

264-756

06/15/2011

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

JUN 15 2011

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Dr. Jamin Huang
Bayer Crop Science
P.O. Box 12014, T.W. Alexander Drive
Research Triangle Park, NC 27709

Subject: Revise Container Disposal Statement

Dear Dr. Huang:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated May 25, 2011 for:

EPA Reg. No. 264-756

Merit® 75% Concentrate Insecticide

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 finds that the label change(s) requested falls within the scope of PRN 2007-4. The label has been date-stamped "Notification" and will be placed in our records.

If you have any questions, call me at 703 305-5409 or electronically at daniel.dani@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to be "Dani Daniel".

Dani Daniel
Registration Division (7504P)
Insecticide/Rodenticide Branch



NOTIFICATION

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Please read instructions on reverse before completing form.

JUN 15 2011

Form Approved. OMB No. 2070-0060

| | | | |
|--|---------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------|-----------------------|
| | 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 264-756 | 2. EPA Product Manager Venus Eagle | 3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted |
| 4. Company/Product (Name) Merit 75% Concentrate Insecticide | PM# 1 | |
| 5. Name and Address of Applicant (Include ZIP Code) Bayer Advanced 2 TW 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.)

"Notification of label change per PR Notice 2007-4. This notification is consistent with the guideline in PR Notice 2007-4 and the requirements of EPA regulations at 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156. 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 this notification is not consistent with the requirements of 40 CFR 156.10, 156.140, 156.144, and 156.156, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under section 12 and 14 of FIFRA."

Notification of revised container disposal instructions per PR Notice 2007-4.

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 | Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 2. Type of Container <input type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input checked="" type="checkbox"/> Other (Specify) plastic lined fiber drum |
| * Certification must be submitted | | If "Yes" Unit Packaging wgt. 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 50 - 1000 lbs | 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 <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 Annette M. Bloomberg | Title Regulatory Product Manager | Telephone No. (Include Area Code) 919-549-2608 |
| 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 Regulatory Product Manager | |
| 4. Typed Name Annette M. Bloomberg | 5. Date 5/25/11 | |

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NOTIFICATION

JUN 15 2011

Merit[®] 75% Concentrate Insecticide

For use in the manufacture of insecticides.

ACTIVE INGREDIENT:

Imidacloprid, 1-[(6-Chloro-3-pyridinyl)methyl]-N-nitro-2-imidazolidinimine 75%

OTHER INGREDIENTS: 25%

100%

EPA Reg. No. 264 - 756

EPA Est. No. ____

STOP - READ THE LABEL BEFORE USE.

KEEP OUT OF REACH OF CHILDREN.

CAUTION

For MEDICAL And TRANSPORTATION Emergencies **ONLY** Call 24 Hours A Day 1-800-334-7577
For PRODUCT USE Information Call 1-866-99BAYER (1-866-992-2937)

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 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 OR CLOTHING: | <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. |
| 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. |

In case of emergency call toll free the Bayer CropScience Emergency Response Telephone No. 1-800-334-7577. Have a product container or label with you when calling a poison control center or doctor, or going for treatment.

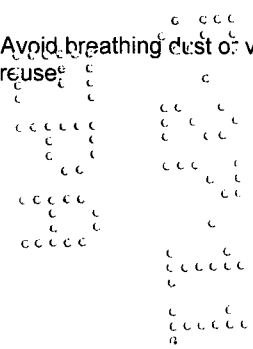
Note To Physician: No specific antidote is available. Treat the patient symptomatically.

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION

Harmful if swallowed, inhaled, or absorbed through the skin. Avoid contact with skin, eyes or clothing. Avoid breathing dust or vapor. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse.



ENVIRONMENTAL HAZARDS

This product is highly toxic to aquatic invertebrates. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer systems without previously notifying the local sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA

DIRECTIONS FOR USE

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

Detailed information on chemical and physical properties and other formulating recommendations for MERIT 75% Concentrate are available upon request from Bayer CropScience. Obtain and read this information before undertaking the formulation of MERIT 75% Concentrate in order to avoid formulation hazards and insure a satisfactory finished product.

Labeling for products formulated from this product must conform to that which is currently registered with the U. S. Environmental Protection Agency. For specific information on federally registered uses, contact Bayer CropScience. Any variance from the federally registered labeling for products containing MERIT will have to be supported by data provided by the formulator. MERIT 75% Concentrate is intended for formulation into end use products for:

Terrestrial Non-food Crop, or Residential and Commercial Outdoor: Lawns, turfgrasses, ornamentals;

Greenhouse Non-food Crop or Residential and Commercial Indoor: Ornamentals

STORAGE AND DISPOSAL

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

Pesticide Storage: Store in a cool, dry place and in such a manner as to prevent cross contamination with other pesticides, fertilizers, food, and feed. Store in original container and out of the reach of children, preferably in a locked storage area.

Handle and open container in a manner as to prevent spillage. If the container is leaking or material is spilled for any reason or cause, carefully sweep material into a pile and dispose of as directed for pesticides below. Refer to Precautionary Statements on label for hazards associated with the handling of this material. In spill or leak incidents, keep unauthorized people away. You may contact the Bayer CropScience Emergency Response Team for decontamination procedures or any other assistance that may be necessary. The Bayer CropScience Emergency Response telephone number is 1-800-334-7577 or contact Chemtrec at 1-800-424-9300.

Pesticide Disposal: Pesticide wastes are toxic. Improper disposal of excess pesticide, or rinsate 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: Non-refillable container. Do not reuse or refill this container. Offer for recycling, if available. Completely empty bag into application equipment. Then dispose of bags in a sanitary landfill or by incineration, or if allowed by State and Local Authorities, by burning. If burned, stay out of smoke. Do not use container in connection with food, feed, or drinking water.



Bayer CropScience

Bayer CropScience LP
P.O. Box 12014, 2 T.W. Alexander Drive
Research Triangle Park, North Carolina 27709
1-866-99BAYER (1-866-992-2937)

MERIT 75 Concentrate (MASTER) Approved 7/9/01, Notification 05/24/11

