

72155-58

1/12/2009

1099



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

JAN 12 2009

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

Subject: Label Notification(s) for Pesticide Registration Notices 2007-4 and 2008-1

Dear Mr. Boyd:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 and 2008-1 dated December 16, 2008 for:

EPA Registration 72155-58

Tempo 2.5 SC Ultra Concentrate Insecticide

The Registration Division (RD) has conducted a review of this request for applicability under PR Notice 2007-4 and 2008-1 and finds that the label changes requested falls within the scope of PR Notice 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 Nicole Williams of my staff at 703-308-5551.

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Arrington".

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



Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060

2009 dik

<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 72155-58	2. EPA Product Manager Kimberly Nesci	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Tempo 2.5 SC Ultra Concentrate Insecticide	PM# 11	
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. <u> NOTIFICATION </u> Product Name <u> JAN 12 2009 </u>	

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.)

See Attached

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			
* Certification must be submitted		If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt No. per 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		4. Size(s) Retail Container		5. Location of Label Directions	
<input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		32 Fl. oz., 1/2, or 1 Gal.		<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 Integ _____	

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, ou=US, o=Bayer CropScience, ou=Consumer, email=charles.boyd@bayercropscience.com, Date: 2008.12.16 14:07:06 -05'00'</small>	3. Title Registrations Manager	
4. Typed Name Charles W. Boyd	5. Date December 16, 2008	

(BACK PANEL)

TEMPO 2.5 SC ULTRA CONCENTRATE INSECTICIDE provides a better way to protect your home against termites, carpenter ants, and other wood-destroying pests. This convenient formula kills home invading insects on contact and keeps working for up to 3 months. Protecting your home, garden, and lawn from listed damaging insects has never been easier.

READ THE LABEL FIRST!

QUICK FACTS											
<ul style="list-style-type: none"> • One Quart treats up to 21,000 sq. ft. (approx. half the size of a football field) • Protects against wood-damaging and home-invading insects • Effective home barrier treatment • Kills on contact • Convenient MEASURE-UP CUP™ 											
KILLS	Termites, Ants, Carpenter Ants, Spiders, Ticks, Fleas and other listed pests.										
WHERE TO USE	Houses, pet quarters & other outbuildings (foundations, walls, eaves, doorways, window frames), decks, patios & porches, walks, garages, garbage cans & garbage areas, fences, posts & poles, stored lumber, woodpiles, lawns, landscape trees, shrubs, flowers, ground covers, vines, tree stumps and other listed areas.										
WHEN TO USE	To control and prevent insect infestations										
COVERAGE	<table border="1"> <thead> <tr> <th>Pest</th> <th>One Quart Treats up to:</th> </tr> </thead> <tbody> <tr> <td>Termites</td> <td>13 ft. of trench length</td> </tr> <tr> <td>Wood-Destroying & Home-Invading Pests</td> <td>10,500 sq. ft.</td> </tr> <tr> <td>Lawn Pests</td> <td>21,000 sq. ft.</td> </tr> <tr> <td>Landscape Pests</td> <td>190 medium size trees or 6,000 medium size shrubs</td> </tr> </tbody> </table>	Pest	One Quart Treats up to:	Termites	13 ft. of trench length	Wood-Destroying & Home-Invading Pests	10,500 sq. ft.	Lawn Pests	21,000 sq. ft.	Landscape Pests	190 medium size trees or 6,000 medium size shrubs
	Pest	One Quart Treats up to:									
	Termites	13 ft. of trench length									
	Wood-Destroying & Home-Invading Pests	10,500 sq. ft.									
	Lawn Pests	21,000 sq. ft.									
Landscape Pests	190 medium size trees or 6,000 medium size shrubs										
TIP: To determine 'square feet', measure length & width of the area to be treated to the nearest foot and multiply the two readings together.											
For questions or comments, call toll-free 1-877-BayerAG.											

FOR OUTDOOR HOMEOWNER USE ONLY

ACTIVE INGREDIENT:

β-Cyfluthrin 2.5 %

OTHER INGREDIENTS 97.5 %

TOTAL 100.0 %

EPA Reg. No. 72155-58

EPA Est. No. -AA

β - Cyfluthrin is the chemical name for Tempo® Ultra.

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 directions when using.	<ul style="list-style-type: none"> • Do not apply near fish pools, ponds, streams, rivers or lakes. • Apply to flowering plants early morning or late evening, when bees are not present. • Do not apply to plants grown for food. • Food utensils such as measuring spoons and measuring cups should not be used for food purposes after use with insecticides. • Do not apply in or on electrical equipment due to possibility of shock.
---	---

HOW TO USE	Shake well before use.
-------------------	------------------------

Subterranean Termites	
Building Foundations: Use 3/4 Cup (6 fl. oz.) of TEMPO 2.5 SC ULTRA CONCENTRATE INSECTICIDE per gallon of water.	
Prevents subterranean termite infestations*. For outdoor homeowner post-construction use only. If termites are found within the house or structure, contact a licensed pest control operator for treatment.	
Wells & Cisterns: Do not treat structures that contain cisterns or wells. Soil in the vicinity of wells, cisterns or ponds should not be treated.	
HOW TO APPLY	<ol style="list-style-type: none"> 1. Dig a trench next to the foundation, 6" wide and 6" deep or down to the top of the footing, whichever is less. Never dig below the top of a footing (to avoid shifting the foundation). Remove & discard any scrap wood unearthed while digging. 2. Apply 4 gallons of diluted product to every 10 feet of trench length. Refill trench with soil, mixing it with liquid. 3. Reapplication should only be made when there has been a disruption of the chemical barrier in the soil due to construction, excavation, landscaping, etc. Reapplication should be made as a spot treatment to those areas. Annual reapplication of the entire premises must be avoided.

Deck & Fence Posts	
Use 1/4 Cup (2 fl. oz.) of TEMPO 2.5 SC ULTRA CONCENTRATE INSECTICIDE per gallon of water.	
HOW TO APPLY	To protect wooden posts & wooden poles (fence, deck, mailbox, etc.), place post or pole in hole and evenly disperse one gallon of diluted product in soil around post.

Firewood	
Use 2 Tbs. (1 fl. oz.) of TEMPO 2.5 SC ULTRA CONCENTRATE INSECTICIDE per gallon of water.	
HOW TO APPLY	Treat each 8 square feet of ground with 1 gallon of diluted product prior to stacking.

Other Wood-Destroying Pests	
Use 2 Tbs. (1 fl. oz.) of TEMPO 2.5 SC ULTRA CONCENTRATE INSECTICIDE per gallon of water.	
Above Ground Termites (Drywood, Formosan), Carpenter Ants, Carpenter Bees & Wood-Infesting Beetles (Ambrosia Beetles, Deathwatch Beetles, False Powderpost Beetles, Old House Borer Beetles, Powderpost Beetles)	
HOW TO APPLY	<ul style="list-style-type: none"> • Spray or brush evenly onto outdoor wooden surfaces. Spray into areas of known or suspect insect activity such as holes, voids and channels in damaged wood, spaces between wooden parts of a structure, spaces between different types of building materials (for example, wood and concrete) and cracks & crevices. Spray exposed insects. • Carpenter Bee holes should be filled with a suitable sealant when there is no evidence of bee activity, usually 24 hours after treating holes. • To keep insects from entering the house, spray a 3 foot band on the ground around the house next to the foundation. Spray the foundation of the house to a height of 1 - 2 feet. Spray around doors, windows and other possible entry points. • To protect firewood from Carpenter Ants, treat each 8 square feet of ground with 1 gallon of diluted product prior to stacking.
FOR BEST RESULTS	<ul style="list-style-type: none"> • Use a Hose-End Sprayer for large areas.


Home Invading Pests	
Use 2 Tbs. (1 fl. oz.) of TEMPO 2.5 SC ULTRA CONCENTRATE INSECTICIDE per gallon of water. Three gallons of diluted product will treat 1,000 sq. ft.	
Ants, Boxelder Bugs, Carpenter Ants, Cecidflies, Centipedes, Clusterflies, Cockroaches, Crickets, Elm Leaf Beetle, Firebrats, Fleas, Flies, Gnats, Ground Beetles, Midges, Millipedes, Mosquitoes, Moths, Scorpions, Silverfish, Spiders, Ticks	
HOW TO APPLY	<ul style="list-style-type: none"> • Spray where these pests may be found or could enter the house, pet quarters or other outbuilding. For example, the walls, eaves, doorways & window frames of the house; spaces between different types of building materials and other cracks & crevices; decks, patios & porches, walks; garages; garbage cans & garbage areas; stored lumber & woodpiles; under trees & shrubs. • To keep insects from entering the building, spray a 3 foot band on the ground around the house next to the foundation. Also spray the foundation of the house to a height of 1 - 2 feet.
Bees, Hornets, Wasps and Yellow Jackets	
HOW TO APPLY	<ul style="list-style-type: none"> • Adjust sprayer nozzle to pin stream & spray nest during evening when insects are at rest.


* To the depth of the treatment.

Lawn Pests	
Use 1 Tbs. (1/2 fl. oz.) of TEMPO 2.5 SC ULTRA CONCENTRATE INSECTICIDE per gallon of water. Three gallons of diluted product will treat 1,000 sq. ft.	
Pests Above Ground: Ants, Armyworms, Black Turfgrass Ataenius (adult), Bluegrass Billbug (adult), Chiggers, Chinch Bugs, Crickets, Cutworms, Earwigs, Fleas, Grasshoppers, Hyperodes Weevil (adult), Japanese Beetles (adult), Scorpions, Sod Webworms, Ticks (including Deer Ticks)	
HOW TO APPLY	Hose-End Sprayers work best on large areas while Pump Style Sprayers & Sprinkling Cans work best for spot treating smaller sections of the lawn.
FOR BEST RESULTS	Do not mow or water lawn for at least 24 hours to keep the insecticide above ground.
Pests Below Ground: Fire Ants (aids in control only), Mole Crickets	
HOW TO APPLY	<ul style="list-style-type: none"> Hose-End Sprayers work best on large areas while Pump Style Sprayers & Sprinkling Cans work best for spot treating smaller sections of the lawn. To control Fire Ants, thoroughly drench the entire mound.
FOR BEST RESULTS	<ul style="list-style-type: none"> Water lawn thoroughly after application to move insecticide below ground. Do not mow lawn until thoroughly watered in.


Landscape Pests	
Use 1/2 tsp. of TEMPO 2.5 SC ULTRA CONCENTRATE INSECTICIDE per gallon of water.	
Ants, Aphids, Armyworms, Azalea Caterpillars, Bagworms, Boxelder Bugs, Bristly Rose Slugs, Budworms, California Oakworms, Cankerworms, Casebearers, Clover Mites, Cockroaches, Crickets, Cutworms, Elm Leaf Beetles, Elm Spcaworms, Flea Beetles, Flies, Fungus Gnats, Grasshoppers, Gypsy Moth Larvae, Japanese Beetles (adult), June Beetles (adult), Lace Bugs, Leaf-feeding Caterpillars, Leafrollers, Leaf Skeletonizers, Mealybugs, Midges, Mosquitoes, Oleander Moth Larvae, Orchid Weevil, Pear Psylla, Peppertree Psyllid, Pillbugs, Pine Shoot Moths, Pine Tip Moths, Plant Bugs, Redhumped Caterpillars, Sawfly Larvae, Scale Insects (crawler stages), Sowbugs, Spiders, Spittlebugs, Striped Beetles, Striped Oakworms, Tent Caterpillars, Thrips, Ticks (including Deer Ticks), Tussock Moth Larvae, Wasps, Walnut Caterpillars, Webworms, Whiteflies, Yellownecked Caterpillars	
FOR USE ON	Landscape Trees & Shrubs, Roses & Flowers (Annuals, Biennials, Perennials), Ground Covers and Vines
HOW TO APPLY	<ul style="list-style-type: none"> Spray leaves until evenly coated, but not dripping. To kill insects that hide, spray underside of leaves. To achieve outdoor cockroach control, spray hiding or resting places such as under shrubbery & ground covers and in mulch & hollow trees.
FOR BEST RESULTS	<ul style="list-style-type: none"> Keep foliage dry for one hour after application. Avoid serious damage to plants. Begin treatment as soon as insects or damage first appears.

APPLICATION METHODS	
Sprinkling Can or Bucket	<ol style="list-style-type: none"> Shake well. Add the appropriate amounts of concentrate and water to sprinkling can or bucket. Mix well and apply.
Pump Style Sprayers	<ol style="list-style-type: none"> Shake well. Add the appropriate amounts of concentrate and water to the sprayer tank. Close sprayer, shake well and pressurize. Adjust nozzle to a coarse spray pattern and apply. Occasionally re-pressurize the sprayer if needed to maintain a good spray pattern.
Dial-Style Hose-End Sprayers	<ol style="list-style-type: none"> Shake well. Fill sprayer jar with enough concentrate to cover plants to be treated. Close sprayer and set dial. TIP: The numbers on Dial-Style Hose-End Sprayers are ounces of Concentrate per gallon of spray. Attach sprayer to hose and apply.
Concentrate Plus Water Hose-End Sprayers	<ol style="list-style-type: none"> Shake well. Pour concentrate into sprayer jar to the required fluid ounce level. Add the appropriate amount of water to the gallons level. Replace sprayer top and shake well. Attach sprayer to hose and apply.

	Children and pets may reenter the treated area after it has dried.
---	--

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. Protect from freezing.
DISPOSAL 	<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 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	
<ul style="list-style-type: none"> • Harmful if swallowed, absorbed through skin or inhaled. • Causes moderate eye irritation. • Avoid contact with skin, eyes or clothing. • Avoid breathing spray mist. • Washing hands thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco will reduce exposure. • When using this product, wear long-sleeved shirt, long pants, socks, shoes and rubber gloves. Removing and washing contaminated clothing before reuse may reduce exposure. 	

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 to an unconscious person.
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.
Contact with Skin	<ul style="list-style-type: none"> • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15 to 20 minutes. • Call a poison control center or doctor for treatment advice.
Inhalation	<ul style="list-style-type: none"> • Move person to fresh air. • If 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.
<p>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: 2.5% β Cyfluthrin (CAS #68359-37-5).</p>	

