

432-1349

5-28-2003

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

MAY 28 2003

Ms. Liane Stocky
Bayer Environmental Science
95 Chestnut Ridge Road
Montvale, NJ 07645

Dear Ms. Stocky:

Subject: Updating of First Aid Statement and Addition of Sod Uses
Merit 0.2 Plus Turf Fertilizer
Reg. No. 432-1349
Your Submission date, April 11, 2003

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act as amended is acceptable provided the following is added:

1. At the beginning of the list of Personal Protective Equipment (PPE) within the Precautionary Statements, add the statements "Some of the materials that are chemical-resistant to this product are listed below. If you want more options, follow the instructions for category A on an EPA chemical-resistance category selection chart." In addition, revise the requirement for "chemical-resistant gloves" to a requirement for "chemical-resistant gloves made of any waterproof material such as polyethylene or polyvinyl chloride."
2. Within the list of PPE for early re-entry in the Agricultural Use Requirements box, revise the requirement for "chemical-resistant gloves" to a requirement for "chemical-resistant gloves made of any waterproof material."

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A stamp copy is enclosed for your records. Submit two (2) copies of your final printed labeling with correct language before you release the product for shipment. If there are questions call me at 703 305-5409.

Sincerely,



Dani Daniel
Insecticide-Rodenticide Branch
Registration Division 7505C

Enclosure:

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Bayer Environmental Science

Merit[®] 0.2 Plus

Turf Fertilizer

ACCEPTED
with COMMENTS
In EPA Letter Dated:
MAY 28 2003

Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
as amended, for the pesticide
registered under EPA Reg. No.
432-1349

For fertilization and insect control in turfgrass and landscape ornamentals and sod farms.

Fertilizer with MERIT Insecticide.

ACTIVE INGREDIENT:

Imidacloprid, 1-[(6-Chloro-3-pyridinyl)methyl]-N-nitro-2-imidazolidinimine 0.2%

OTHER INGREDIENTS: 99.8%

100.0%

EPA Reg. No. 432-1349

EPA Est. No. ____

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

CAUTION

PRECAUCION AL USUARIO: Si usted no puede leer o entender inglés, no use este producto hasta que la etiqueta le haya sido explicada ampliamente.

(TO THE USER: If you cannot read or understand English, do not use this product until the label has been fully explained to you.)

**For MEDICAL and TRANSPORTATION Emergencies ONLY Call 24 Hours A Day 1-800-334-7577
For PRODUCT USE Information Call 1-800-331-2867**

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION: Harmful if swallowed or absorbed through skin. Causes eye irritation. Avoid contact with skin, eyes, or clothing. Wash thoroughly with soap and water after handling.

Personal Protective Equipment (PPE)

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Chemical resistant gloves
- Shoes plus socks

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

User Safety Recommendation:

Users should:

- Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.
- Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

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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 on skin or clothing:	<ul style="list-style-type: none"> • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15-20 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 15-20 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.
<p>Have the product container or label with you when calling a poison control center or doctor, or going for treatment.</p>	

Note to Physician:

No specific antidote is available. Treat the patient symptomatically.

ENVIRONMENTAL HAZARDS

This product is highly toxic to aquatic invertebrates. Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment washwaters.

This chemical demonstrates the properties and characteristics associated with chemicals detected in groundwater. The use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination.

DIRECTIONS FOR USE

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

Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application. For any requirement specific to your State or Tribe, consult the agency responsible for pesticide regulation.

AGRICULTURAL USE REQUIREMENTS
<p>Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR Part 170. This Standard contains requirements for the protection of agricultural workers on farms, forests, nurseries and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE), and restricted entry interval. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.</p> <p>Do not enter or allow worker entry into treated areas during the restricted entry interval (REI) of 12 hours.</p> <p>PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil, or water, is</p> <ul style="list-style-type: none"> • Coveralls • Chemical resistant gloves • Shoes plus socks

Do not formulate this product into other end-use products.

APPLICATION TO TURFGRASS

The use of this product will provide plant nutrients as well as providing control of selected insect pests. MERIT 0.2 Plus Turf Fertilizer can be used for the control of soil inhabiting pests of turfgrass, such as Northern & Southern masked chafers, *Cyclocephala borealis*, *C. immaculata*, and/or *C. lurida*; Asiatic garden beetle, *Maladera castanea*; European chafer, *Rhizotrogus majalis*; May or June beetles, *Phyllophaga* spp.; Japanese beetle, *Popillia japonica*; Oriental beetle, *Anomala orientalis*; Billbugs, *Sphenophorus* spp.; Annual bluegrass weevil, *Hyperodes* spp.; Black turfgrass ataenius, *Ataenius spretulus*; *Aphodius* spp.; and mole crickets, *Scapteriscus* spp. MERIT 0.2 Plus Turf Fertilizer can be used as directed on turfgrass in sites such as home lawns, business and office complexes, shopping complexes, multi-family residential complexes, golf courses, airports, cemeteries, parks, playgrounds, and athletic fields.

The active ingredient in MERIT 0.2 Plus Turf Fertilizer has sufficient residual activity so that applications can be made preceding the egg laying activity of the target pests. High levels of control can be achieved when applications are made preceding or during the egg laying period. The need for an application can be based on historical monitoring of the site, previous records or experiences, current season adult trapping or other methods. Optimum control will be achieved when applications are made prior to egg hatch of the target pest, followed by sufficient irrigation or rainfall to move the active ingredient through the thatch.

Applications should not be made when turfgrass areas are waterlogged or the soil is saturated with water. Adequate distribution of the active ingredient cannot be achieved when these conditions exist. The treated turf must be in such a condition that the rainfall or irrigation will penetrate vertically into the soil profile. Applications cannot exceed a total of 200 lb (0.4 lb of active ingredient) per acre per year.

APPLICATION TO ORNAMENTALS

MERIT 0.2 Plus Turf Fertilizer can be used as a broadcast application on ornamentals in commercial and residential landscapes, as well as on landscaped areas of golf courses and other recreational areas. This is a systemic product, with the active ingredient being absorbed by the roots and translocated upward within the plant. Optimum control will be achieved when applications are followed by sufficient mechanical incorporation, irrigation or rainfall to place the active ingredient into the soil. Application should be made prior to anticipated pest infestation to achieve optimum levels of control.

Applications of MERIT 0.2 Plus Turf Fertilizer cannot exceed a total of 200 lb (0.4 lb of active ingredient) per acre per year.

NOTE: Not for use in commercial greenhouses, or nurseries.

APPLICATION EQUIPMENT

Apply MERIT 0.2 Plus Turf Fertilizer uniformly over the area being treated with typical granular application equipment. Both drop-type and rotary-type spreaders may be used to apply MERIT 0.2 Plus Turf Fertilizer. Avoid the use of spreaders which would apply the material in narrow, concentrated bands. Calibrate application equipment prior to use according to the manufacturer's directions. Check frequently to be sure equipment is working properly and distributing granules uniformly and accurately.

SPREADER SETTINGS FOR MERIT 0.2 PLUS TURF FERTILIZER

The following chart can be used as a guide in establishing an accurate rate of MERIT 0.2 Plus Turf Fertilizer. The suggested settings should provide an application rate of 3.5 lb per 1000 sq ft, or 150 lb per acre. Application rates will vary dependent upon speed, equipment wear and condition of spreader. Carefully calibrate all equipment used prior to commercial use of this product.

RECOMMENDED APPLICATION RATES		
CROP	PEST	DOSAGE MERIT + TURF FERTILIZER
Turf Grasses	Larvae of: Annual bluegrass weevil Asiatic garden beetle Billbugs Black turfgrass ataenius	European chafer Northern masked chafer Oriental beetle <i>Phylophaga</i> spp. Southern masked chafer
	Larvae of: Asiatic garden beetle Black turfgrass ataenius European chafer Japanese beetle	Northern masked chafer Oriental beetle <i>Phylophaga</i> spp. Southern masked chafer
	Larvae of: Annual bluegrass weevil Billbugs	125 to 200 lb per acre or 3 to 4.5 lb per 1000 sq ft
	For optimum control, make application prior to egg hatch of the target pest. Be sure to read "APPLICATION EQUIPMENT" Section of this label.	
	Mole crickets	150 lb per acre or 3.5 lb per 1000 sq ft
	For control of mole crickets make application prior to or during the peak egg hatch period. When adults or large nymphs are present and actively tunneling, MERIT application should be accompanied by a curative insecticide.	

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Consult your local State Agricultural Experiment Station or State Extension Turf Specialists for more specific information regarding timing of application.

NOTE: For optimum control, irrigation or rainfall should occur within 24 hours after application to move the active ingredient through the thatch. On golf courses, irrigate treated areas following application. Do not apply more than 200 lb (0.4 lb of active ingredient) per acre per year. Avoid mowing turf or lawn area until after irrigation or rainfall has occurred so that uniformity of application will not be affected.

RECOMMENDED APPLICATION RATES FOR USE ON ORNAMENTALS		
CROP	PEST	DOSAGE MERIT + TURF FERTILIZER
Landscape Plantings Including: Trees, Shrubs, Evergreens, Flowers, Foliage, Plants, Ground Covers	White grub larvae Such as : Japanese beetle larvae, Chafer, <i>Phyllophaga</i> spp. Asiatic garden beetle, Oriental beetle	3.5 to 4.5 lb per 1000 sq ft
<p>Apply as a broadcast treatment. Prior to application, remove black plastic or other weed barrier material that will not permit water permeability.</p> <p>NOTE: For optimum control, mechanical incorporation, irrigation or rainfall should occur within 24 hours after application to move the active ingredient into soil.</p> <p>Refer to label sections on application equipment and spreader settings.</p>		

RESTRICTIONS

Avoid runoff or puddling of irrigation water following application. Avoid application of MERIT 0.2 Plus Turf Fertilizer to areas which are water-logged or saturated, which will not allow penetration into the root zone of the plant. Do not apply more than 200 lb (0.4 lb of active ingredient) per acre per year. Do not apply to vegetable gardens.

STORAGE AND DISPOSAL

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

Pesticide Disposal: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

Container Disposal: Completely empty bag into application equipment. Dispose of empty bag in a sanitary landfill or by incineration or if allowed by the state and local authorities, by burning. If burned, stay out of smoke.

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 material is spilled for any reason or cause, carefully contain any spilled material to prevent non-target contamination. Do not walk through spilled material and dispose of as directed for pesticides above. Refer to Precautionary Statements on label for hazards associated with the handling of this material. In spill or leak incidents, keep unauthorized people away.

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 should be followed carefully. However, because of manner of use and other factors beyond Bayer Environmental Science's control it is impossible for Bayer Environmental Science to eliminate all risks associated with the use of this product. As a result, crop injury or ineffectiveness is always possible. All such risks shall be assumed by the user or buyer.

DISCLAIMER OF WARRANTIES: BAYER ENVIRONMENTAL SCIENCE 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 Environmental Science is authorized to make any warranties beyond those contained herein or to modify the warranties contained herein. Bayer Environmental Science disclaims any liability whatsoever for special, incidental or consequential damages, resulting from the use or handling of this product.

LIMITATIONS OF LIABILITY: 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,

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NEGLIGENCE, STRICT LIABILITY OR OTHERWISE, SHALL NOT EXCEED THE PURCHASE PRICE PAID, OR AT BAYER ENVIRONMENTAL SCIENCE'S ELECTION, THE REPLACEMENT OF PRODUCT.

Merit is a trademark of Bayer Ag.

Reason for Revision: Adding sod uses to label 4-9-03

**Bayer Environmental Science
A Business Group of Bayer CropScience LP
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