

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

OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

DEC 6 2010

Mr. Gregory Mattern
Regulatory Product Manager
Bayer Advanced
P.O. Box 12014
Research Triangle Park, NC 27709

Subject:

Notification to amend optional marketing claims

EPA Registration Number: 72155-40 Date of Submission: August 23, 2010

Dear Mr. Mattern:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration (PRN)98-10 dated August 23, 2010, for the abovementioned product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the actions requested fall 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 regarding this letter, please contact Samantha Hulkower at (703) 603-0683.

Sincerery,

Mark Suarez

Product Manager 13 Insecticide Branch

Registration Division (7505P)

Enclosures: Copy of Label Stamped "Notification"

Environmental F	of form. ed States Protectio on, DC 204	•	Form Approv	Other	tion	O, Approval expires 2-2 OPP Identifier Number	}-9!
A	plicatio	n for Pestici	de - Section	1			
1. Company/Product Number 72155-40		2. EPA Mark S	Product Manager Suarez		3. Pr	roposed Classification	
4. Company/Product (Name) Tempo Ready-to-Use Insecticide		PM# 13					
5. Name and Address of Applicant (Include ZIP Code) Bayer Advanced P.O. Box 12014, 2 T.W. Alexander Drive Research Triangle Park, NC 27709 Check if this is a new address		(b)(i), n to: EPA F		nilar or identi	cal in co	FIFRA Section 3(c)(3) emposition and labeling	
		Section -	l				=
Amendment - Explain below. Resubmission in response to Agency letter da Notification - Explain below. Explanation: Use additional page(s) if necessary. Notification of correction to add the word "adults" after consistent with the guidance in PR Notice 98-10 and E confidential statement of formula of this product. I under understand that if this notification is not consistent with	(For section Japanese Be PA regulation	etles in two claims on ns at 40 CFR 152.4 is a violation of 18	6, and no other cha U.S.C. Sec. 1001 to	elow. esistent with reinges have been willfully make	st of label en made to any false	o the labeling or the statement to EPA. I furthe	
be subject to enforcement action and penalties under s					<u>-</u>		
1. Material This Product Will Be Packaged In:				- r			
	No. per container	Water Soluble P Yes No If "Yes" Package wgt	No. per	2. Type of	Metal Plastic Glass Paper	Specify)	
3. Location of Net Contents Information 4. Label Container	Size(s) Reta	ail Container	5. Lo	ocation of Lab	el Directi	ons	
6. Manner in Which Label is Affixed to Product	Lithogr Paper Stencil	aph glued ed	Other			(,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	بسمي
		Section - I	V			(((((((((((((((((((
1. Contact Point (Complete items directly below for	identification	n of individual to b	e contacted, if nec	essary, to pre	ocess this	s application.)	_
Name Gregory C. Mattern		Title Regulatory Product Manager		Telephone (i.i. (Include Area Code) (919) 549-2630			
I certify that the statements I have made on the lacknowledge that any knowlingly false or mit both under applicable law.		all attachments th				6. Oute Application Control Received	-
2. Signature Stegory C. Matt	im	3, Title Regulatory Produc	ot Manager			((((((((((((((((((((
4. Typed Name		5. Date					
Gregory C. Mattern		Aug	gust 23, 2010)			

Highlighted Copy

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 LISTED* INSECTS

MULTIPURPOSE INSECTICIDE

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

FAST ACTING

LONG LASTING FOR UP TO 2 WEEKS

- · Kills outdoor listed* pests on contact
- · Lasts up to 14 days
- · For use on flowers, shrubs, and listed* vegetables
- Just One Application Quickly Kills Listed* Insects
- · Keeps On Killing For Up To 14 Days
- · Use On Tomatoes Up To Day Of Harvest
- Contains Tempo®
- · Low oder [formula]
- Won't harm plants
- Protects plants
- Water-based
- 1601 5 0 0
- Kills Beetles (including Japanese Beetle adults),
 Caterpillars (including Tomato Hornworm), Ants,
 Armyworms, Ticks (including ticks carrying Lyme

- disease) and [&] other listed* garden and [&] nuisance pests [insects] [bugs]
- Kills Beetles, Caterpillars, Ants, Ticks and [&] other listed* insects
- Kills [Controls over] [more than] 100 listed* insects [bugs]
 [pests] on vegetables, flowers, small trees and [&] shrubs
- Kills [Controls over] [more than] 100 listed* garden and nuisance pests without harming roses, flower, or shrubs
- Kill listed* insects on Contact
- Kills over 100 listed* 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
- · 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 (adults), cutworms, tomato hornworms, and other listed* pests
- · Also for use on lawns

* [The word "listed" can appear as a footnote with the appropriate phrase, such as *listed insects]

NOTIFICATION

DEC - 6 2010

ACTIVE INGREDIENT: 0.003 % Cyfluthrin 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

See back panel / booklet for ingredients and precautionary statements.

(BACK PANEL)

[For 1 gallon]



ATTACH SPRAYER

- 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.



SPRAY

- Adjust nozzle to stream or spray position.
- Point sprayer downward and squeeze trigger repeatedly until liquid is released.



AFTER USE

- 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 Listed* 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 Listed* Insects Before They Do Damage
- Kills Household Nuisance Pest Outdoors

KILLS	(ART: aphid, cabbage looper, tomato hornworm, whitefly)				
	Ants	Elm leaf beetles	Potato aphids		
	Aphids	Flea beetles	Potato leafhoppers		
	Armyworms	Flies	Scale (crawler stages)		
	Aster leafhoppers	Garden webworms	Seed weevils (adults)		
	Bagworms	Grasshoppers	Sod webworms		
	Banded sunflower moths	Gypsy moth larvae	Sowbugs		
	Boxelder bugs	Head clipper weevils (adults)	Spiders		
	Budmoths	Japanese beetles (adults)	Spittlebugs		
	Cabbage loopers	Lace bugs	Stem weevil (adults)		
	Carrot weevils (adults)	Leaf beetles	Stink bugs		
	Caterpillars	Leaf-feeding beetles	Sunflower beetles		
	Celery leaf tiers Chinch bugs Clover mites Cockroaches Colorado potato beetles	Leaf-feeding caterpillars	Sunflower moths		
		Leafhoppers (including Glassy- Winged Sharpshooter) Leafminers Mealybugs Midges Mosquitoes	Thrips		
			Tomato fruitworms		
			Tomato hornworms		
			Tomato pinworms		
	Corn borers		Wasps		
	Corn earworms		Weevils (adults)		
	Corn rootworms (adults)	Pepper weevils (adults)	Western flower thrips		
	Crickets	Pillbugs	Whiteflies		
	Cutworms	Plant bugs			
	Earwigs				
WHERE TO USE	Vegetable and flower gardens, shr	ubs, ground covers, lawns and arour	nd homes		
WHEN TO USE	When insects or damage first appe	ar			
	For severe infestations, repeat eve	ry 7-14 days as specified.			
	Questions or comments, call toll-fre	ee (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 follow 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)

Spittlebugs Glassy-winged Sharpshooter)

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 (1st and 2nd instar)

Fall armyworm (1st and 2nd

Potato leafhopper

Thrips

Bean leaf beetle

instar)

Rednecked peanutworm

Vegetable weevil

Beet armyworm (1st and 2nd

instar)

Green cloverworm

Velvetbean caterpillar

Cutworms

Grasshoppers

Stink bugs Threecornered alfalfa hopper

Whitefringed beetle (adult)

Southern armyworm (1st and 2nd

Whitefly (adult)

Corn earworm

Japanese beetle (adult)

Grape colaspis (adult)

instar)

June beetle (adult) Corn rootworms (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

Palestripped 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 (1st and 2nd instar)

Cutworms

Lygus bug

Tarnished plant bug

Beet armyworm (1st and 2nd

Diamondback moth (larvae)

Meadow spittlebug

Thrips

instar)

Fall armyworm (1st and 2nd

Potato leafhopper

Vegetable weevil (adult)

Cabbage flea beetle

instar)

Southern armyworm (1st and 2nd

Whitefly (adult)

Cabbage looper

Grasshoppers

instar)

Yellowstriped armyworm (1st

Stink bugs

and 2nd instar)

Cabbage webworm

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 (1st and 2nd instar)

Cucumber beetle

Stripped cucumber beetle Pickleworm

Cabbage looper

Grasshoppers

Potato leafhopper

Corn earworm

Lygus bug

Rindworm

Tarnished plant bug 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 (1st and 2nd

instar)

Cabbage looper Garden webworm Leafminers

Celery leaftier

Colorado potato beetle *

European corn borer

Flea beetles

Garden symphylan**

Pepper weevil

Potato aphid

Potato leafhopper

Southern armyworm (1st and 2nd

instar)

Stink bugs

Tarnished plant bug *

Thrips (except Thrips palmi)

Tomato fruitworm (corn

earworm)

Tomato hornworm

Tomato pinworm

Variegated cutworm

Whitefly (adult)

Western yellowstriped armyworm (1st and 2nd instar)

Leafy Vegetables:

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

Amaranth (Chinese spinach), Arugula (rouguette), 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 (1st and 2nd

Fall armyworm (1st and 2nd

Leafhoppers

Tarnished plant bug

instar)

instar)

Lygus bug

Thrips

Cabbage looper

Flea beetles

Meadow spittlebug

Vegetable weevil (adult)

Corn earworm

Grasshoppers

Saltmarsh caterpillar

Whitefly (adult)

Cutworms

Green cloverworm

Yellowstriped armyworm (1st

Diamondback moth (larvae)

Imported cabbageworm

Southern armyworm (1st and 2nd instar)

and 2nd instar)

Potato and Other Tuberous 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 Carrot weevil Cutworms

Flea beetles

Potato leafhopper

Sweet Corn

No waiting to harvest.

Do not spray more than 10 times per season.

PEST

Armyworm (1st and 2nd 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 (1st and 2nd

Leafhoppers Stink bugs

Cereal leaf beetle

Flea beetle

instar)

Masked chafer (adult) Webworm
Sand hill cutworm Western b

Western bean cutworm

Chinch bug

Granulate cutworm

Southern armyworm (1st and 2nd

Yellowstriped armyworm (1st

Click beetle (adult)

Grape colaspis (adult)

instar)

and 2nd instar)

Corn earworm

Corn rootworms (adult)

Grasshoppers

Southern corn leaf beetle

and 2

7

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 leaffolder

Glassywinged sharpshooter

Thrips

Grape bud beetle

Grape leafhopper

Grape leaf skeletonizer Varieg

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.



Do not allow entry into treated area until spray has dried.

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:	Non-refillable container. Do not reuse or refill empty spray bottle.	
Î	Rinse the empty product container thoroughly.	
	Place container in trash.	

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 (MASTER) Approved 08/18/10, Notification 08/23/10