

72155-40

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

OFFICE OF
CHEMICAL SAFETY
AND POLLUTION PREVENTION

AUG 18 2010

Mr. Gregory Mattern
Bayer Environmental Science
P.O. Box 12014
2 T.W. Alexander Dr,
Research Triangle Park, NC 27709

Subject: Tempo Ready-to-Use Insecticide, EPA Reg. No. 72155-40
Date of Registrant Submission: May 20, 2010
Decision: 434407

Dear Mr. Mattern:

The labeling referred to above, submitted in connection with registration under the Federal insecticide, Fungicide, and Rodenticide Act, as amended, is acceptable, subject to the comments below.

Upon review of the registration record, it has been determined that there are claims not supported by the data that have been submitted in connection with the product's registration. Therefore this registration amendment is accepted on the condition that the following claims be deleted or amended as prescribed from all labeling and all other media used in connection with the marketing of the product.

1. Change "Kills Insects" to "Kills Listed Insects"
2. Delete "Double protection formula" unclear as to what the double protection is
3. Change "Long Lasting" to "Long Lasting for up to 2 weeks"
4. Change "Kills outdoor pests on contact" to "Kills outdoor listed pests on contact"
5. Change "Kills Beetle (including Japanese Beetle), Caterpillars (including Tomato Hornworm), Ants, Armyworms, Ticks (including ticks carrying Lyme disease) and [&] other garden and [&] nuisance pests [insects] [bugs] [plus others listed]" to "Kills Beetle (including Japanese Beetle), Caterpillars (including Tomato Hornworm), Ants, Armyworms, Ticks (including ticks carrying Lyme disease) and [&] other listed garden and [&] nuisance pests [insects] [bugs]"
6. Change "Kill on contact" to "Kill listed insects on contact"
7. Change "Kills Beetles, Caterpillars, Ants, Ticks and [&] More" to "Kills Beetles, Caterpillars, Ants, Ticks and [&] other listed insects"
8. Change "Kills [Controls over] [more than] 100 insects [bugs] [pests] on vegetables, flowers, small trees and [&] shrubs" to "Kills [Controls over] [more than] listed 100 insects [bugs] [pests] on vegetables, flowers, small trees and [&] shrubs"
9. Change "Kills [Controls over] [more than] 100 garden and nuisance pests without harming roses, flower, or shrubs" to "Kills [Controls over] [more than] 100 listed garden and nuisance pests without harming roses, flower, or shrubs"
10. Change "Kills over 100 insects [bugs] [pests] on contact" to Change "Kills over 100 listed insects [bugs] [pests] on contact"
11. Delete "New Improved Formula" as formula hasn't changed
12. On pg 2, under "When to use" change second sentence to, "For severe infestations, repeat every 7-14, days as specified."
13. On pg 8 change "Children and pets may re-enter the treated area after spray has dried" to "Do not allow entry into treated area until spray has dried"

Two (2) copies of the finished labeling must be submitted prior to releasing the product for shipment. A stamped copy of the label is enclosed for your records. If you have any questions regarding this letter, please contact Samantha Hulkower at (703) 603-0683.

Sincerely,



Mark Suarez
Product Manager 13
Insecticide Branch
Registration Division (7505P)

Enclosure: Copy of Label Stamped "Accepted with Comments"

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(FRONT PANEL)

Tempo[®] Ready-to-Use Insecticide

(ABN) Bayer Advanced Vegetable & Garden Insect Spray Ready-to-Use

For use on: Vegetables, Peanuts, Sunflowers, Grapes, Flowers, Shrubs, Groundcovers, Lawns and Around Homes

GUARANTEED SATISFACTION

READY TO USE

KILLS INSECTS

MULTIPURPOSE INSECTICIDE

DOUBLE PROTECTION FORMULA

- Fast Acting...Kills On Contact
- Long Lasting...Keeps On Killing For Up To 14 Days

FAST ACTING

LONG LASTING

- Kills outdoor pests on contact
- Lasts up to 14 days
- For use on flowers, shrubs, and listed vegetables
- Just One Application Quickly Kills Insects
- Keeps On Killing For Up To 14 Days
- Use On Tomatoes Up To Day Of Harvest
- Contains Tempo[®]
- Low odor [formula]
- Won't harm plants
- Protects plants
- Water-based
- Kills Beetle (including Japanese Beetle), Caterpillars (including Tomato Hornworm), Ants, Armyworms, Ticks

(including ticks carrying Lyme disease) and [&] other garden and [&] nuisance pests [insects] [bugs] [plus others listed]

- Kills Beetles, Caterpillars, Ants, Ticks and [&] More
- Kills [Controls over] [more than] 100 insects [bugs] [pests] on vegetables, flowers, small trees and [&] shrubs
- Kills [Controls over] [more than] 100 garden and nuisance pests without harming roses, flower, or shrubs
- Kill on Contact
- Kills over 100 insects [bugs] [pests] on contact
- On [For] [For use on] Roses, Flowers, Small trees, Shrubs, Fruits, Vegetables and [&] other Outdoor Surface [Areas]
- Can be used on [most popular] fruits and [&] vegetables (see back panel for details)
- User in (on) Vegetable Gardens
- Fast Acting Formula
- New Improved Formula
- Reapply as directed for a more beautiful garden
- Guaranteed Kill or your money back
- Keeping your vegetable garden and lawn free of listed pests has never been easier
- Kills aphids, Japanese beetles, cutworms, tomato hornworms, and other listed pests
- Also for use on lawns

ACTIVE INGREDIENT:

Cyfluthrin 0.003 %

OTHER INGREDIENTS:

..... 99.997 %

Net Contents: 24 fl oz, 1/2 gallon, 1 gallon

**STOP - Read This Entire Label Before Use
KEEP OUT OF REACH OF CHILDREN**

FOR OUTDOOR RESIDENTIAL USE ONLY

CAUTION

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

AUG 18 2010




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

72155-40

See back panel / booklet for ingredients and precautionary statements.

(BACK PANEL)

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<p>[For 1 gallon]</p> 		
<p>ATTACH SPRAYER</p> <ul style="list-style-type: none"> Remove sprayer from bottle and extend hose. Open flip-cap on bottle. Insert hose and plug into flip-cap opening until it snaps into place. 	<p>SPRAY</p> <ul style="list-style-type: none"> Adjust nozzle to stream or spray position. Point sprayer downward and squeeze trigger repeatedly until liquid is released. 	<p>AFTER USE</p> <ul style="list-style-type: none"> Turn sprayer nozzle to X (off) position. Do not unplug hose. Return sprayer to bottle. Sprayer will snap into place.

QUICK FACTS

- Ready to Use...No Mixing, No Measuring
- Quickly Stops Harmful Insects Before They Destroy Vegetables
- May Be Used Up to Day of Harvest on Tomatoes
- Effective Against Broad Range of Listed Pests
- Quickly Stops Harmful Insects Before They Do Damage
- Kills Household Nuisance Pest Outdoors

KILLS

(ART: aphid, cabbage looper, tomato hornworm, whitefly)

<p>Ants Aphids Armyworms Aster leafhoppers Bagworms Banded sunflower moths Boxelder bugs Budmoths Cabbage loopers Carrot weevils (adults) Caterpillars Celery leaf tiers Chinch bugs Clover mites Cockroaches Colorado potato beetles Corn borers Corn earworms Corn rootworms (adults) Crickets Cutworms Earwigs</p>	<p>Elm leaf beetles Flea beetles Flies Garden webworms Grasshoppers Gypsy moth larvae Head clipper weevils (adults) Japanese beetles (adults) Lace bugs Leaf beetles Leaf-feeding beetles Leaf-feeding caterpillars Leafhoppers (including Glassy-Winged Sharpshooter) Leafminers Mealybugs Midges Mosquitoes Pepper weevils (adults) Pillbugs Plant bugs</p>	<p>Potato aphids Potato leafhoppers Scale (crawler stages) Seed weevils (adults) Sod webworms Sowbugs Spiders Spittlebugs Stem weevil (adults) Stink bugs Sunflower beetles Sunflower moths Thrips Tomato fruitworms Tomato hornworms Tomato pinworms Wasps Weevils (adults) Western flower thrips Whiteflies</p>
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WHERE TO USE

Vegetable and flower gardens, shrubs, ground covers, lawns and around homes

WHEN TO USE

When insects or damage first appear
For severe infestations, repeat as specified for individual crop.



Questions or comments, call toll-free (877) 229-3724
www.BayerAdvanced.com

ACTIVE INGREDIENT:

Cyfluthrin.....0.003 %

OTHER INGREDIENTS:*.....99.997 %
100.000 %

* Other ingredients include: Water, organic solvent (less than 0.1%, to dissolve the active ingredient for mixing) and surfactants (to keep the active ingredient dispersed in water).

Cyfluthrin is the chemical name for Tempo®

EPA Reg. No. 72155-40

EPA Est. No. XXXX-AA-1

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

- 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

- 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 Inhalation

- Move person to fresh air.
- If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-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. You may call toll-free (877) 229-3763 for medical emergency information.

Active Ingredient: 0.003% Cyfluthrin [CAS # 68359-37-5]

Note to Physician: No specific antidote is available. Treat the patient symptomatically.

Environmental Hazards

- This pesticide is toxic to fish. Do not apply directly to water.
- 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 TEMPO 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.

For best results, read and follow all label directions.

BEFORE YOU USE

Read and follow these directions when using:

- 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.
- Do not use in small, enclosed areas where spray can be inhaled.
- Do not water the treated area to the point of run-off.
- Do not make application during rain.
- All outdoor applications must be limited to spot or crack-and-crevice treatments only, except for the following permitted uses:
 - (1) Treatment to soil or vegetation around structures;
 - (2) Applications to lawns, turf, and other vegetation;
 - (3) Applications to building foundations, up to a maximum height of 3 feet.
 Other than applications to building foundations, all outdoor applications to impervious surfaces such as sidewalks, driveways, patios, porches and structural surfaces (such as windows, doors, and eaves) are to spot and crack-and crevice applications, only.
- Application is prohibited directly into sewers or drains, or to any area like a gutter where drainage to sewers, storm drains, water bodies, or aquatic habitat can occur. Do not allow the product to enter any drain during or after application

WHEN TO USE

When insects or damage first appear.

HOW TO USE

Shake well before using.

- To apply TEMPO Ready-to-Use Insecticide:
- Adjust nozzle to desired spray pattern.
 - Hold sprayer about 12 inches from foliage.
 - Spray leaves, stems, and tender new shoots.
 - To kill insects that may 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 TO USE

Kills insects on contact and keeps on killing for weeks. For severe infestations, repeat every 7 to 14 days as necessary.

FLOWERS, SHRUBS, GROUND COVERS

PEST

Aphids	Grasshoppers	Leaf-feeding beetles	Scale
Bagworms	Gypsy moth larvae	Leafhoppers (including	(crawler stages)
Boxelder bugs	Japanese beetle (adults)	Glassy-winged Sharpshooter)	Spittlebugs
Clover mites	Lace bugs	Mealybugs	Thrips
Elm leaf beetles	Leaf-feeding caterpillars	Pillbugs	Whiteflies

HOW TO APPLY

Spray foliage, tender new shoots and the underside of leaves thoroughly.

To kill insects that hide, spray the underside of the leaves. Apply until leaves are evenly coated with spray droplets, but not dripping.

(ART)

FIELD CROPS			
Peanut			
After spraying, wait 14 days before harvesting.			
Do not spray more than 3 times per season.			
PEST			
Armyworm (1 st and 2 nd instar)	Fall armyworm (1 st and 2 nd instar)	Potato leafhopper	Thrips
Bean leaf beetle	Green cloverworm	Rednecked peanutworm	Vegetable weevil
Beet armyworm (1 st and 2 nd instar)	Grape colaspis (adult)	Stink bugs	Velvetbean caterpillar
Cutworms	Grasshoppers	Threecornered alfalfa hopper	Whitefringed beetle (adult)
Corn earworm	Japanese beetle (adult)	Southern armyworm (1 st and 2 nd instar)	Whitefly (adult)
Corn rootworms (adult)	June beetle (adult)	Soybean looper	

Sunflowers		
After spraying, wait 30 days before harvesting.		
Do not spray more than 3 times per season.		
PEST		
Banded sunflower moth	Sunflower beetle	Sunflower midge
Cutworms	Stink bugs	Sunflower moth
Grasshoppers	Sunflower bud moth	Sunflower seed weevil
Palestriped flea beetle	Sunflower headclipping weevil	Sunflower stem weevil (adult)

VEGETABLE CROPS			
Brassica (Cole) Leafy Vegetables:			
Includes all members of Crop Group 5 such as, but not limited to:			
Broccoli, Broccoli raab (rapini), Chinese (gai lon) broccoli, Brussels sprouts, Cabbage, Chinese (bok choy) cabbage, Chinese (napa) cabbage, Chinese mustard (gai choy) cabbage, Cauliflower, Cavalo broccolo, Collards, Kale, Kohlrabi, Mizuna, Mustard greens, Mustard spinach, Rape greens, and Turnip greens.			
No waiting to harvest.			
Do not spray more than 4 times per season.			
PEST			
Alfalfa looper	Corn earworm	Japanese beetle (adult)	Southern cabbageworm
Armyworm (1 st and 2 nd instar)	Cutworms	Lygus bug	Tarnished plant bug
Beet armyworm (1 st and 2 nd instar)	Diamondback moth (larvae)	Meadow spittlebug	Thrips
Cabbage flea beetle	Fall armyworm (1 st and 2 nd instar)	Potato leafhopper	Vegetable weevil (adult)
Cabbage looper	Grasshoppers	Southern armyworm (1 st and 2 nd instar)	Whitefly (adult)
Cabbage webworm	Imported cabbageworm	Stink bugs	Yellowstriped armyworm (1 st and 2 nd instar)

Cucurbits (except crops grown for seed):

Includes all members of Crop Group 9 such as, but not limited to:

Balsam apple, Balsam pear, Bitter melon, Chayote, Chinese cucumber, Chinese waxgourd (Chinese preserving melon), Citron melon, Cucumber, Gherkin, Edible gourd (includes: hyotan, cucuzza, henchmia and Chinese okra), Muskmelon (includes: cantaloupe, true cantaloupe, casaba, crenshaw melon, golden pershaw melon, honeydew melon, honey balls, mango melon, Persian melon, pineapple melon, Santa Claus melon, and snake melon), Pumpkin, Summer squash (includes: crookneck squash, scallop squash, straightneck squash, vegetable marrow, and zucchini), Watermelon, Winter squash (includes: butternut squash, calabaza, hubbard squash, acorn squash and spaghetti squash)

No waiting to harvest.

Do not spray more than 4 times per season.

PEST

Armyworm (1 st and 2 nd instar)	Cucumber beetle	Pickleworm	Stripped cucumber beetle
Cabbage looper	Grasshoppers	Potato leafhopper	Tarnished plant bug
Corn earworm	Lygus bug	Rindworm	Tobacco budworm
Cutworms	Melonworm	Stink bugs	Whitefly (adult)

Fruiting Vegetables

Includes all members of Crop Group 8 such as, but not limited to:

Eggplant, Groundcherry, Pepino, Pepper (includes: bell pepper, chili pepper, cooking pepper, pimento, sweet pepper), Tomatillo, and Tomato

No waiting to harvest for tomato. After spraying, wait 7 days before harvesting for all other crops.

Do not spray more than 6 times per season.

PEST

Beet armyworm (1 st and 2 nd instar)	Flea beetles	Southern armyworm (1 st and 2 nd instar)	Tomato hornworm
Cabbage looper	Garden symphylan**	Stink bugs	Tomato pinworm
Celery leaf-tier	Garden webworm Leafminers	Tarnished plant bug *	Variegated cutworm
Colorado potato beetle *	Pepper weevil	Thrips (except <i>Thrips palmi</i>)	Whitefly (adult)
European corn borer	Potato aphid	Tomato fruitworm (corn earworm)	Western yellowstriped armyworm (1 st and 2 nd instar)
	Potato leafhopper		

Leafy Vegetables:

Includes all members of Crop Group 4 such as, but not limited to:

Amaranth (Chinese spinach), Arugula (rouquette), Cardoon, Celery, Chinese celery, Celtuce, Chervil, Chrysanthemum (edible-leaved and garland), Corn salad, Cress (garden and upland), Dandelion, Dock (sorrel), Endive (escarole), Florence fennel, Lettuce (head and leaf), New Zealand spinach, Orach, Parsley, Purslane (garden and winter), Radicchio (red chicory), Rhubarb, Spinach, Swiss chard, Vine spinach

No waiting to harvest.

Do not spray more than 4 times per season.

PEST

Alfalfa looper	European corn borer	Japanese beetle (adult)	Stink bugs
Beet armyworm (1 st and 2 nd instar)	Fall armyworm (1 st and 2 nd instar)	Leafhoppers	Tarnished plant bug
Cabbage looper	Flea beetles	Lygus bug	Thrips
Corn earworm	Grasshoppers	Meadow spittlebug	Vegetable weevil (adult)
Cutworms	Green cloverworm	Saltmarsh caterpillar	Whitefly (adult)
Diamondback moth (larvae)	Imported cabbageworm	Southern armyworm (1 st and 2 nd instar)	Yellowstriped armyworm (1 st and 2 nd instar)

Potato and Other Tuberos and Corm Vegetables:			
Includes all members of Crop Subgroup 1C such as, but not limited to: Arracacha, Arrowroot, Artichoke (Chinese and Jerusalem), Edible canna, Cassava (bitter and sweet), Chayote root, Chufa, Dasheen (taro), Ginger, Leren, Potato, Sweet potato, Tanier, True yam, Turmeric, Yam bean			
No waiting to harvest.			
Do not spray more than 6 times per season.			
PEST			
Aphids	European corn borer	Potato psyllid	Sweetpotato weevil (adults)
Cabbage looper	Flea beetles	Potato tuberworm	Tarnished plant bug
Cutworms			

Root Vegetables (except sugarbeet):			
Includes all members of Crop Subgroup 1B such as, but not limited to: Garden beet, Edible burdock, Carrot, Celeriac, Turnip-rooted chervil, Chicory, Ginseng, Horseradish, Turnip-rooted parsley, Parsnip, Radish, Oriental radish, Rutabaga, Salsify (black, Spanish, and oyster plant), Skirret, Turnip			
No waiting to harvest.			
Do not spray more than 5 times per season.			
PEST			
Aster leafhopper	Cutworms	Flea beetles	Potato leafhopper
Carrot weevil			

Sweet Corn			
No waiting to harvest.			
Do not spray more than 10 times per season.			
PEST			
Armyworm (1 st and 2 nd instar)	Corn silk fly	Japanese beetle(adult)	Southwestern corn borer
Bean leaf beetle	European corn borer	June beetle (adult)	Stalk borer
Black cutworm	Fall armyworm (1 st and 2 nd instar)	Leafhoppers	Stink bugs
Cereal leaf beetle	Flea beetle	Masked chafer (adult)	Webworm
Chinch bug	Granulate cutworm	Sand hill cutworm	Western bean cutworm
Click beetle (adult)	Grape colaspis (adult)	Southern armyworm (1 st and 2 nd instar)	Yellowstriped armyworm (1 st and 2 nd instar)
Corn earworm	Grasshoppers	Southern corn leaf beetle	
Corn rootworms (adult)			

TREE and VINE CROPS			
Grapes			
Includes: Table grape, Raisin, Wine and Muscadine grape			
After spraying, wait 3 days before harvesting			
Do not spray more than 4 times per season			
Climbing cutworm	Grape flea beetle	Grape mealybug (crawlers)	Orange tortrix
Grape berry moth	Grape leaf folder	Glassywinged sharpshooter	Thrips
Grape bud beetle	Grape leafhopper	Grape leaf skeletonizer	Variegated leafhopper
Grape cane gallmaker (adult)	Grape leafroller	Omnivorous leafroller	Western grape leaf skeletonizer


FOR BEST RESULTS:

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


DIRECTIONS FOR USE

HOUSEHOLD NUISANCE PESTS OUTDOORS			
PEST			
Ants	Crickets	Midges	Sowbugs
Boxelder bugs	Earwigs	Mosquitoes	Spiders
Clover mites	Flies	Pillbugs	Wasps
Cockroaches			
HOW TO APPLY			
Spray around doors, window frames and other places where insects may enter house. Spray around foundations and porches. Spray on ant hills and ant trails. (ART)			

LAWN PESTS			
PEST			
Ants	Crickets	Earwigs	Japanese beetles (adults)
Armyworms	Cutworms	Grasshoppers	Sod webworms (lawn moths)
Chinch bugs			
HOW TO APPLY			
For localized infestations, spray to penetrate the lawn and reach the soil. Do not mow for one day after application. For large areas, use Tempo® Concentrate Insecticide.			

	Children and pets may re-enter the treated area after spray has dried.
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Storage and Disposal	
Storage Conditions:	Store in original container in a cool, dry place, out of the reach of children, preferably a locked storage cabinet. Protect from freezing.
Disposal: 	<ul style="list-style-type: none">• Non-refillable container. Do not reuse or refill empty spray bottle.• Rinse the empty product container thoroughly.• Place container in trash.
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 TEMPO 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

Tempo RTU Insecticide (PENDING) 03/30/10, Resubmitted 05/17/10, Resubmitted 08/17/10