

432-1373

08/30/2011

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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

AUG 30 2011

Mr. Jan Brill
Bayer CropScience
P.O. Box 12014
2 T.W. Alexander Drive
Research Triangle Park, NC
27709

Subject: Notification per PRN 98-10 and PRN 2007-4

EPA Registration Number: 432-1373
Tempo 1% Professional Dust Insecticide

[9A]

Date of Submission: August 4, 2011

Dear Mr. Brill:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration (PRN) 98-10 for the abovementioned product. The Registration Division (RD) has conducted a review of this request 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 questions regarding this letter, 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)

Please read instructions on reverse before completing form.

Form Approved, OMB No. 2070-0060

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United States
Environmental Protection Agency
Washington, DC 20460

- Registration
 Amendment
 Other:

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 432-1373	2. EPA Product Manager M. Suarez	3. Proposed Classification
4. Company/Product (Name) Tempo 1% Professional Dust Insecticide	PM# 13	<input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
5. Name and Address of Applicant (Include ZIP Code) Bayer CropScience 2 T.W. Alexander Dr. Raleigh, NC 27709	6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(l), my product is similar or identical in composition and labeling to: EPA Reg. No. _____	
<input type="checkbox"/> Check if this is a new address	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.)

Notification of Label Changes per PR Notices 2007-4 & 98-10 and EPA letter dated June 4, 2009

Notification of label changes per PR Notices 2007-4 & 98-10, and per June 4, 2009 letter from Environmental Protection Agency. This notification is consistent with the guidance of PR Notices 2007-4 & 98-10, the June 4, 2009 letter, and EPA regulations at 40 CFR § 156. 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 40 CFR § 156, 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.

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.	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No No. per container	2. Type of Container <input checked="" type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify)
*Certification must be submitted	No. per container	If "Yes" Package wgt.	No. per container
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container	4. Size(s) Retail Container 1 oz. to 5 pounds		5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input checked="" type="checkbox"/> On labeling accompanying product
6. Manner in Which Label is Affixed to Product	<input checked="" type="checkbox"/> Lithograph <input type="checkbox"/> Other _____ <input checked="" type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled		

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application)

Name Jan Brill	Title Manager, Registrations	Telephone No. (Include Area Code) 919/549-2421
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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 	3. Title Manager, Registrations
4. Typed Name Jan Brill	5. Date 4 August 2011

Tempo 1% Professional Dust Insecticide

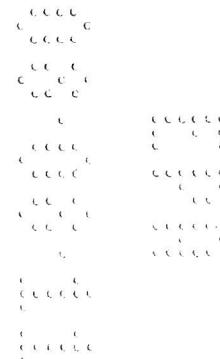
EPA Reg. No. 432-1373

4 August 2011

Section II Explanation – Continued

Notification of changes to labeling

1. Pages 1 & 2, Incorporated the relevant verbiage required for professionally applied dust products containing pyrethroids into the Environmental Hazard & Directions for Use sections of the labeling as dictated by EPA's June 4, 2009 letter entitled "Environmental Hazard and General Labeling for Pyrethroid Non-Agricultural Outdoor Products Notification".
2. Page 4, Revised container disposal statement in accordance with PR Notice 2007-4 for a dust product with no dilution instructions
3. Page 6, Revised Warranty statement as outlined on Page 9 of Chapter 12 in the EPA Label Review Manual



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Bayer CropScience



Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 South Crystal Drive
Arlington, VA 22202-4501

ATTN: Mark Suarez, PM #13

Subject: Tempo 1% Professional Dust Insecticide
EPA Reg. No. 432-1373
Notification of Label Changes per PR Notices 2007-4 & 98-10 and per
EPA letter dated June 4, 2009

Dear Mr. Suarez,

With this submission, Bayer CropScience notifies EPA of Label Changes to bring the subject product into compliance with the June 4, 2009 EPA letter entitled "Environmental Hazard and General Labeling for Pyrethroid Non-Agricultural Outdoor Products Notification", and with PR Notice 2007-4, and to update the warranty statement as outlined on Page 9 of Chapter 12 in the EPA Label Review Manual.

To effect this action, enclosed please find the following;

1. EPA Form 8570-1 with explanation page
2. 1 copy of proposed labeling for the subject product
3. 1 copy of proposed labeling with the changes highlighted

4 August 2011

Bayer CropScience
P.O. Box 12014
2 T.W. Alexander Drive
Research Triangle Park,
NC 27709

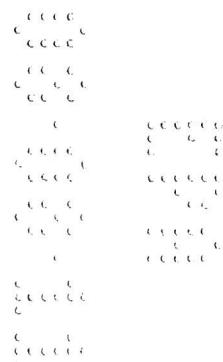
Tel. 919 549-2421
Fax. 919-549-3969

I trust that this completes the documentation for this registration action. If you have any questions, or require further information, please contact me either by telephone at 919/549-2421 or email at jan.brill@bayer.com

Sincerely,

A handwritten signature in black ink, appearing to read "jan brill".

Mr. Jan Brill
Manager, Registration



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NOTIFICATION

AUG 30 2011

Tempo 1% Professional Dust Insecticide

(ABN: TEMPO® 1% Dust Insecticide Ready To Use)

For Use Only By Pest Management Professionals and Commercial Applicators

Active Ingredient:

Cyfluthrin, cyano(4-fluoro-3-phenoxyphenyl)methyl 3-(2,2dichloroethyl)-2,
2-dimethylcyclopropane-carboxylate..... 1%

INERT Ingredients..... 99%

Total:..... 100%

EPA Reg. No. 432-1373**EPA Est. No. 3125-MO-1, 432-TX-1, 58996-MO-1**

NET CONTENTS: 1.25 Pounds

**STOP - Read the label before use.
Keep out of reach of children.**

CAUTION

FIRST AID	
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.
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 by a poison control center or doctor. Do not give anything by mouth to an unconscious person.
If inhaled	<ul style="list-style-type: none"> 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.
If on 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.
Have the product container or label with you when calling a poison control center or doctor or going for treatment. The Bayer Environmental Science Emergency Response Telephone No. is 1-800-334-7577.	
Note To Physician: No specific antidote is available. Treat the patient symptomatically.	

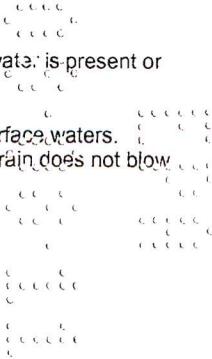
PRECAUTIONARY STATEMENTS**HAZARDS TO HUMANS AND DOMESTIC ANIMALS**

CAUTION: Causes moderate eye irritation. Harmful if swallowed, inhaled or absorbed through the skin. Do not get into eyes, on skin, or on clothing. Avoid breathing dust. If clothing becomes contaminated, remove and wash before reuse. Wash hands thoroughly with soap and warm water after handling.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish and other aquatic organisms. Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Apply this product only as specified on this label.

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.



PRO FACTS	
<ul style="list-style-type: none"> Ready-to-use Low-odor Non-staining 	
TEMPO 1% DUST Insecticide Ready To Use	Contains 1% cyfluthrin
CONTROLS	<ul style="list-style-type: none"> Ants, cockroaches, and other crawling pests Bees and wasps Pantry and stored product pests Wood-infesting pests For specific insects, see inside label
WHERE TO APPLY	In and around buildings and structures
COVERAGE	Treats up to 2,500 square feet
HOW TO APPLY	Directly in voids, cracks and crevices. For bees, wasps and ant mounds, see directions inside. Use appropriate dusting or injection equipment.
RE-APPLY	Every 7 to 10-days, if needed
QUESTIONS ??	For questions or comments, call toll-free 1-800-331-2867

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

APPLICATION RESTRICTIONS

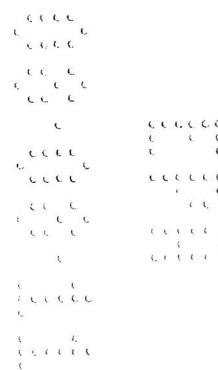
Do not water the treated area to the point of run-off.

Do not make applications during rain.

Do not apply directly to sewers or drains, or to any area like a gutter where drainage to sewers, storm drains, water bodies, or aquatic habitat can occur, except as directed by this label.

PESTS	
For residual pest control in and around buildings, structures, non-food/feed areas of food/feed handling establishments and modes of transport. This includes houses, hotels, motels and other non-food areas of stores, warehouses, hospitals, food processing facilities, and modes of transport. For a list of common facilities where this product may be used, see appendix.	
General Household Pests	
Crawling Pests	Millipedes Pillbugs Scorpions Silverfish Sowbugs Spiders
Ants (except Pharaoh) Bedbugs Boxelder Bugs Carpet beetles Centipedes Clothes moths Cockroaches Crickets Earwigs Firebrats Ground Beetles	Bees Hornets Wasps Yellow jackets
Pantry and Stored Product Pests	
Beetles (exposed adults & immature stages)	Lesser mealworm Merchant grain Mealworm Red flour Rice weevil Sawtoothed grain Warehouse
Cadelle Cigarette Confused Flour Darkling Dermestid Granary weevil Hide Larder Leather Lesser grain borer	Moths Indian meal Mediterranean flour

PESTS	
Wood-Infesting Pests*	
Beetles Ambrosia Deathwatch False powderpost Old house borer Powderpost Carpenter ants Carpenter bees	Termites Subterranean Formosan Drywood
<p>*The purpose of such applications of TEMPO 1% Dust for termites is to kill workers or winged reproductive forms which may be present in treated channels at the time of treatment. Such applications are not a substitute for mechanical alteration, soil treatment, or foundation treatment, but merely a supplement. This product is not recommended as sole protection against termites. For active indoor termite infestations get a professional inspection.</p>	
WHERE TO APPLY	<ul style="list-style-type: none"> • Apply where pests have been seen or found or can find shelter. • In living areas, avoid deposits on exposed surfaces and avoid introducing the dust into the air. Apply in wall voids, cracks and crevices; in or behind base boards, service ducts, false floors and ceilings; around electrical entrances, water and sewer pipe entrances; under and behind cabinets, refrigerators, and sinks; in equipment legs and bases; around window and door frames; in attics and crawl spaces. • For specific sites, see appendix.
USE RATE HOW TO APPLY (also see APPLICATION FOR PESTS)	0.5 lb to 1 lb of TEMPO 1% Dust per 1000 square feet. Apply directly into voids, cracks and crevices using hand or power dusters or other suitable equipment. Apply lightly and uniformly.
WHEN TO APPLY	<ul style="list-style-type: none"> • When pests are seen or found. • Every 7 to 10 days, if needed.
RESTRICTIONS	<ul style="list-style-type: none"> • In living areas, avoid deposits on exposed surfaces and avoid introducing the dust into the air. • Do not use in aircraft cabins. • Do not apply in any rooms while the elderly or infirm are present. • Do not apply in occupied classrooms. • Do not apply to clothing. • Do not apply to food/feed areas of commercial food/feed handling establishments, restaurants, or other commercial establishments where food/feed is commercially prepared, processed or served. • Do not apply to animal feedstuffs or watering equipment.



APPLICATION FOR PESTS	
CRAWLING PESTS	
Ants	Apply to voids, cracks and crevices in and around doors and windows, baseboard cracks, and other places where ants enter structures.
Bedbugs	Apply to areas such as mattress folds and tufts, spring coils, cracks or hollow places in bed frames, furniture upholstery, and picture frame moldings. Let powder remain on treated surfaces for 4 to 6 hours, then vacuum the powder thoroughly, dispose of the vacuum bag properly, and place clean linens on the bed.
Carpet beetles	Apply under edges of floor coverings, baseboard cracks, under rugs and furniture, and in cracks and crevices in closets.
Clothes moths and silverfish	Apply to cracks and crevices in closets and other storage areas. This is an adjunct treatment and will not control moth larvae and silverfish already on the clothes. Do not apply to clothing.
Fire Ants (including Red Harvester Ants, and Pavement Ants)	USE RATE: 2 to 6 teaspoons of TEMPO 1% Dust per mound. Avoid disturbing the mound before applying. If possible, treat all colonies in the area. Distribute the product evenly over each mound and around the perimeter of the mound (about 18 inches from the outer edge); use the higher rates for larger mounds. For best results, water mounds gently after applying. High water pressure will cause the ants to move the mound. Treat new mounds as they appear.
FLYING PESTS	
Bees Hornets Wasps Yellow jackets	Thoroughly dust nests and entrances and surrounding areas. To treat nests in wall voids, drill a hole in the area, dust entrance and surrounding areas. Wear protective clothing if necessary to avoid stings. You may also help avoid stings by treating wasp and bee nests in the evening when the insects are less active and are inside the nest. For best results, check nests within one or two days to ensure complete kill. Remove and destroy treated nests to prevent emergence of newly hatched insects, secondary pest problems, and possible staining from honey. If removal is not possible, retreat the nest, if necessary.
PANTRY & STORED PRODUCT PESTS	
Beetles and Moths	Clean area thoroughly, removing infested foodstuffs and all utensils, uncovered foodstuffs (or any with opened package), shelf paper and other objects. Apply in voids, cracks and crevices behind and under cupboards, food storage areas, and cabinets. Do not apply directly on food, utensils, or food storage shelves.
WOOD-INFESTING PESTS	
Termites and wood-infesting beetles	Apply to voids and galleries in damaged wood, in spaces between wooden structural members, and between the sill plate and foundation where wood is vulnerable. For inaccessible areas, drill into the damaged wood or wall voids and then inject dust using a suitable directional injector. Note that drilling and treating may not give complete coverage of infested and vulnerable voids or galleries.
Termite carton nests	Termite carton nests in building voids may be injected with a pointed injection tool at varying depths. For best results, remove carton nests material when possible.
Above-ground termites and carpenter ants	For control inside trees, utility poles, fencing and decking materials and similar structural members, drill to find the interior infested cavity and inject dust.
Carpenter ants	Treat wall voids by access around electrical entrances, water lines or similar openings. Apply to voids, cracks and crevices in and around doors and windows, under fascia boards, top of sill plate, cracks and crevices in crawl space, under shingles, behind gutters, and other areas where carpenter ants may enter.
Carpenter bees	Apply directly into gallery entrance holes. Leave entrance holes open for 24 hours after treatment to be sure that returning bees are also killed. When there is no activity, seal the hole with a suitable sealant.

STORAGE AND DISPOSAL	
Do not contaminate water, food, or feed by storage or disposal.	
Storage:	<ul style="list-style-type: none"> Store in a cool, dry place and in such a manner as to prevent cross contamination with other pesticides, fertilizers, food, or feed. Store in original containers and out of the reach of children, preferably in a locked storage area. Handle and open container in a manner as to prevent spillage.
Pesticide Disposal:	<ul style="list-style-type: none"> Pesticide wastes are hazardous. Improper disposal of excess pesticide is a violation of Federal law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.
Container Disposal:	<ul style="list-style-type: none"> Non-refillable container. Do not reuse or refill this container. Offer for recycling, if available. Puncture and dispose of in a sanitary landfill, or by other approved State and local procedures. (For Homeowner) Non-refillable container. Do not reuse or refill this container. Offer for recycling, if available. If empty:

	<p>Place in trash or offer for recycling if available. If partly filled: Call your local solid waste agency for disposal instructions. Never place unused product down an indoor or outdoor drain.</p>
Spills:	<p>If the container is leaking or material is spilled for any reason or cause, carefully sweep material into a pile. Refer to Precautionary Statements on label for hazards associated with the handling of this material.</p> <ul style="list-style-type: none"> • Do not walk through spilled material. • Dispose of pesticide as directed above. • Keep unauthorized people away. • You may contact the Bayer Environmental Science Emergency Response Team for decontamination procedures or any other assistance at 1-800-334-7577 or contact Chemtrec at 800-424-9300.

Appendix**FOR RESIDUAL PEST CONTROL IN AND AROUND BUILDINGS** Permitted areas of use include, but are not limited to:

animal quarters and kennels	kitchens
apartment buildings	laboratories
bakeries	livestock housing structures
bottling facilities	manufacturing establishments
breweries	mausoleums
cafeterias	pet kennels
candy plants	meat and produce canneries
cereal processing and manufacturing plants	mobile homes and recreational vehicles
correctional facilities	nursing homes (see restrictions)
dairies and dairy product processing plants	pickle factories
day care centers	restaurants
frozen food plants	schools (see restrictions)
grain mills	spice plants
granaries	stores and institutions
greenhouses (structures only)	theaters
grocery stores and supermarkets	utility vaults and conduits
hospitals (see restrictions)	warehouses
hotels and motels	wineries and similar structures
houses	zoos
industrial buildings and installations	transportation vessels such as aircraft (see restrictions), buses, trucks, trailers, rail cars, and marine vessels

FOR FOOD/FEED HANDLING ESTABLISHMENTS

TEMPO 1% Dust applications are permitted in non-food/feed areas of food handling establishments only as a void or crack and crevice treatment. It is not permitted in the food/feed areas of food/feed handling establishments.

Food/feed handling establishments are defined as places other than private residences where exposed food/feed is held, processed, prepared or served. Included also are areas for receiving, storing, packing (canning, bottling, wrapping, boxing), preparing, edible waste storage and enclosed processing systems (mills, dairies, edible oils, syrups) of food. Serving areas where food is exposed and the facility is in operation are also considered food areas.

Non-food/ non-feed handling areas of food/feed handling establishments include garbage rooms, lavatories, floor drains (to sewers), entries and vestibules, offices, locker rooms, machine rooms, boiler rooms, garages, mop closets, and storage (after canning or bottling).

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IMPORTANT: READ BEFORE USE

Read the entire Directions for Use, Conditions, Disclaimer of Warranties and Limitations of Liability before using this product. If terms are not acceptable, return the unopened product container at once.

By using this product, user or buyer accepts the following Conditions, Disclaimer of Warranties and Limitations of Liability.

CONDITIONS: The directions for use of this product are believed to be adequate and must be followed carefully. However, it is impossible to eliminate all risks associated with the use of this product. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or the manner of use or application, all of which are beyond the control of Bayer CropScience LP. All such risks shall be assumed by the user or buyer.

DISCLAIMER OF WARRANTIES: TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BAYER CROPSCIENCE LP MAKES NO OTHER WARRANTIES, EXPRESS OR IMPLIED, OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE OR OTHERWISE, THAT EXTEND BEYOND THE STATEMENTS MADE ON THIS LABEL. No agent of Bayer CropScience LP is authorized to make any warranties beyond those contained herein or to modify the warranties contained herein. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BAYER CROPSCIENCE LP DISCLAIMS ANY LIABILITY WHATSOEVER FOR SPECIAL, INCIDENTAL OR CONSEQUENTIAL DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT.

LIMITATIONS OF LIABILITY: TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE EXCLUSIVE REMEDY OF THE USER OR BUYER FOR ANY AND ALL LOSSES, INJURIES OR DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, WHETHER IN CONTRACT, WARRANTY, TORT, NEGLIGENCE, STRICT LIABILITY OR OTHERWISE, SHALL NOT EXCEED THE PURCHASE PRICE PAID, OR AT BAYER CROPSCIENCE LP'S ELECTION, THE REPLACEMENT OF PRODUCT.

Tempo is a registered trademark of Bayer.

Backed by bayer is a trademark of Bayer.

Produced for



Bayer Environmental Science

A Business Group of Bayer CropScience LP
PO BOX 12014 2 T. W. Alexander Drive
Research Triangle Park, NC 27709

TEMPO 1% DUST INSECTICIDE (MASTER) APPROVED 10/21/03, Notification 08/04/11

