

PM 04

3125-528

10/29/99

PM 1/7



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

OCT 29 1999

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

John Thornton
Bayer Corporation, Agriculture Division
8400 Hawthorne Road
P.O. Box 4913
Kansas City, MO 64120-0013

Subject: Merit Concentrate Insecticide II
EPA Reg. No. 3125-528
Application for amended registration, dated October 22, 1999 - Label revision
and alternate brand name.

Dear Mr. Thornton,

Your proposed revised label for EPA Reg. No. 3125-528, which was submitted in finished format on October 22, 1999, has been reviewed. The label is acceptable at this time provided you make the changes indicated below at the next printing of your label.

1. The alternate brand name, Bayer ADVANCED LAWN Season-Long Grub Control Ready-To-Spray, must be modified by deleting the phrase "ADVANCED LAWN" from the product name. Since there has been no change in the product formulation since the initial registration the phrase "ADVANCED LAWN" is considered false and misleading and, as such is not considered acceptable either as part of the product name or as a separate marketing claim. We note that our Notice of Pesticide Registration for this product, dated August 18, 1999, required that the phrase "ADVANCED PROTECTION FORMULA" be deleted from the front panel of the proposed label. This statement is a comparative advertising claim relative to effectiveness and may be false or misleading in comparison with other products that don't include such a statement on their labels. According to 40 CFR 156.10(a)(5), no advertising claims may be false or misleading in any way. In addition, claims that are exaggerated or unsubstantiated can not be made on the label.
2. The statement "FOR OUTDOOR RESIDENTIAL USE ONLY" was included on the front panel of the last stamped accepted label (August 18, 1999) and must be added to the front panel of the revised label.

3. The following statement was included on the front panel of the last stamped accepted label (August 18, 1999) and must be added to the front panel of the revised label as one of the bullet points under the product name:

"* For Use On: Lawns."

4. As you know, EPA will soon be issuing a PR Notice concerning improvements to the format and content of "First Aid" statements (formerly "Statement of Practical Treatment") on all pesticide product labels. The "First Aid" statements in the upcoming PR Notice will supersede the statements that are listed in the December 1996 Label Review Manual. In addition, EPA is currently revising the Label Review Manual; the revised manual will incorporate the updated "First Aid" statements from the PR Notice. At this time, we recommend that you incorporate the updated "First Aid" statements on your new product label by revising the instructions under "FIRST AID" to read as follows:

"IF SWALLOWED: 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.

"IF IN EYES: Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing the eye. Call a poison control center or doctor for treatment advice."

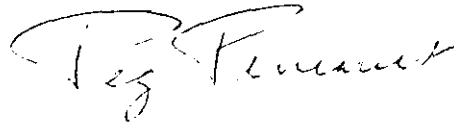
You may continue to use the same format for the First Aid section that is used on your label submitted October 22, 1999 (i.e. the box format with the headings "IN CASE OF ACCIDENTAL.....SWALLOWING, CONTACT WITH EYES" - followed by the above text in bullet format).

Since the label submitted on October 22, 1999 is in finished format and is substantially similar to the last accepted label (stamped August 18, 1999), and since the revisions requested above do not raise risk concerns associated with the use of this product, we will allow you to use this labeling for a period not to exceed January 31, 2000. Products released for shipment after January 31, 2000 must bear labeling revised in accordance with this letter.

Please submit one copy of your revised final printed labeling before you release the product for shipment. If the above specified conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6(e). Your release for shipment of the product bearing the amended labeling constitutes acceptance of these conditions.

A stamped copy of the label is enclosed for your records. If you have any questions regarding this letter, please contact me by phone at (703) 305-5417 or via E-mail at Perreault.peg@epamail.epa.gov.

Sincerely yours,



Peg Perreault
Chemical Manager, Team 4
Insecticide-Rodenticide Branch
Registration Division (7505C)

Enclosure (1)

ACCEPTED
with COMMENTS
In EPA Letter Dated:

October 29, 1999

Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
as amended, for the pesticide
registered under EPA Reg. No.
3125-528

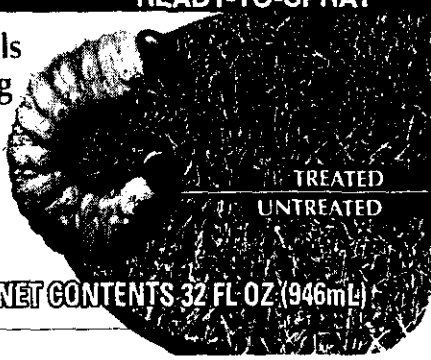


Season-Long Grub Control

TREATS
UP TO
5,000
SQ FT

READY-TO-SPRAY

- ▶ One application kills grubs all season long
- ▶ Apply anytime spring through late summer
- ▶ Kills mole crickets



KEEP OUT OF REACH OF CHILDREN
CAUTION See back label directions for proper use
and precautionary statements.
HARMFUL IF SWALLOWED
CAUSES EYE IRRITATION

909907 R/O

NET CONTENTS 32 FL. OZ. (946mL)



Season-Long Grub Control READY-TO-SPRAY

Bayer Advanced Lawn Season-Long Grub Control kills grubs all season long with a single application. Keeping your lawn free of damaging grubs has never been easier.

Vertical dimension line on the left side of the label with markings at 8.70.2 and 3.18.

FIRST AID	
IN THE CASE OF ACCIDENTAL...	IMMEDIATELY...
SWALLOWING	<ul style="list-style-type: none"> If the person is able to swallow: • Have them sip 1 to 2 glasses of water. • Call a doctor or poison control center for further treatment advice.
CONTACT WITH EYES	<ul style="list-style-type: none"> • Hold eye open and rinse slowly and gently with water. • Continue to rinse eye for 10 to 15 minutes. • Call a doctor if irritation persists.
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.	

For medical emergency information, you may call toll-free 1-877-229-3763. Active Ingredient: Imidacloprid. CAS # 138261-41-3. Note to Physician: No specific antidote is available. Treat the patient symptomatically.

ENVIRONMENTAL HAZARDS
• This pesticide is highly toxic to aquatic invertebrates. Do not apply directly to lakes, streams or ponds.
• Do not dump rinse water into sewers or other bodies of water.
• This pesticide is highly toxic to bees. Do not apply Season-Long Grub Control when bees are active.
• Apply this product only as specified on this label.

NOTICE: Research and testing has determined that the "Directions for Use" are appropriate for the proper use of Season-Long Grub Control under expected conditions. The Buyer assumes 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.

Distributed by: Bayer Corporation, Garden & Professional Care, Box 4913, Kansas City, MO 64120-0013. EPA Reg. No. 3125-528, EPA Est. No. indicated by 2nd and 3rd digits of the batch number on this package. (92) = 34704-MS-2 (65) = 10370-TX-1 (39) = 38996-MO-1

Merit is a registered trademark of Bayer Corporation. Bayer and the Bayer logo are registered trademarks of Bayer AG. Made in USA

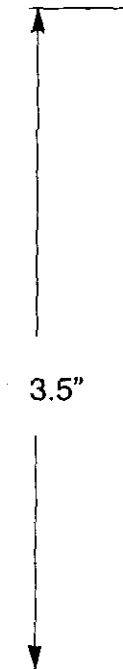
Book placement, PRESS TO RESEAL, 91807 RD, 3.18

27

3.5"h x 3.375"w
AJ627/BookASB/template
Front and Back Cover
6-7-99 mr

TOTAL NUMBER OF PAGES MUST BE DIVISIBLE BY FOUR.

1/4"




3.5"

FOR BEST RESULTS

Do not water the lawn within one hour after applying. To avoid serious damage to lawns, eliminate pests early in the season before they multiply. Apply early before grubs hatch. (Contact your County Extension Agent for the ideal dates to apply in your area.) Avoid applying Season-Long Grub Control to waterlogged areas, as this may decrease the product's effectiveness. You may spray this product over soil or mulch. Remove weed barrier before applying.

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. Protect from freezing.

DISPOSAL  Do not reuse empty container. Rinse the empty product container thoroughly and disperse the rinse water on lawn as part of the application. Place container in trash.

Important: It is best to use all of the product in accordance with label directions. If it is necessary to dispose of unused product, please follow any applicable state or local guidelines.

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

CAUTION

- Causes eye irritation.
- Avoid contact with skin, eyes, or clothing.
- Wash thoroughly with soap and water after handling.



1/4"

3.375"

READ THE LABEL FIRST!

QUICK FACTS

- Ready-to-Spray...No Mixing, No Measuring
- Kills White Grubs Before They Damage Lawns
- Just One Application Stops Grubs

KILLS	White Grubs (larvae of Chafers and Japanese Beetles), and Mole Crickets
COVERAGE	This bottle covers 5,000 sq ft
WHERE TO USE	Lawns
WHEN TO USE	May through mid-August
HOW MUCH TO USE	No measuring needed. Dilutes automatically
 	For questions or comments, call toll-free 1-877-BayerAL www.AdvancedLawn.com

OPEN
Resealable Label
for Directions &
Precautions

Front
Cover

ACTIVE INGREDIENT:
fenitrothion 1.47%
OTHER INGREDIENTS* 98.53%
TOTAL 100.00%
*Other ingredients include: Water, glycol ethers and surfactants to keep the active ingredient dispersed in water.
fenitrothion is the chemical name for Merit™ insecticide.
EPA Reg. No. 5125-528
EPA Est. No. indicated by 2nd and 3rd digits of the batch number on this package
02 = 34704-MS-2 (65) = 10370-1X-1 (31) = 58996-MO-1
91997 R 0



5 87073 02740 2

1/8"

3.375"

6/7

787

3.5" h x 3.375" w
AJ627/BookASB/template
Additional pages
6-7-99 mr

TOTAL NUMBER OF PAGES MUST BE DIVISIBLE BY FOUR.

Even #
Pages

1/4"

3.5"


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 these directions when using:

- Do not spray the product into fish pools, ponds, streams, or lakes.
- Remove animal feeding dishes prior to application.
- Do not apply to fruits or vegetables used for food.

HOW TO USE Shake well before using.

HOW TO ATTACH & SPRAY



1. Connect your garden hose to the bottle. Be sure the blue water control valve on top of the spray nozzle is in the OFF position.
2. Turn on water at faucet. Twist the small, star-shaped, blue product-control button to align the flat portion with the lock tab. Push the button in to open.
3. To begin spraying, point nozzle toward the area to be treated and turn the blue water control valve to the ON position. Tab will be horizontal.

(continued)

DIRECTIONS FOR USE (cont'd)




4. To stop spraying, turn the blue water control valve on top of the spray nozzle to OFF. To close, push in the small round button opposite the star-shaped product-control button. Turn off faucet.

TIPS FOR APPLYING



1. Extend hose to the farthest area to be treated and work back toward the faucet to avoid walking over wet, treated grass.
2. Walk at a steady pace while spraying, using an even sweeping motion, slightly overlapping the treated areas.

 Children and pets may re-enter the treated area after the spray has dried.

SIGNS OF DAMAGE TO LAWNS

White grubs cause extensive damage to lawns by feeding on grass roots. Grass turns yellow, then brown and dies. Grubs chew off roots so that the grass is easily pulled up in pieces with your hands. You can roll it back like a carpet to reveal the grubs. If patches of dead grass appeared in your lawn late last summer, check for grubs.

HOW SEASON-LONG GRUB CONTROL WORKS:

After Season-Long Grub Control is applied, a protective zone is formed in the soil. If applied early, Season-Long Grub Control kills grubs when they hatch... before they can cause damage.

Odd #
Pages

3.375"

3.375"