

432-1457

3/9/2009

10416



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

MAR 09 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 with Pest Exclusion
Merit FXT Tablet Insecticide
EPA Reg. No. 432-1457
Your Submission date, December 30, 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,

A handwritten signature in black ink, appearing to read "Dani", is written over the word "Sincerely,".

Dani Daniel
Insecticide-Rodenticide Branch
Registration Division 7505P

GROUP	4A	INSECTICIDE
-------	----	-------------

Merit® FXT Tablet Insecticide

This label contains three separate labels for nursery, greenhouse and interiorscape; for landscape, interiorscape, and forested area; and for forestry.

For use in nurseries, greenhouses and interiorscapes.

For use in landscapes, interiorscapes, and forested areas.

For use in forestry.

ACTIVE INGREDIENT:

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

OTHER INGREDIENTS: 80%
100%

[For placement under Fertilizer Guarantee Section

Fertilizer Analysis: X-X-X

Information regarding the contents and levels of metals in this product are available on the Internet at
<http://www.regulatory-info-ba.com>.]

EPA Reg. No. 432-1457

EPA Est. No. ____

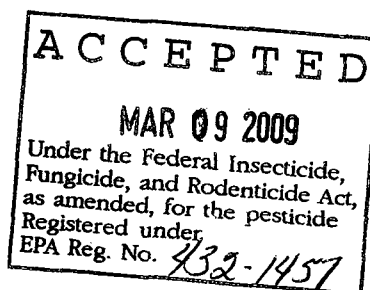
STOP - Read the label before use.

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



Merit FXT Tablet Insecticide

For use in nurseries, greenhouses and interiorscapes.

ACTIVE INGREDIENT:

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

OTHER INGREDIENTS: 80%
100%

[For placement under Fertilizer Guarantee Section

Fertilizer Analysis: X-X-X

Information regarding the contents and levels of metals in this product are available on the Internet at
<http://www.regulatory-info-ba.com>]

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
- 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.
- 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
- Gloves

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.

Resistance Management Recommendations

Some insects are known to develop resistance to insecticides after repeated use. As with any insecticide, the use of this product should conform to resistance management strategies established for the use area. MERIT FXT contains a Group 4A insecticide. Insect biotypes with acquired or inherent resistance to Group 4A insecticides may eventually dominate the insect population if Group 4A insecticides are used repeatedly as the predominant method of control for targeted species.

The active ingredient in MERIT FXT is a member of the neonicotinoid chemical class. Insect pests resistant to other chemical classes have not shown cross-resistance to MERIT FXT.

Contact your Cooperative extension specialist, certified crop advisor and/or product manufacturer for additional insect resistance management recommendations.

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.

Merit FXT can be used as directed in nurseries, greenhouses and interiorscapes.

Do not apply more than 450 tablets per acre per year (0.5 lb imidacloprid) to in-ground plants.

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 barrier 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.

NURSERY, GREENHOUSE, and INTERIOR PLANTSCAPES

Merit FXT will control or significantly reduce populations of insects that attack containerized, newly-planted, and established trees. For trees and shrubs grown in nurseries and greenhouses for more than one year, Merit FXT will in some cases provide control of insects for up to two years. The tablet also has been shown to improve survival and growth rates of newly-established seedlings, containerized trees and shrubs, and newly-planted and well-established trees and shrubs.

Merit FXT is formulated to provide consistent delivery of active ingredient over time. Release of active ingredient is dependent on presence of adequate soil moisture. For best results, irrigate the plant after treatment, and ensure that the plant receives regular irrigation for at least 2-3 months after treatment.

Treatment of containerized ornamental plants - For containerized, balled and burlapped, and pot-in-pot trees and shrubs, place the prescribed number of Merit FXT 1-4" deep into the soil, and at least 2" from the outside edge of the container. Ensure that the tablet is completely covered with soil after application.

Treatment of bare root seedlings, whips, sticks, cuttings, etc., at planting - Place the prescribed number of Merit FXT in each planting hole or slit, directly underneath to or next to the root system of the plant. Or, place the tablets 1-4" deep into the soil next to the plant (ca. within 2-5") after the plant has been planted and the root system covered with soil. Avoid applying tablets if the soil is saturated or if there is water present at the bottom of the planting hole or slit.

Treatment of containerized or balled and burlapped trees and shrubs at planting - While planting containerized trees and shrubs, place the prescribed number of Merit FXT in each planting hole directly underneath the root ball, or 1-4" deep into the root ball after the plant has been placed in the hole and the hole filled with soil. Avoid applying tablets if the soil is saturated or if there is water present at the bottom of the planting hole.

Treatment of in-ground trees and shrubs - For best results on established trees and shrubs, place Merit FXT as close to the fine absorptive roots as possible. For most deciduous trees and shrubs, these and adequate number of these absorptive roots are located within 6-24" of the trunk, depending on tree size. Apply Merit FXT 2-5" below the soil surface, next to the plant (ca. within 3-5" of newly planted trees or shrubs, or within 6-24" of well-established ornamentals). Ensure that the tablets are completely covered with soil after application.

For bushy coniferous trees and shrubs, numerous absorptive roots may be located near the drip-line. To apply Merit FXT post-plant to plants with a definite drip-line, place tablets 2-5" below the soil surface, evenly spaced around the tree and along the drip-line. Ensure that the tablets are completely covered with soil after application.

Crop	Pest	Container size	Dose (# tablets per pot)
Trees and Shrubs (including non-bearing fruit and nut trees) in containers or in containers prior to planting, during or after planting into landscape environments	Adelgids	< 1 gallon	1
	Aphids	1 gallon	1-2
	Armored scales (suppression)	3 gallon	2-3
	Black vine weevil larvae	5 gallon	3-4
	Flatheaded borers (excluding emerald ash borer)	7 gallon	4-5
		10 gallon	5-7
	Japanese beetle adults	Large containers, or spaded, balled and burlaped, and pot-in-pot ornamentals	2-3 tablets per inch of trunk diameter or per foot of shrub height
	Lace bugs		
	Leaf beetles		
	Leafhoppers (including glassy-winged sharpshooter)		
	Leafminers		
	Mealybugs		
	Pine tip moth larvae		
	Psyllids		
	Roundheaded borers (excluding Asian longhorned beetle)		
	Royal palm bugs		
	Sawfly larvae		
	Soft scales		
	Thrips (foliage only)		
	White grub larvae		
	Whiteflies		

Crop	Pest	Dose (# tablets)
Newly-planted whips or seedling ornamentals (including non-bearing fruit and nut trees), less than 1" dbh, or less than 1 ft of shrub height	Adelgids Aphids Armored scales (suppression) Japanese beetle adults Lace bugs Leaf beetles Leafhoppers (including glassy-winged sharpshooter) Mealybugs Psyllids Soft scales Thrips (foliage feeding) White grub larvae Whiteflies	1 tablets per plant
	Adelgids Aphids Armored scales (suppression) Black vine weevil larvae Flatheaded borers (excluding emerald ash borer) Japanese beetle adults Lace bugs Leaf beetles Leafhoppers (including glassy-winged sharpshooter) Leafminers Mealybugs Pine tip moth larvae Psyllids Roundheaded borers (excluding Asian longhorned beetle) Royal palm bugs Sawfly larvae Soft scales Thrips (foliage feeding) White grub larvae Whiteflies	1-2 tablets per plant

Crop	Pest	Dose (# tablets)
Established or newly-planted Trees and Shrubs (≥ 1 " dbh, or greater than 1 ft of shrub height)	Adelgids Aphids Armored scales (suppression) Black vine weevil larvae Flatheaded borers (excluding emerald ash borer) Japanese beetle adults Lace bugs Leaf beetles Leafhoppers (including glassy-winged sharpshooter) Leafminers Mealybugs Pine tip moth larvae Psyllids Roundheaded borers (excluding Asian longhorned beetle) Royal palm bugs Sawfly larvae Soft scales Thrips (foliage only) White grub larvae Whiteflies	2-3 tablets per inch of trunk diameter or per foot of shrub height

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: Nonrefillable container. Do not reuse or refill 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 1-800-424-9300.

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 CropScience LP. All such risks shall be assumed by the user or buyer.

DISCLAIMER OF WARRANTIES: TO THE EXTENT CONSISTANT 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 LP 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 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 CONSISTANT 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 CONTENTS: 4 x 250 TABLETS PER CASE



Bayer Environmental Science

A Business Group of Bayer CropScience LP
2 T. W. Alexander Drive
Research Triangle Park, NC 27709

GROUP

4A

INSECTICIDE

Merit® FXT Tablet Insecticide

For use in landscapes, interiorscapes, and forested areas.

ACTIVE INGREDIENT:

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

OTHER INGREDIENTS: 80%

100%

[For placement under Fertilizer Guarantee Section

Fertilizer Analysis: X-X-X

Information regarding the contents and levels of metals in this product are available on the Internet at

<http://www.regulatory-info-ba.com>.]

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):

Applicators and other handlers must wear:

- Shirt and pants
- Shoes plus socks
- Gloves

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.

Resistance Management Recommendations

Some insects are known to develop resistance to insecticides after repeated use. As with any insecticide, the use of this product should conform to resistance management strategies established for the use area. MERIT FXT contains a Group 4A insecticide. Insect biotypes with acquired or inherent resistance to Group 4A insecticides may eventually dominate the insect population if Group 4A insecticides are used repeatedly as the predominant method of control for targeted species.

The active ingredient in MERIT FXT is a member of the neonicotinoid chemical class. Insect pests resistant to other chemical classes have not shown cross-resistance to MERIT FXT.

Contact your Cooperative extension specialist, certified crop advisor and/or product manufacturer for additional insect resistance management recommendations.

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.

Merit FXT can be used as directed on trees and shrubs in sites such as home lawns, business and office complexes, shopping complexes, multi-family residential complexes, golf courses, airports, cemeteries, parks, playgrounds, athletic fields, and municipal, city, state, national, and private wooded and forested areas.

Merit FXT can be used as directed in interiorscapes.

Do not apply more than 450 tablets per acre per year (0.5 lb imidacloprid) to in-ground plants.

Not for use on plants being grown for sale, or for commercial seed production, or for research purposes.

LANDSCAPE, INTERIORSAPES AND FORESTED AREAS

Merit FXT will control or significantly reduce populations of insects that attack containerized, newly-planted, and established trees. For trees and shrubs grown in landscapes and interiorscapes for more than one year, Merit FXT will in some cases provide control of insects for up to two years. The decision to retreat plants in the second year after application should be based on the presence of pests.

The tablet also has been shown to improve survival and growth rates of newly established seedlings, containerized trees and shrubs, and newly-planted and well-established ornamental plants.

Merit FXT is formulated to provide consistent delivery of active ingredient over time. Release of active ingredient is dependent on presence of adequate soil moisture. For best results, irrigate the plant after treatment, and ensure that the plant receives regular irrigation for at least 2-3 months after treatment.

Treatment of containerized or balled and burlapped ornamentals at planting – While planting containerized ornamentals, place the prescribed number of Merit FXT in each planting hole directly underneath the root ball, or 1-4" deep into the root ball after the plant has been placed in the hole and the hole filled with soil. Do not apply tablets if the soil is saturated or if there is water present at the bottom of the planting hole.

Treatment of in-ground and permanently-containerized ornamentals – For best results on established ornamentals, place Merit FXT as close to the fine absorptive roots as possible. For most deciduous trees and shrubs, an adequate number of these absorptive roots are located with 6-24" of the trunk, depending on tree size. Apply Merit FXT 2-5" below

the soil surface, next to the plant (ca. within 3-5" of newly planted trees or shrubs, or within 6-24" of well-established ornamentals). Ensure that the tablets are completely covered with soil after application.

For bushy coniferous trees and shrubs, numerous absorptive roots may be located near the drip-line. To apply Merit FXT post-plant to plants with a definite drip-line, place tablets 2-5" below the soil surface, evenly spaced around the tree and along the drip-line. Ensure that the tablets are completely covered with soil after application.

Crop	Pest	Container size	Dose (# tablets per pot)
Trees, shrubs and ornamental plants in containers prior to, during or after planting into landscapes and interior plantscapes	Adelgids (such as hemlock woolly adelgid)	< 1 gallon	1
	Aphids	1 gallon	1-2
	Flatheaded borers (excluding emerald ash borer)	3 gallon	2-3
	Leaf-feeding beetles (such as Japanese beetle and vine weevil adults)	5 gallon	3-4
		7 gallon	4-5
Established or newly-planted trees and shrubs		10 gallon	5-7
	Leaf-feeding bugs (such as lace bugs, leaf bugs and plant bugs)	Large containers (spaded, balled and burlapped, and pot-in-pot)	2-3 tablets per inch of trunk diameter or per foot of shrub height
	Leafhoppers, planthoppers, sharpshooters (such as glassy-winged sharpshooter) and spittlebugs		
	Leafminers		
	Mealybugs		
	Pine tip moth larvae		
	Psyllids		
	Roundheaded borers (excluding Asian longhorned beetle)		
	Royal palm bug		
	Sawfly larvae		
	Scales (such as: Brown soft, Camellia, Cottony cushion, European elm, False oleander, Fletcher, Florida red, Florida wax, Green, Green shield, Hemispherical, Indian wax, Lecanium, Magnolia, Oystershell, Striped pine, Tea, Tortoise, Tuliptree, and White peach scales)		
	Thrips (foliage only)		
	White grub, billbug, and root weevil larvae		
	Whiteflies (including fig whitefly)		

Crop	Pest	Dose (# tablets)
Established or newly-planted Trees and Shrubs	Adelgids (including hemlock woolly adelgid) Aphids Leaf-feeding beetles (such as Japanese beetle and vine weevil adults) Leaf-feeding bugs (such as lace bugs, leaf bugs and plant bugs) Leafhoppers, planthoppers, sharpshooters (including glassy-winged sharpshooter) and spittlebugs Leafminers Mealybugs Pine tip moth larvae Psyllids Royal palm bug Sawfly larvae Soft scales Whiteflies	2-3 tablets per inch of trunk diameter or per foot of shrub height
	Armored scales (such as: Camellia, False oleander, Florida red, Oystershell, Tea, and White peach scales) Flatheaded borers (excluding emerald ash borer) Roundheaded borers (excluding Asian longhorned beetle) Thrips (foliage only) White grub, billbug, and root weevil larvae	3 tablets per inch of trunk diameter or per foot of shrub height

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: Nonrefillable container. Do not reuse or refill 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 1-800-424-9300.

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 CropScience LP. All such risks shall be assumed by the user or buyer.

DISCLAIMER OF WARRANTIES: TO THE EXTENT CONSISTANT 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 LP 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 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 CONSISTANT 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 CONTENTS: 4 x 250 TABLETS PER CASE



Bayer Environmental Science

A Business Group of Bayer CropScience LP
2 T. W. Alexander Drive
Research Triangle Park, NC 27709

13 of 16

GROUP	4A	INSECTICIDE
-------	----	-------------

Merit® FXT Tablet Insecticide

For use in forestry.

ACTIVE INGREDIENT:

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

OTHER INGREDIENTS: 80%
100%

[For placement under Fertilizer Guarantee Section

Fertilizer Analysis: X-X-X

Information regarding the contents and levels of metals in this product are available on the Internet at

<http://www.regulatory-info-ba.com>.]

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):

Applicators and Other Handlers 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.
- 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.

Resistance Management Recommendations

Some insects are known to develop resistance to insecticides after repeated use. As with any insecticide, the use of this product should conform to resistance management strategies established for the use area. MERIT FXT contains a Group 4A insecticide. Insect biotypes with acquired or inherent resistance to Group 4A insecticides may eventually dominate the insect population if Group 4A insecticides are used repeatedly as the predominant method of control for targeted species.

The active ingredient in MERIT FXT is a member of the neonicotinoid chemical class. Insect pests resistant to other chemical classes have not shown cross-resistance to MERIT FXT.

Contact your Cooperative extension specialist, certified crop advisor and/or product manufacturer for additional insect resistance management recommendations.

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.

Merit FXT can be used as directed on trees in Forestry.

Do not apply more than 450 tablets per acre per year (0.5 lb imidacloprid) to in-ground plants.

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 barrier laminate, butyl rubber, nitrile rubber, neoprene rubber, natural rubber, polyethylene, polyvinylchloride (PVC) or viton
- Shoes plus socks

FORESTRY

Merit FXT will control or significantly reduce populations of insects that attack newly-planted seedlings and seedling trees. The tablet also has been shown to improve survival and growth rates of newly established seedlings and newly planted trees.

Merit FXT is formulated to provide consistent delivery of active ingredient over time. Release of active ingredient is dependent on presence of adequate soil moisture. For best results, ensure that the plant receives adequate soil moisture for at least 2-3 months after treatment.

Treatment of containerized seedlings prior to planting – For containerized plants, place the prescribed number of Merit FXT 1-4" deep into the soil. Ensure that the tablet is completely covered with soil after application.

Treatment of bare-root seedlings, rooted and unrooted cuttings, or small trees at planting – During planting, to maximize uptake by roots place the prescribed number of Merit FXT in each planting hole directly underneath the tree, or next to the tree (i.e., within 1-3") ca. 1-3" deep into soil. Do not apply tablets if the soil is saturated or if there is water present at the bottom of the planting hole.

Treatment of previously planted trees – For best results on newly-planted trees, place Merit FXT as close to the fine absorptive roots as possible. For deciduous and most coniferous trees, an adequate number of these absorptive roots are located with 6-24" of the trunk, depending on tree size. Apply Merit FXT 2-5" below the soil surface, next to the plant (ca. within 3-5" of newly-planted trees, or within 6-24" of well-established trees). Ensure that the tablets are completely covered with soil after application.

For some coniferous trees, the many of the absorptive roots may be located near the drip-line. To apply Merit FXT post-plant to bushy plants with a definite drip-line, place tablets 2-5" below the soil surface, evenly spaced around the tree and along the drip-line. Ensure that the tablets are completely covered with soil after application.

Crop	Pest	Dose	Applications
Poplar and cottonwood plantations	Cottonwood leaf beetle Aphids	1 tablet per tree	Place tablet directly into the planting hole of seedlings, cuttings, or containerized stock at the time of establishment, or next to each plant (ca. within 3" of the seedling) at the time of establishment or as soon as possible after planting.
Conifer plantations	Nantucket pine tip moth Aphids Soft and armored scales	1-2 tablets per tree	Place either one or two tablets directly into the planting hole of either bare-root seedlings or containerized stock at the time of establishment, or the same number of tablets next to each bare-root seedlings or containerized seedling at the time of establishment (ca. within 3" of the seedling) or as soon as possible after planting.

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: Nonrefillable container. Do not reuse or refill 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 1-800-424-9300.

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 CropScience LP. All such risks shall be assumed by the user or buyer.

DISCLAIMER OF WARRANTIES: TO THE EXTENT CONSISTANT 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 LP 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 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 CONSISTANT 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/NET CONTENT: 3 Kg (6.6 lbs)/bag, 9 Kg (19.8 lbs)/box



Bayer Environmental Science

A Business Group of Bayer CropScience LP
2 T. W. Alexander Drive
Research Triangle Park, NC 27709

Merit FXT (PENDING) 12/30/08, Resubmitted 03/05/09