

432-1349

2/25/2009

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

FEB 25 2009

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Ms. Norma C. Pangilinan, Ph.D.
Bayer Environmental Science
2 T.W. Alexander Drive
Research Triangle Park, NC 27709

Subject: Revise Label to Add Required Florida Agriculture State Language
Merit 0.2 Plus Turf Fertilizer EPA Reg. No. 432-1349 ✓
Merit 0.3 Plus Turf Fertilizer EPA Reg. No. 432-1350
Merit 0.15 Plus Turf Fertilizer EPA Reg. No. 432-1353
Merit 0.25 Plus Turf Fertilizer EPA Reg. No. 432-1354

Your Submission date, December 3, 2008

Dear Ms. Pangilinan:

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act as amended is acceptable. A stamped copy is enclosed for your records. Submit two (2) copies of your final printed labeling before you release the product bearing this amended labeling for shipment. If there are questions call me at 703 305-5409.

Sincerely,

Dani Daniel
Insecticide-Rodenticide Branch
Registration Division 7505P

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Merit[®] 0.2 Plus Turf Fertilizer

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

Fertilizer with MERIT[®] Insecticide.

Contains Merit[®] Insecticide

[FERTILIZER CLAIMS]

Contains Poly-S controlled release urea nitrogen

Contains proprietary DG Pro Dispersible Carrier

(Fertilizer Claims Specific For Lesco[®])

Contains Lesco[®] Poly Plus[®] Sulfur Coated Urea to provide uniform growth with extended nitrogen feeding.

Slowly Available Urea nitrogen from Polymer Coated sulfur Coated Urea.

Poly Plus is comprised of Polymer Coated sulfur Coated Urea.

50 lbs. treats 14,200 sq. ft. (0.33 acre) at the 150 lbs. product/acre - LOW RATE (3.5 lbs/1,000 sq. ft.)

50 lbs. treats 11,100 sq. ft. (0.25 acre) at the 200 lbs. product/acre - HIGH RATE (4.5 lbs/1,000 sq. ft.)

Net Wt. 50 Lbs. (22.68 Kg.)

Treats Up To 14,200 Sq. Ft.

30 lb treats 8525 sq ft (0.2 A) at the 150 lb / acre - - LOW RATE (3.5 lbs/1,000 sq. ft.)

30 lb treats 6660 sq ft (0.15 A) at the 200 lb /acre - HIGH RATE (4.5 lbs/1,000 sq. ft.)

Net Wt. 30 lbs (13.61 Kg)

Treats up to 8525 sq ft

[For placement in Fertilizer Guarantee Box

For Florida:

FLORIDA APPLICATIONS: For use on golf courses or other athletic turf in FL, we recommend you follow SL191, "Recommendations for N, P, K & Mg for Golf Course and Athletic Field Fertilization Based on Mehlich I Extractant", available on the internet at <http://edis.ifas.ufl.edu/SS404> or "Best Management Practices for the Enhancement of Environmental Quality on Florida Golf Courses" at HYPERLINK "<http://www.flaes.org/pdf/glfbmp07.pdf>" <http://www.flaes.org/pdf/glfbmp07.pdf>.

FLORIDA APPLICATIONS: For commercial application to urban turf or lawns in FL, we recommend you follow the Best Management Practices for Protection of Water Resources in Florida, June 2002, Florida Green Industries, available on the internet at http://www.flaes.org/pdf/BMP_Book_final.pdf.]

ACTIVE INGREDIENT:

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

ACCEPTED

OTHER INGREDIENTS:

FEB 25 2009

0.2%

99.8%

100.0%

EPA Reg. No. 432-1349

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

EPA Est. No. _____

Merit[®] is a registered trademark of Bayer.

**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

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.

Have the 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 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):

WPS USES: Applicators and Other Handlers who handle this product for any use covered by the Worker Protection Standard (40 CFR part 170) – in general, agricultural plant uses e.g., use in sod farms, must wear:

- Long-sleeved shirt and long pants
- Chemical resistant gloves made of any waterproof material such as barrier laminate, butyl rubber, nitrile rubber, neoprene rubber, natural rubber, polyethylene, polyvinylchloride (PVC) or viton. If you want more options, follow the instructions for category A on an EPA chemical-resistance category selection chart.
- 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.

Non-WPS USES: Applicators and other handlers who handle this product for any use NOT covered by the Worker Protection Standard (40 CFR part 170) – in general, only agricultural plant uses are covered by the WPS, must wear:

- Shirt and pants
- Gloves
- Shoes plus socks

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.

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

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.

Do not enter or allow worker entry into treated areas during the restricted entry interval (REI) of 12 hours.

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

- Coveralls
- Chemical-resistant gloves made of any waterproof material
- Shoes plus socks

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

NON-AGRICULTURAL USE REQUIREMENTS

The requirements in this box apply to uses of this product that are NOT within the scope of the Worker Protection Standard for agricultural pesticides (40 CFR part 170). The WPS applies when this product is used to produce agricultural plants on farms, forests, nurseries, or greenhouses.

Keep children and pets off treated area until dry.

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: Non-refillable container. Do not reuse or refill this container. Offer for recycling, if available. 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.

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; for example northern & southern masked chafers, *Cyclocephala borealis*, *C. immaculata*, and/or *C. lurida*; Asiatic garden beetle, *Maladera castanea*; European chafer, *Rhizotrogus majalis*; Green June beetle, *Cotinus nitida*; May or June beetles, *Phyllophaga* spp.; Japanese beetle, *Popillia japonica*; Oriental beetle, *Anomala orientalis*; sugarcane beetle, *Euethola humulis rugiceps*; billbugs, *Sphenophorus* spp.; annual bluegrass weevil, *Listronotus maculicollis*. Black turfgrass atanius, *Atanius spretulus*; *Aphodius* spp.; crane flies, *Tipula* spp., and mole crickets, *Scapteriscus* spp. MERIT 0.2 Plus Turf Fertilizer can be used as directed on turfgrass; for example, in home lawns, business and office complexes, shopping complexes, multi-family residential complexes, golf courses, airports, cemeteries, parks, playgrounds, athletic fields and sod farms.

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.

Do not make applications 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. Make application 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 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.

APPLICATION RATES		
CROP	PEST	DOSAGE MERIT + TURF FERTILIZER
Turf Grasses	Billbugs Larvae of: <i>Aphodius</i> spp. Black turfgrass ataenius European chafer Japanese beetle Sugarcane beetle	125 to 200 lb per acre or 3 to 4.5 lb per 1000 sq ft
	Annual bluegrass weevil Billbugs	Green June beetle Japanese beetle
	Crane flies Larvae of white grubs, for example: <i>Aphodius</i> sp. Asiatic garden beetle Black turfgrass ataenius European chafer	Northern masked chafer Oriental beetle <i>Phyllophaga</i> spp. Southern masked chafer Sugarcane beetle
	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 Chinch bugs (suppression)	200 lb per acre or 4.5 lb per 1000 sq ft
	For suppression of chinch bugs, make application prior to the hatching of the first instar nymphs. For control of mole crickets make application within one week of the peak egg hatch period. If application is not made prior to egg hatch, and adults or large nymphs are present and actively tunneling, apply MERIT 0.2 Plus Turf Fertilizer in combination with a remedial insecticide to minimize damage to turf.	
Consult your local State Agricultural Experiment Station or State Extension Turf Specialists for more specific information regarding timing of application.		
NOTE: For optimum control, irrigate if rainfall does not 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.		

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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 For example: Japanese beetle larvae, chafers, <i>Phyllophaga</i> spp. Asiatic garden beetle, Oriental beetle	3.5 to 4.5 lb per 1000 sq ft

Apply as a broadcast treatment. Prior to application, remove black plastic or other weed barrier material that will not permit water permeability.

NOTE: For optimum control, mechanical incorporation, irrigation or rainfall must occur within 24 hours after application to move the active ingredient into soil.

Refer to label sections on application equipment and spreader settings.

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.

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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 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.

NET WEIGHT: 30lbs, 50lbs, 1,000 lbs

PRODUCED FOR



Bayer Environmental Science

**A Business Group of Bayer CropScience LP
2 T. W. Alexander Drive
P.O. Box 12014
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