

Please read Instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060. Approval expires 2-28-95



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 432-1376	2. EPA Product Manager Dan Kenny	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) <i>Merit 2.5 G Ornamental Insecticide</i>	PM# Team 4A	
5. Name and Address of Applicant (Include ZIP Code) Bayer Environmental Science 95 Chestnut Ridge Road Montvale, NJ 07645  <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.

NOTIFICATION  
JAN 30 2004

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

his notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and 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 PR Notice 98-10 and 40 CFR 152.46, 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. Adding US Patent Number to the label.

Section III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes* <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Metal Plastic Glass Paper Other (Specify) _____		
* Certification must be submitted.		If "yes," Unit Package wgt.	No. per container	If "yes," Package wgt.	No. per container
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) of Retail Container		5. Location of Label Directions <input type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product	
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input 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 Liane Stocky	Title Registration Specialist	Telephone No. (Include Area Code) 201-307-3445
2. Signature <i>Liane Stocky</i>		6. Date Application Received (Stamped)
3. Title Registration Specialist		
4. Typed Name Liane Stocky	5. Date January 14, 2004	

# Merit<sup>®</sup> 2.5 G

## Ornamental Insecticide

For systemic insect control in ornamental plants.

**ACTIVE INGREDIENT:**

\*Imidacloprid, 1-[(6-Chloro-3-pyridinyl)methyl]-N-nitro-2-imidazolidinimine ..... 2.5%

**OTHER INGREDIENTS:** ..... 97.5%

100.0%

\*Protected by U.S. Patent No. 4,742,060

EPA Reg. No. 432-1376

EPA Est. No. \_\_\_\_\_

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

### CAUTION

#### 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.

#### FIRST AID

<b>If in eyes</b>	<ul style="list-style-type: none"> <li>• 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.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
<b>If swallowed</b>	<ul style="list-style-type: none"> <li>• Call a poison control center or doctor immediately for treatment advice.</li> <li>• Have person sip a glass of water if able to swallow.</li> <li>• Do not induce vomiting unless told to do so by a poison control center or doctor.</li> <li>• Do not give anything by mouth to an unconscious person.</li> </ul>
<b>If on skin or clothing</b>	<ul style="list-style-type: none"> <li>• Take off contaminated clothing.</li> <li>• Rinse skin immediately with plenty of water for 15 to 20 minutes.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
<p>In case of emergency call toll free the Bayer Environmental Science 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.</p>	
<p><b>Note To Physician:</b> No specific antidote is available. Treat the patient symptomatically.</p>	

#### 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.

## PRO FACTS

- Easy To Use Granules
- Stops and Prevents Insect Damage
- No phytotoxicity on a wide range of ornamentals
- Low Odor

<b>MERIT 2.5 G</b>	• Granules containing 2.5% imidacloprid
<b>CONTROLS</b>	• Sucking insect pests. • Aids in ant management.
<b>WHERE TO APPLY</b>	• Shrubs and small trees (less than 8 ft tall).
<b>COVERAGE</b>	• Treats up to 42 shrubs or trees.
<b>MIXING INFORMATION</b>	• Ready-To-Use granules – no mixing necessary.
<b>HOW TO APPLY</b>	• Spread directly beneath plant at base. • Use easy measuring cup to apply as directed.
<b>RE-APPLY</b>	• At 4 – 8 week intervals.
<b>QUESTIONS</b>	For questions or comments, call toll-free 1 800 331-2867 <a href="http://www.bayerprocentral.com">www.bayerprocentral.com</a>

## DIRECTIONS FOR USE

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

## ORNAMENTAL PESTS

MERIT 2.5 G Ornamental Insecticide is for use on ornamental shrubs and small trees in outdoor landscapes and interior plantscapes. MERIT 2.5 G is a systemic product and will be taken up by the roots and translocated upward within the plant system. Therefore watering after application makes the product more available for uptake.

Systemic activity using this soil application treatment method can be delayed until the active ingredient is translocated throughout the plant. For this reason, applications work best when made prior to pest infestation or before pest populations become severe.

### PESTS CONTROLLED

Aldegids	Japanese beetle (adults)	Leaf beetles (including Elm leaf and Viburnum leaf beetles)	Psyllids
Aphids	Lace bugs		Whiteflies
Black vine weevil (larvae in soil)		Leafhoppers	

<b>WHERE TO APPLY</b>	• Shrubs and small trees in outdoor landscapes and interior plantscapes
<b>USE RATE</b>	• Select rate according to height of shrub or tree: Up to 4 ft.- use 1/4 to 1/2 cup 4 to 8 ft.- use 1/2 to 1 cup • Use high rate for initial treatment and lower rates for re-applications, if needed. • Not recommended for shrubs or trees greater than 8 feet tall. Instead use soil applications of other MERIT products approved for use on shrubs and trees.
<b>HOW TO APPLY</b>	• Spread appropriate rate evenly around the base of plant under foliage.
<b>WHEN TO APPLY</b>	• When pests are seen or found. • Re-apply as needed based on pest re-infestation or at 4 – 8 week intervals.

Continued in next column

**ORNAMENTAL PESTS** (continued)

<b>FOR BEST RESULTS</b>	<ul style="list-style-type: none"> <li>• Apply early before pest populations become severe.</li> <li>• Irrigation or rainfall should occur shortly after application.</li> <li>• Pull back mulch and weed barrier before application.</li> <li>• Avoid application to frozen or water-logged areas, as this may decrease the product's effectiveness.</li> </ul>
<b>ANT MANAGEMENT</b>	<ul style="list-style-type: none"> <li>• Use MERIT 2.5 G to control aphids and other sucking pests on ornamentals to limit the honeydew available as a food source for ant populations. MERIT applications can then be supplemented with residual sprays, bait placements or other ant control tactics to further reduce pest populations.</li> </ul>
<b>RESTRICTIONS</b>	<ul style="list-style-type: none"> <li>• <b>Do not</b> apply near fish pools, ponds, streams or lakes.</li> <li>• <b>Do not</b> use in vegetable gardens.</li> <li>• Treated areas may be replanted with any crop for which a tolerance exists for the active ingredient. For other crops, a 12-month plant back interval should be observed.</li> <li>• Not for use in commercial greenhouses or nurseries, or on commercial fruit and nut trees.</li> <li>• <b>Do not</b> apply to soils which are water-logged, or saturated which will not allow the penetration of water into the root zone of the plants.</li> </ul>

**Note:** 1 level cup is approximately 6 ounces MERIT 2.5 G.

**STORAGE AND DISPOSAL**

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

<b>Storage:</b>	<ul style="list-style-type: none"> <li>• Store in a cool, dry place and in such a manner as to prevent cross contamination with other pesticides, fertilizers, food, or feed.</li> <li>• Store in original containers and out of the reach of children, preferably in a locked storage area.</li> <li>• Handle and open container in a manner as to prevent spillage.</li> </ul>
<b>Pesticide Disposal:</b>	<ul style="list-style-type: none"> <li>• Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.</li> <li>• Improper disposal of excess pesticide is a violation of Federal law.</li> </ul>
<b>Container Disposal:</b>	<ul style="list-style-type: none"> <li>• <b>Do not</b> use container in connection with food, feed, or drinking water.</li> <li>• Completely empty container into application equipment. Then dispose of empty container in a sanitary landfill, or by incineration, or, if allowed by state and local authorities by burning. If burned, stay out of smoke.</li> </ul>
<b>Spills:</b>	<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"> <li>• <b>Do not</b> walk through spilled material.</li> <li>• Dispose of as directed for pesticides above, or apply uncontaminated product according to <b>Directions For Use</b>.</li> <li>• Keep unauthorized people away.</li> <li>• 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.</li> </ul>

5/6

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

©Bayer AG, 2003

Reason for Revisions: Adding Patent Number 1-2004

**Bayer Environmental Science**  
**A Business Group of Bayer CropScience LP**  
**95 Chestnut Ridge Road**  
**Montvale, NJ 07645**

# Bayer Environmental Science



January 14, 2004

Ms. Sherada Hobgood  
US Environmental Protection Agency  
Office of Pesticide Programs (7504C)  
Registration Division  
Document Processing Desk (NOTIF)  
Room 266A, Crystal Mall 2  
1921 Jefferson Davis Hwy  
Arlington, VA 22202-4501

**Re: Merit 2F, 75 WP, 75WSP, 0.5G and 2.5G Labels**

Dear Ms. Hobgood:

Bayer Environmental Science (BES) is notifying the agency of a minor label change. The addition of the US patent number is the only change to these labels.

The following labels have been modified:

**Merit 2F Insecticide (432-1312)**  
**Merit 75 WP Insecticide (432-1314)**  
**Merit 75 WSP Insecticide (432-1318)**  
**Merit 0.5 G Insecticide (432-1328)**  
**Merit 2.5 G Ornamental Insecticide (432-1376)**

For each product the following documents are included:

- Completed 8570-1 application form
- 3 copies of revised labels with the changes highlighted

If you have any questions, you can contact me at (201) 307-3445 or email me at

[liane.stocky@bayercropscience.com](mailto:liane.stocky@bayercropscience.com).

Sincerely,

Liane Stocky  
Registration Specialist

Encl.

Cc: Mike Gorrell  
Mike Ruizzo

Bayer Environmental  
Science  
95 Chestnut Ridge Road  
Montvale, NJ 07645  
Phone : 201.307.9700

A Business Group of  
Bayer CropScience