

432-1457

Please read instructions on reverse before completing form.

form.

12/1/2006

Form Approved

VB No. 2070-0060, Approval expires 2-17



United States
Environmental Protection Agency
Washington, DC 20460

☐ Registration
☐ Amendment
☒ Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 432-1457	2. EPA Product Manager Venus Eagle	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Merit FXT Tablet Insecticide	PM# 1	
5. Name and Address of Applicant (Include ZIP Code) Bayer Environmental Science 2 T. W. 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
NOTIFICATION

<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 DEC 1 2006	<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.)

Alternate Brand Name: SilvaShield Forestry Tablet

This 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.

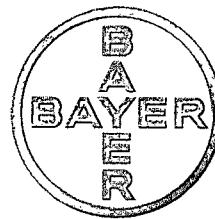
Section - III

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	
* Certification must be submitted				<input type="checkbox"/> Plastic	
If "Yes" Unit Packaging wgt.		No. per container	If "Yes" Package wgt	No. per container	<input type="checkbox"/> Glass
					<input type="checkbox"/> Paper
					<input type="checkbox"/> Other (Specify) _____
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions <input type="checkbox"/>	
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 Norma C. Pangilinan, Ph.D.		Title Registrations Manager		Telephone No. (Include Area Code) 919-549-2428	
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) SIG
2. Signature 		3. Title Registrations Manager			
4. Typed Name Norma C. Pangilinan, Ph.D.		5. Date November 8, 2006			

Bayer Environmental Science



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Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
One Potomac Yard, Room S-4900
2777 S. Crystal Drive
Arlington, VA 22202

Attn: Ms. Sherida Hobgood

**Subject: Notification of Alternate Brand Name per PR Notice 98-10.
Merit FXT Tablet Insecticide; EPA Reg. No. 432-1457**

November 8, 2006

Dear Ms. Hobgood:

Bayer Environmental Science SA
2 T.W. Alexander Drive
Research Triangle Park, NC 27709

Phone: 919 549-2000

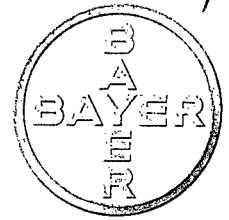
Pursuant to PR Notice 98-10, Bayer Environmental Science is submitting this notification for an alternate brand name to Merit FXT Tablet Insecticide (Reg. No. 432-1457). The alternate brand name is SilvaShield Forestry Tablets and it is a Sub-Label of the Merit FXT Tablet Insecticide master label. This notification is being submitted in compliance with 40 CFR 156.10(b)(2)(ii).

The following documents are enclosed in support of this notification:

1. Completed Application for Registration (EPA Form 8570-1) and
2. Three copies of the alternate brand name product label

This 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 Section 12 and 14 of FIFRA.

Bayer Environmental Science



Page 2 of 2

Please do not hesitate to call (919-549-2428) or e-mail me (norma.pangilinan@bayercropscience.com), if you have any questions.

Sincerely,

BAYER ENVIRONMENTAL SCIENCE
A Business Group of Bayer CropScience

NORMA C. PANGILINAN, Ph.D.,
Registrations Manager

cc: Reg. Book w/ attachments

NOTIFICATION

DEC 1 2006



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SilvaShield™ Forestry Tablets

For insect control in residential and commercial ornamental landscapes, nursery, and commercial forestry plantings.

ACTIVE INGREDIENT:

*Imidacloprid, 1-[(6-Chloro-3-pyridinyl)methyl]-N-nitro-2-imidazolidinimine..... 20%

OTHER INGREDIENTS: 80%

Fertilizer Analysis: X-X-X 100%

May be protected under U.S. Patent Nos. 4,742,060, 5,783,203, and 6,264,968

EPA Reg. No. 432-1457

EPA Est. No. ____

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

CAUTION

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 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.
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 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.
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.	

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION

Harmful if swallowed or absorbed through skin. Avoid contact with skin, eyes, or clothing.

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 nursery, must wear:

- Long-sleeved shirt and long pants
- Water-proof gloves
- Shoes plus socks

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
- Shoes plus socks

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

User Safety Recommendations

User 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 product is highly toxic to bees exposed to direct treatment or residues on blooming crops or weeds.

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.

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

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.

Exception: The Worker Protection Standard, under certain circumstances, allows workers to enter the treated area if there will be no contact with anything that has been treated.

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

- Long-sleeved shirt and long pants
- Chemical resistant gloves made of any waterproof material such as arrier laminate, butyl rubber, nitrile rubber, neoprene rubber, natural rubber, polyethylene, polyvinylchloride (PVC) or viton
- Shoes plus socks

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.

APPLICATION DIRECTIONS

The tablet also has been shown to improve rates of growth and establishment of transplants in forest plantations, nurseries, and landscapes.

RECOMMENDED APPLICATIONS			
Crop	Pest	Rate	Application
Plantation Forestry, Hybrid poplar	Cottonwood leaf beetle Aphids	1 tablet per tree	Place tablet in each planting hole at transplant, or next to each plant (ca. within 3" of the seedling).
Plantation Forestry, Pine trees	Nantucket pine tip moth Aphids Soft scales	1-2 tablets per tree	Place tablet(s) in each planting hole at transplant, or next to each plant (ca. within 3" of the seedling).
Trees and Shrubs transplanted into landscape environments	Adelgids Aphids Japanese beetles Lace bugs Leaf beetles (including elm and viburnum leaf beetles) Leafhoppers (including glassy-winged sharpshooter) Mealybugs Psyllids Soft scales Thrips (suppression) White grub larvae Whiteflies Armored scales (suppression) Black vine weevil larvae Eucalyptus longhorned borer Flatheaded borers (incl. emerald ash, bronze birch and alder borer) Leafminers Pine tip moth larvae Royal palm bugs Sawfly larvae	2 tablets per plant	For in-ground ornamentals, place tablets in planting hole at transplant, or next to plant (ca. within 3" of the seedling).

Do not apply more than 450 tablets per acre (0.5 lb imidacloprid) per year.

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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: If empty: Do not reuse this container. Offer for recycling if available or dispose of in a sanitary landfill or by incineration, or if allowed by State and local authorities, by burning. If burned, stay out of smoke.

Pesticide Storage: 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 the container is leaking, invert to prevent leakage. Refer to Precautionary Statements on label for hazards associated with the handling of this material. Do not walk through spilled material. Absorb spilled material with absorbing type compounds and dispose of as directed for pesticides above. In spill or leak incidents, keep unauthorized people away. You may contact the Bayer Environmental Science Emergency Response Team for decontamination procedures or any other assistance that may be necessary. The Bayer Environmental Science Emergency Response Telephone No. is 1-800-334-7577 or contact Chemtrec at 800-424-9300.

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 or 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 Environmental Science. All such risks shall be assumed by the user or buyer.

DISCLAIMER OF WARRANTIES: TO THE EXTENT CONSISTANT WITH APPLICABLE LAW, 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. TO THE EXTENT CONSISTANT WITH APPLICABLE LAW, 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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This Product is specially formulated and sold under license from Bayer only for the uses set forth on this label. The active ingredient of this product, formulations containing this active ingredient, and/or methods of making or using this active ingredient or its formulations may be the subject of one or more Bayer patents, including but not limited to U.S. Patent Nos. 4,742,060, 5,783,203, and 6,264,968. The purchase and/or use of this product constitutes acceptance of a limited license to use this product only in strict accordance with the instructions set forth on this label. Any use of this product other than as expressly set forth on this label is prohibited and is not licensed through the purchase and/or use of this product and may result in the infringement of one or more Bayer patents and/or other intellectual property rights.

PRODUCED FOR



Bayer Environmental Science

A Business Group of Bayer CropScience LP
2 T. W. Alexander Drive

Research Triangle Park, NC 27709

SilvaShield™ Forestry Tablets (MASTER) Approved 09/14/06, Notification 11/06/06