

432-1376

02-25-2004

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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) Merit 2.5 G Ornamental Insecticide	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 _____	NOTIFICATION FEB 25 2004
<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.)

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 Disclaimer Statement.

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		<input type="checkbox"/> Metal	<input type="checkbox"/> Plastic
				<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
				<input type="checkbox"/> 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) 201-307-3415
2. Signature <i>Liane Stocky</i>		6. Date Application Received (Stamped)
3. Title Registration Specialist		
4. Typed Name Liane Stocky	5. Date January 30, 2004	
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.		

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Merit[®] 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

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 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 to 20 minutes. • Call a poison control center or doctor for treatment advice.
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.	
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.

PRO FACTS

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

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

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	Leafhoppers	Whiteflies
Black vine weevil (larvae in soil)			

WHERE TO APPLY	• Shrubs and small trees in outdoor landscapes and interior plantscapes
USE RATE	• 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.
HOW TO APPLY	• Spread appropriate rate evenly around the base of plant under foliage.
WHEN TO APPLY	• 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)	
FOR BEST RESULTS	<ul style="list-style-type: none"> • Apply early before pest populations become severe. • Irrigation or rainfall should occur shortly after application. • Pull back mulch and weed barrier before application. • Avoid application to frozen or water-logged areas, as this may decrease the product's effectiveness.
ANT MANAGEMENT	<ul style="list-style-type: none"> • 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.
RESTRICTIONS	<ul style="list-style-type: none"> • Do not apply near fish pools, ponds, streams or lakes. • Do not use in vegetable gardens. • 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. • Not for use in commercial greenhouses or nurseries, or on commercial fruit and nut trees. • Do not apply to soils which are water-logged, or saturated which will not allow the penetration of water into the root zone of the plants.
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.	
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"> • Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility. • Improper disposal of excess pesticide is a violation of Federal law.
Container Disposal:	<ul style="list-style-type: none"> • Do not use container in connection with food, feed, or drinking water. • 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.
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 as directed for pesticides above, or apply uncontaminated product according to Directions For Use. • 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.

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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 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.

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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



February 3, 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 disclaimer statemnt is the only change to these labels.

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

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.

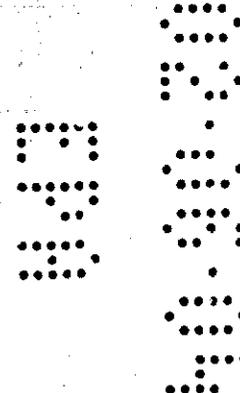
Sincerely,

Liane Stocky

Liane Stocky
Registration Specialist

Encl.

Cc: Mike Gorrell
Mike Ruizzo



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Bayer CropScience