

432-1399

06-29-2011

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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

NOTIFICATION

JUN 29 2011

Annette M. Bloomberg
Bayer Advanced
2 TW Alexander Drive
Research Triangle Park, NC 27709

Dear Ms Bloomberg:

Subject: Label Notification(s) for Pesticide Registration Notice 2007-4
Submission Date: June 11, 2011
Decision #: D 450956

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated November 29, 2007 for:

EPA Registration 432-1399 Merit® 2.5 PR

The Registration Division (RD) has conducted a review of this request and 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.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying the batch of the pesticide distributed and sold be placed on nonrefillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself. If you have any questions, please contact Jessica Rogala at (703) 347-0263 or via email at rogala.jessica@epa.gov.

Sincerely,

A handwritten signature in black ink that reads "J. Rogala".

Jessica Rogala
Environmental Protection Specialist
Insecticide-Rodenticide Branch
Registration Division (7505P)



Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060

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<p>United States Environmental Protection Agency Washington, DC 20460</p>	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number
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Application for Pesticide - Section I

1. Company/Product Number 432-1399	2. EPA Product Manager Venus Eagle	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Merit 2.5 PR	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:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Unit Packaging <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If "Yes" Unit Packaging wgt. 0.7 oz (20 gm)	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes" Package wgt	No. per container	<input type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input checked="" type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____	
3. Location of Net Contents Information		4. Size(s) Retail Container		5. Location of Label Directions	
<input type="checkbox"/> Label <input checked="" type="checkbox"/> Container		0.7 oz (20 gm)		<input type="checkbox"/> _____ <input type="checkbox"/> package	
6. Manner in Which Label is Affixed to Product					
<input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled				<input checked="" type="checkbox"/> Other Integrated	

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 6/17/11	

(Front Panel)

Merit[®] 2.5 PR

- NEW!
- GUARANTEED SATISFACTION
- READY TO USE
- Contains X-X-X Fertilizer
- For al Potted Plants... Indoors & Outdoors
- Stops Insects Now & Later
- Kills Existing Insects
- Protects Against Further Infestations
- Protects Against Damage From Insects
- Protects Against Insect Damage for up to 8 weeks
- Protects Against Insect Damage Now & Later
- No spraying... no mess... just push spikes into soil
- Contains BITREX®
- 2 in 1 action
- Feeds your plants and protects from insect damage
- Provides up to 8 weeks Rainproof Protection
- No unpleasant Odor
- Protects Against Insect Infestation
- Protects & Feeds for up to 8 weeks
- For indoor & outdoor potted plants
- 100% Satisfaction Guaranteed* (or your money back)

ACTIVE INGREDIENT:

Imidacloprid 2.5 %

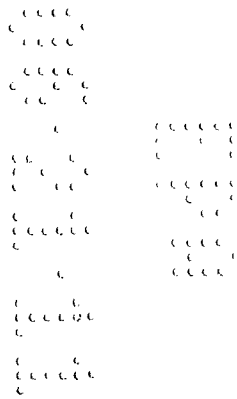
OTHER INGREDIENTS: 97.5 %

Net Contents: 10-12 gram plant spikes Total : 0.8 oz. (20 grams)

STOP – Read the label before use.
KEEP OUT OF REACH OF CHILDREN
CAUTION

See Back Panel for Additional Ingredients and Precautionary Statements

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(BACK PANEL)

This product's Double Action formula feeds and protects against damaging insects. Just push spikes into soil and your potted plant is protected (from insects) for up to 2 months. Growing beautiful plants has never been easier.

QUICK FACTS (Product Facts)

- Easy-To-Use Plant Spikes
- Double Action Formula
- Long-lasting, effective protection
- Two-in-one formula kills insects while feeding your plants
- Highly effective, lasting protection
- Long-lasting protection against aphids, whiteflies and other insects
- Use in potted plants, indoors or outdoors
- Feeds plants and kills insects for up to 8 weeks
- Kills insects and feeds plants for up to 2 months

KILLS	Aphids, leafhoppers, mealybugs, plant bugs, scales, thrips and whiteflies
FEEDS	X-X-X slow release fertilizer feeds plants for up to 2 months
COVERAGE	This package will treat 4 to 5 eight-inch pots
WHERE TO USE	In all potted plants except edible plants, herbs, fruits or vegetables. Use in potted roses, palms, ficus, houseplants, hibiscus, flowers, vines, and containerized shrubs and trees.
WHEN TO USE	Every two months
HOW MUCH TO USE	Varies with post size; see use directions.
	Questions, comments, or medical information call 1-800-842-8020 or www.bayer.com .

FOR INDOOR / OUTDOOR RESIDENTIAL USE ONLY

ACTIVE INGREDIENT:

Imidacloprid 2.5 %

OTHER INGREDIENTS: 97.5 %

TOTAL 100.00%

EPA Reg. No. 432-1399

EPA Est. No. _-AA-_

Imidacloprid is the chemical name for Merit®

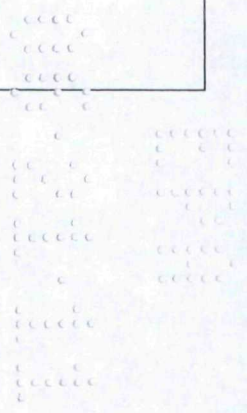
FERTILIZER ANALYSIS X-X-X

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION

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



FIRST AID +	
IN CASE OF ACCIDENTAL . . .	IMMEDIATELY . . .
Swallowing	<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.
Contact with skin	<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.
Contact with eyes	<ul style="list-style-type: none"> • Hold eye open and rinse eye 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.
<p>NOTE: When calling poison control center, have this product label accessible. If seeking treatment at an emergency room or doctor's office, bring this product label to show medical personnel. You may call toll-free 1-800-414-0244 for medical emergency information. Active ingredient: Imidacloprid [CAS # 138261-41-3].</p>	

ENVIRONMENTAL HAZARDS
<ul style="list-style-type: none"> • This pesticide is highly toxic to aquatic invertebrates. Do not apply directly to lakes, streams, rivers or ponds.

DIRECTIONS FOR USE

It is a violation of Federal Law to use this product in a manner inconsistent with its labeling. For best results, read and follow all label directions.

BEFORE YOU USE Read and follow directions when using.	<ul style="list-style-type: none"> • Do not use this product in fish pools, ponds, streams or lakes. • Do not use for potted vegetables, fruits or herbs.
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HOW TO USE	<p><i>(ART DIAGRAM SHOWING SPIKES BEING PUSHED INTO THE SOIL WITH UNIFORM SPACING)</i></p> <ul style="list-style-type: none"> • No Spraying! • Place the spike in the applicator's tip • Just push applicator into soil • Press to release spike and water in • With watering, spikes will slowly dissolve to release fertilizer and the insecticide into the soil. <i>(ART: WATERING ICON)</i>
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FOR BEST RESULTS	For the first 10 days, avoid flushing water through the pot to the point where it flows out the bottom. This is to avoid washing the insecticide from the soil. After a few days, the insecticide will bind to the soil where it can be taken up by the root.
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HOW MUCH TO USE	The number of spikes needed depends on the amount of soil the pot contains. For shallow pots, the lower number of spikes may be needed, for deep pots, you may want to use the higher number.	
	Pot Diameter	Number of spikes
	4 inch	½ spike
	5 inch	1 spike
	8 inch	2 to 3 spikes
	10 inch	3 spikes
	12 inch	4 spikes
	14 inch	4 to 5 spikes
	16 inch	5 to 6 spikes
	Window boxes, irregular shapes	Use 1 spike per 4" of length and width (16 sq. in surface)

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IMPORTANT: Directions for Storage and Disposal

Storage Conditions	Store in original container in a cool, dry place, out of the reach of children, preferably a locked storage cabinet.
Disposal	<p>If Empty:</p> <ul style="list-style-type: none">• Non-refillable container. Do not refill or reuse container.• Place empty container in trash or offer for recycling if available <p>If Partly Filled:</p> <ul style="list-style-type: none">• Call your local solid waste agency or toll free 1-877-229-3724 for disposal instructions.• Never place unused product down any indoor or outdoor drain.

NOTICE: Research and testing have determined that the "Directions for Use" are appropriate for the proper use of this product under expected conditions. The Buyer assumes, to the extent consistent with applicable law, responsibility for lack of performance or safety if not used according to the directions.

***Money Back Guarantee:** If you are not satisfied with this product, we will gladly refund your original purchase price.



Bayer Environmental Science

A Business Group of Bayer CropScience LP
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Research Triangle Park, North Carolina 27709

Merit 2.5 PR (MASTER) Approved 03/14/2000, Notification 06/06/07, Notification 06/14/11

