ft	SPREADER	SETTING*to deliver 2 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	To be determined.	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

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

STORAGE CONDITIONS: Store in original container in a cool, dry place, out of the reach of children, preferably a locked storage cabinet.

DISPOSAL

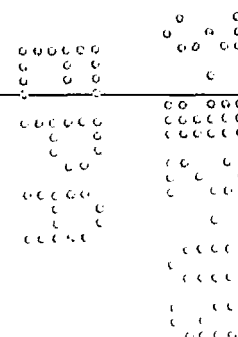


- If Empty:** Non-refillable container. Do not refill or reuse this container. Place in trash or offer for recycling if available.
- If partly filled:** Call your local solid waste agency or call toll-free 1-877-229-3724 for disposal instructions. Never place unused product down any indoor or outdoor drain.

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION

- Harmful if swallowed.
- Causes moderate eye irritation.
- Avoid contact with eyes or clothing.
- Wash hands thoroughly with soap and water after handling.



90f9

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 the 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 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: 0.05% Beta-cyfluthrin [CAS #68359-37-5]	

ENVIRONMENTAL HAZARDS
<ul style="list-style-type: none"> • This pesticide is toxic to 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. Sweeping any product that lands on a driveway, sidewalk, or street, back onto the treated area of the lawn or garden will help to prevent run off to water bodies or drainage systems. • 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 Beta-cyfluthrin 0.05% Granular Insecticide 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.

NOTIFICATION

APR 16 2009



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

Beta-cyfluthrin 0.05% Granular Insecticide (MASTER) Approved 06/10/06, Notification 11/18/08

