

72155-43

5/26/2011

1 of 9



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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

MAY 26 2011

Gregory C. Mattern
Bayer Advanced
P.O. Box 12014
2 T.W. Alexander Drive
Research Triangle Park, NC 27709

Subject: Notification per PRN 98-10

EPA Registration No.: 72155-43
Tempo® Granular Insecticide

Date of Submission: April 25, 2011

Dear Mr. Mattern:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 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 action(s) 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 action, please contact Olga Odiott at (703)308-9369.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Suarez".

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



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 72155-43	2. EPA Product Manager Mark Suarez	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Lawn Insect Killer Ready-to-Use	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 <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"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.

Explanation: Use additional page(s) if necessary. (For section I and Section II.)
Label Notification to add required pyrethroid product label modifications (label call-in from June 2009) and Container Disposal modifications in accordance with PR Notice 2007-4. Please see attached Section II explanation.

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Metal	OR
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	<input checked="" type="checkbox"/> Plastic	
		If "Yes" Package wgt.	No. per container	<input checked="" type="checkbox"/> Glass	
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label OR <input checked="" type="checkbox"/> Container		4. Size(s) Retail Container 4 or 8 or 10 lb		5. Location of Label Directions <input type="checkbox"/>	
6. Manner in Which Label is Affixed to Product			<input checked="" type="checkbox"/> Lithograph <input checked="" type="checkbox"/> Paper glued <input checked="" type="checkbox"/> Stenciled	OR <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 Gregory C. Mattern	Title Regulatory Product Manager	Telephone No. (Include Area Code) (919) 549-2630
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 <i>Gregory C. Mattern</i>	3. Title Regulatory Product Manager	
4. Typed Name Gregory C. Mattern	5. Date April 25, 2011	

Section II - Explanation

With this submission Bayer Advanced proposes to amend the labeling of **Lawn Insect Killer Ready-to-Use (EPA Reg. No. 72155-43)**.

As requested in the EPA pyrethroid label call-in from June 2009, we propose to add the following statements to the label:

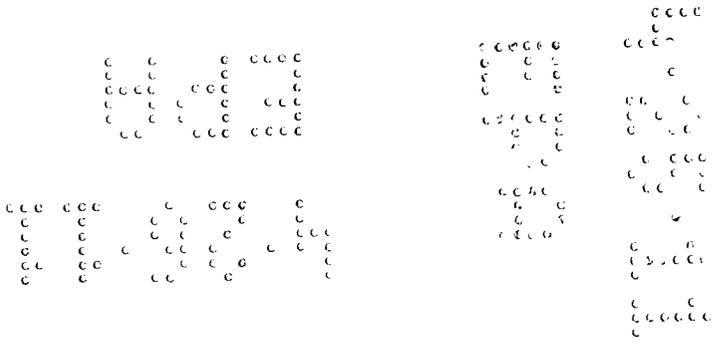
- | |
|--|
| <p>Restrictions</p> <ul style="list-style-type: none"> • Apply this product directly to the lawn or garden area. Water treated area as directed on this label. Do not water the treated area to the point of run-off • Do not make applications during rain. • Application is prohibited directly 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. |
|--|

Additionally, the Storage & Disposal section of the label has been updated in accordance with PR Notice 2007-4. As such, this notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156. Except for those noted in this explanation, no other changes have been made to the labeling or the Confidential Statement of Formula for 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 the amended label is not consistent with the requirements of 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156, this product may be in violation of FIFRA and we may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

Lastly, the following two changes have been made in accordance with PR Notice 98-10. As such, this notification is consistent with the guidance in 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.

1. Corrected the order of the first aid statement to match the order of the required precautionary statements.
2. Added the Agency-recommended text "To the extent consistent with applicable law" to the Notice (Warranty) statement.

Enclosed are 3 copies of the proposed product label, including one copy with the changes highlighted in yellow.



4009

Highlighted Copy

[FRONT PANEL]

Tempo[®] Granular Insecticide

For Use on: Lawns, Gardens, and Around Homes

READY TO USE

KILLS INSECTS

KILLS ANTS

- Long-Lasting 30-Day Protection
- TEMPO[®] Granular Insecticide is a highly effective insecticide designed to kill Fire Ants around homes and in lawns
- Sprinkle on mound and walk away
- Highly Effective
- Starts working immediately
- Also Kills: Red Harvester Ants, Pavement Ants
- Kills the entire colony
- Fast Acting/Quick Killing Granules
- 4 lbs. treat 30 mounds
- Low Odor
- Kills the Queen and Colony
- Results in 3 days
- Even Effective/Works in the rain
- Kills the Queen and the Mound
- Fast Acting - works on contact
- Contains TEMPO[®]
- Kills fleas [and ticks]
- Protects your lawn by killing pests/insects/bugs
- Kills scorpions
- Easy to use granules
- Kills insects
- Kills ants [on contact]

- Kills nuisance pests outdoors [on contact]
- Kills ants fast
- Kills 28 outdoor pests in lawns & around home
- Quickly kills outdoor pests [on contact]
- Kills lawn pests
- Also stops spiders, ticks, fleas, cockroaches and other pests
- Kills pests outdoors in lawns, gardens and around homes
- Kills ants outdoors in lawns, gardens and around homes
- Keeps killing for up to 4 weeks [30 days] [1 month]
- Kills on contact
- Up to 4 weeks [30 days] [1 month] control
- Helps protect your home from invading pests [ants]
- Also stops [kills] spiders, roaches, ants, fleas, and ticks
- Kills: Fleas, Ants, Crickets, ticks, Chinch Bugs, Armyworms, Billbugs, Cutworms, Earwigs, Sod Webworms, and other listed insects
- Kills 28 kinds [types] of insects [pests]
- Long lasting....keeps on killing for weeks
- Long lasting 30 days [4 weeks] [1 month] protection
- Protects up to 4 weeks
- Stops Ants outdoors - before they come inside
- Effective home barrier Treatment
- Treats up 5,000 sq. ft
- Kills nuisance pests outdoors
- Quickly kills outdoor pests
- Results Guaranteed

NOTIFICATION
MAY 26 2011

ACTIVE INGREDIENT:

Cyfluthrin 0.1%

OTHER INGREDIENTS:*

..... 99.9%

Net Contents: 4 lbs., (1.8 kg), 8 lbs., (3.6 kg), 10 lbs

KEEP OUT OF REACH OF CHILDREN

CAUTION

See back panel for ingredients and precautionary statements
Do not apply liquid sprays containing cyfluthrin in addition to this product.

[] Information is optional

[BACK PANEL]

[Tempo Granular Insecticide Kills Fire-Ants fast. The convenient, low odor formula begins working immediately to kill the Queen and the entire colony. Just sprinkle on and walk away.]

READ THE LABEL FIRST!

QUICK FACTS				
<ul style="list-style-type: none"> • Easy to Use Granules • Kills Pests Outdoors in Lawns, Gardens, and Around Homes • For Use With Lawn or Hand-held Spreaders • Convenient, Ready to Use Shaker Bottle • Kills Ants Outdoors in Lawns, Gardens, and Around Homes • Effective as a Spot Treatment for Ant Mounds 				
KILLS	Annual Bluegrass weevil adults (hyperodes) Ants Armyworms Billbugs (adults) Black turfgrass Ataenius (adults) Centipedes Chiggers	Chinchbugs Cockroaches Crickets Cutworms Digger wasps (Cicada killer) Earwigs Fleas Fire Ants	Grasshoppers Hyperodes weevil (adults) Leafhoppers Mealybugs Millipedes Mole Crickets Mosquitoes Pavement Ants	Pillbugs Red Harvester Ants Scorpions Sod webworms (lawn moths) Sowbugs Spiders Termites Ticks
COVERAGE	Covers 5,000 sq ft			
WHERE TO USE	Lawns, Gardens and Around house foundations, [Lawns, Flower Beds, Ground Covers, and around Trees & Shrubs]			
WHEN TO USE	When insects or damage first appear [When Fire-Ants mounds or other listed pests are present]			
HOW MUCH TO USE	See directions [1/4 cup per mound]			
	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:

Cyfluthrin 0.1%

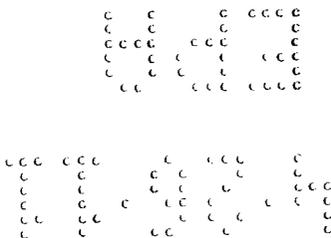
OTHER INGREDIENTS:* 99.9%

100.0%

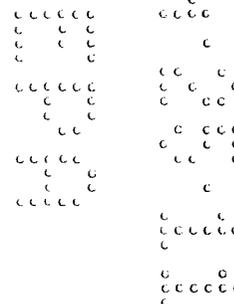
* Other ingredients include: Ammonium sulfate granules, dipropylene glycol (to adhere the active ingredient on the granules) and organic solvent (less than 0.4%, to dissolve the active ingredient for mixing) and emulsifiers (to keep the liquid ingredients uniformly mixed).

Treats 5,000 sq ft

EPA Reg. No. 72155-43



EPA Est. No. XXXX-AA-XX



DIRECTIONS FOR USE

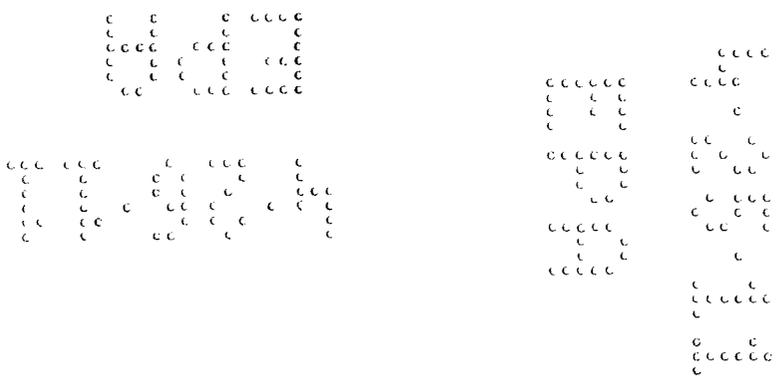
It is a violation of Federal law to use this product in a manner inconsistent with its labeling. For best results, be sure to read and follow all label directions.

BEFORE YOU USE	<p>Read and follow these directions when using:</p> <ul style="list-style-type: none"> • 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 <u>after use</u> with this insecticide. • Keep children and pets away from treated area until it has been watered and allowed to dry.
-----------------------	--

TO CONTROL HOUSEHOLD PESTS BEFORE THEY COME INDOORS

HOW TO USE [Break seal and open top.]	PEST <table border="0"> <tr> <td>Ants</td> <td>Crickets</td> <td>Pillbugs</td> <td>Spiders</td> </tr> <tr> <td>Centipedes</td> <td>Digger wasps</td> <td>Scorpions</td> <td></td> </tr> <tr> <td>Cockroaches</td> <td>Millipedes</td> <td>Sowbugs</td> <td></td> </tr> </table>	Ants	Crickets	Pillbugs	Spiders	Centipedes	Digger wasps	Scorpions		Cockroaches	Millipedes	Sowbugs	
	Ants	Crickets	Pillbugs	Spiders									
	Centipedes	Digger wasps	Scorpions										
	Cockroaches	Millipedes	Sowbugs										
	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 <u>Around the House</u> 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 <u>For Ant Mounds or Wasp Burrows</u> 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 Fire Ants, Red Harvester Ants, Pavement Ants

HOW MUCH TO APPLY
1/4 cup per mound

HOW TO APPLY
Sprinkle evenly over mound. Treat new mounds as they appear

HOW-TEMPO GRANULAR INSECTICIDE WORKS
Insecticide begins to work upon contact, although death is not immediate. This is important as it allows the worker ants enough time to track the insecticide down into the mound. Here it is picked up and spread throughout the mound, killing the entire colony, including the queens.

TO CONTROL LAWN PESTS

HOW TO USE [Break seal and open top.]	PESTS			
	Ants	Black Turfgrass Ataenius (adults)	Cutworms	Mealybugs
	Hyperodes Weevil (adults)	Chiggers	Fleas	Mole Crickets
	Armyworms	Chinchbugs	Grasshoppers	Sod Webworms (lawn moths)
	Billbugs (adults)		Leafhoppers	Ticks
	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.			

TO CONTROL GARDEN PESTS

HOW TO USE [Break seal and open top.]	PESTS			
	Armyworms	Cutworms	Grasshoppers	Stinkbugs
	HOW MUCH TO APPLY Apply 2 to 3 lbs per 1,000 sq ft. Adjust your spreader to the proper setting. See table below. [This bag covers 5,000 sq ft.] This can covers 1,000 sq ft which is the same as a band 10 feet wide and 100 feet long. Do not apply more than one time per season. Do not apply liquid sprays containing cyfluthrin in addition to this product.			
	VEGETABLE			
	Carrots	Potatoes	Sweet Corn	
	Peppers	Radishes	Tomatoes	
	HOW TO APPLY Apply granules evenly over the garden. Water thoroughly within a day after applying. TIP: A hand-held spreader makes this easy.			

FOR BEST RESULTS
Water in thoroughly after applying.
Do not mow until the granules are thoroughly watered in.
Many lawn pests cause damage by eating roots or tunneling through the turf. To prevent damage, apply TEMPO 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.

- 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.
---	--

Restrictions

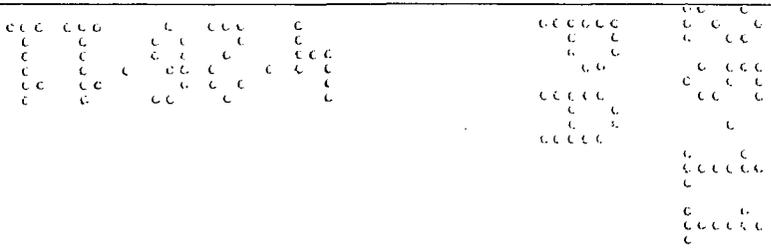
- Apply this product directly to the lawn or garden area. Water treated area as directed on this label. Do not water the treated area to the point of run-off
- Do not make applications during rain.
- Application is prohibited directly into sewers or drains, or to any area like a gutter where drainage to sewers, storm drains, water bodies, or aquatic habitat can occur. Do not allow the product to enter any drain during or after application.

-IMPORTANT: Directions for Storage and Disposal

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

Pesticide Storage Conditions:	Store in original container in a cool, dry place, out of the reach of children, preferably in a locked storage cabinet.
Pesticide Disposal:	<div style="display: flex; align-items: center;">  <ul style="list-style-type: none"> • 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 877-229-3724 for disposal instructions. Never place unused product down any indoor or outdoor drain. </div>

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 call your local solid waste agency or you may 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 and before eating, drinking, chewing gum or using tobacco.

➕ 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 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: 0.1% Cyfluthrin [CAS # 68359-37-5]

ENVIRONMENTAL HAZARDS

- Do not apply directly to water.
- This pesticide is toxic to fish.
- Do not contaminate water when cleaning equipment or disposing of equipment washwater.
- 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 TEMPO Granular 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.



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

Tempo Granular (MASTER) Approved 01/05/05, Notification 12/07/10

