

	United States Environmental Protection Agency Washington, DC 20460	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number 287264
--	---	--	--

Application for Pesticide - Section I

1. Company/Product Number 72155-7	2. EPA Product Manager Dani Daniel	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product Name Merit + Tempo Ready-To-Spray Insecticide	PM#	
5. Name and Address of Applicant (include ZIP Code) Bayer Advanced, LLC 1500 Urban Center Pkwy, Suite 350 Birmingham, AL 35242 <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"/> Resubmission in response to Agency letter dated _____ <input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____ <input type="checkbox"/> "Me Too" Application. <input type="checkbox"/> Other - Explain below.	NOTIFICATION JUN 5 - 2002
--	---	--

Explanation: Use additional page(s) if necessary. (For Section I and Section II.)

See Attachment

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 Packaging 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) 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"/> Other _____ <input type="checkbox"/> Stenciled					

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Scott A. Kohne	Title Senior Registration Scientist	Telephone No. (Include Area Code) (816) 242-2164
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 Director, Federal Regulatory Affairs	
4. Typed Name Julie M. Spagnoli	5. Date May 22, 2002	

Merit + Tempo Ready-To-Spray Insecticide
EPA Reg. No. 72155-7
May 22, 2002

Section II - Explanation

With this application, Bayer Corporation is submitting a Notification to reposition a previously accepted claim on the label of **Merit + Tempo Ready-To-Spray Insecticide, EPA Reg. No. 72155-7**. The enclosed minor text change is being provided to the Agency in accordance with PR Notice 98-10, II, N "Other Revisions". One copy of the revised label, highlighted with changes, is enclosed for the Agency files.

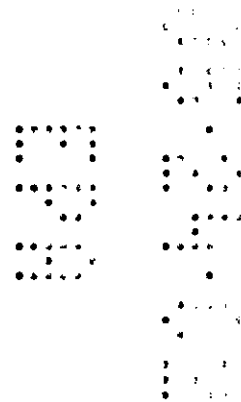
We have positioned the optional text statement "Treats over 500 rose bushes" within the "Coverage" box of the "Quick Facts" section on the back panel of the enclosed label. The optional text will be used interchangeably with the claim "Makes up to 32 gallons of spray solution". Either claim positioned in the "Coverage" section accurately clarifies to the consumer of this product the coverage they will get when using according to labeled directions.

This notification is consistent with the provision of PR Notice 98-10 and EPA regulations at 40 CFR 152.46. 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 the 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 Bayer Corporation may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

merit + tempo rts notification 1 02.wpd

NOTIFICATION

JUN 5 - 2002



3/5

(Front Panel)

Merit[®] + Tempo[®] Ready-to-Spray

Insecticide

- Kills on contact
- Protects up to 30 days
- Rainproof protection
- Treats over 500 rose bushes
- Makes 32 gallons of spray solution
- Ready-to-Spray
- New Convenient Pack
- No Mixing, No Measuring

ACTIVE INGREDIENTS:

Cyfluthrin	0.36%
Imidacloprid	0.36%
OTHER INGREDIENTS	99.28%

NOTIFICATION

JUN 5 - 2002

Net Contents: 32 fl. oz. (946 mL)

KEEP OUT OF REACH OF CHILDREN

CAUTION


See Back Panel Booklet for Additional Ingredients and Precautionary Statements

4/5

(BACK PANEL)

MERIT + TEMPO READY-TO-SPRAY INSECTICIDE provides up to 30 days rainproof insect protection in a single application. Just hook-up to your garden hose and spray. No mixing and measuring hassles. No messy clean-up. Controlling insects on your roses and flowers has never been easier.

READ THE LABEL FIRST!

QUICK FACTS	
<ul style="list-style-type: none"> • Kills on Contact • Keeps on protecting against insects for up to 30 days. • Ready-to-Spray . . . No Mixing, No Measuring 	
KILLS	Aphids, Japanese Beetles, Leafminers, Whiteflies and many other listed pests
COVERAGE	Makes up to 32 gallons of spray solution [Treats over 500 rose bushes]
WHERE TO USE	Flowers, Roses, Trees & Shrubs
WHEN TO USE	When insects or damage first appear
HOW MUCH TO USE	No measuring or mixing needed. Dilutes automatically as you spray.
 For questions or comments, call toll-free 1-877 BayerAG or visit us on-line at www.BayerAdvanced.com	

FOR OUTDOOR RESIDENTIAL USE ONLY

ACTIVE INGREDIENTS:

Cyfluthrin	0.36%
Imidacloprid	0.36%
OTHER INGREDIENTS*	99.28%
TOTAL	100.00%

* Other ingredients include: Water, glycerin (freeze/thaw recovery aid), organic solvent (less than 1% to dissolve the active ingredient for mixing), surfactants and stabilizer (to keep the active ingredient dispersed in water), preservative and antifoam.

EPA Reg. No. 72155-7


EPA Est. No. ____-AA-__


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"> • When spraying the product on plants with flowers, apply during early morning or late evening, when bees are not present. • Do not spray the product into fish pools, ponds, streams, or lakes. • Remove animal feeding dishes prior to application. Keep children and pets away from treated areas until spray has dried. • Do not apply to fruits or vegetables used for food.
Continued in next column	

DIRECTIONS FOR USE (Continued)																																																															
HOW TO USE Shake Well Before Use	This product is ready to spray. Just attach this bottle to your hose according to directions. Water automatically mixes with the concentrate as you spray.																																																														
HOW TO ATTACH AND SPRAY	<ol style="list-style-type: none"> 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. Spray leaves and tender new shoots. To kill insects that hide, spray the underside of the leaves. Apply until leaves are evenly coated with spray, but not dripping. 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. 5. Relieve water pressure by turning blue water control valve to the ON position until water slows to a drip. Turn blue water control valve back to OFF. Disconnect garden hose from bottle. 																																																														
KILLS	<table> <tr> <td>Adelgids</td> <td>Leaf-Feeding</td> </tr> <tr> <td>Aphids</td> <td>Caterpillars</td> </tr> <tr> <td>Ants</td> <td>Leafhoppers (including</td> </tr> <tr> <td>Armyworms</td> <td>Glassy-winged</td> </tr> <tr> <td>Bagworms</td> <td>sharpshooters)</td> </tr> <tr> <td>Billbugs</td> <td>Leafminers</td> </tr> <tr> <td>Bluegrass Billbug (Adult)</td> <td>Mealybugs</td> </tr> <tr> <td>Boxelder Bugs</td> <td>Midges</td> </tr> <tr> <td>Chiggers</td> <td>Mole Crickets</td> </tr> <tr> <td>Chinch Bugs</td> <td>Mosquitoes</td> </tr> <tr> <td>Clover Mites</td> <td>Pillbugs</td> </tr> <tr> <td>Cockroaches</td> <td>Pine Shoot Moths</td> </tr> <tr> <td>Crickets</td> <td>Pine Tip Moths</td> </tr> <tr> <td>Cutworms</td> <td>Plant Bugs</td> </tr> <tr> <td>Earwigs</td> <td>Psyllids</td> </tr> <tr> <td>Elm Leaf Beetles</td> <td>Rose Midges</td> </tr> <tr> <td>Fire Ants</td> <td>Rose Slugs</td> </tr> <tr> <td>Fleas</td> <td>Sawfly Larvae</td> </tr> <tr> <td>Flies</td> <td>Scale Insects (Crawler</td> </tr> <tr> <td>Fungus Gnats</td> <td>Stages)</td> </tr> <tr> <td>Grasshoppers</td> <td>Sod Webworms</td> </tr> <tr> <td>Gypsy Moth Larvae</td> <td>Sowbugs</td> </tr> <tr> <td>Hyperodes Weevil (Adult)</td> <td>Spiders</td> </tr> <tr> <td>Japanese Beetles (Adult)</td> <td>Spittlebugs</td> </tr> <tr> <td>Lacebugs</td> <td>Thrips</td> </tr> <tr> <td>Leaf-Feeding Beetles</td> <td>Ticks (Including Deer</td> </tr> <tr> <td></td> <td>Ticks)</td> </tr> <tr> <td></td> <td>Wasps</td> </tr> <tr> <td></td> <td>Weevils</td> </tr> <tr> <td></td> <td>Whiteflies</td> </tr> <tr> <td></td> <td>White Grubs</td> </tr> </table>	Adelgids	Leaf-Feeding	Aphids	Caterpillars	Ants	Leafhoppers (including	Armyworms	Glassy-winged	Bagworms	sharpshooters)	Billbugs	Leafminers	Bluegrass Billbug (Adult)	Mealybugs	Boxelder Bugs	Midges	Chiggers	Mole Crickets	Chinch Bugs	Mosquitoes	Clover Mites	Pillbugs	Cockroaches	Pine Shoot Moths	Crickets	Pine Tip Moths	Cutworms	Plant Bugs	Earwigs	Psyllids	Elm Leaf Beetles	Rose Midges	Fire Ants	Rose Slugs	Fleas	Sawfly Larvae	Flies	Scale Insects (Crawler	Fungus Gnats	Stages)	Grasshoppers	Sod Webworms	Gypsy Moth Larvae	Sowbugs	Hyperodes Weevil (Adult)	Spiders	Japanese Beetles (Adult)	Spittlebugs	Lacebugs	Thrips	Leaf-Feeding Beetles	Ticks (Including Deer		Ticks)		Wasps		Weevils		Whiteflies		White Grubs
Adelgids	Leaf-Feeding																																																														
Aphids	Caterpillars																																																														
Ants	Leafhoppers (including																																																														
Armyworms	Glassy-winged																																																														
Bagworms	sharpshooters)																																																														
Billbugs	Leafminers																																																														
Bluegrass Billbug (Adult)	Mealybugs																																																														
Boxelder Bugs	Midges																																																														
Chiggers	Mole Crickets																																																														
Chinch Bugs	Mosquitoes																																																														
Clover Mites	Pillbugs																																																														
Cockroaches	Pine Shoot Moths																																																														
Crickets	Pine Tip Moths																																																														
Cutworms	Plant Bugs																																																														
Earwigs	Psyllids																																																														
Elm Leaf Beetles	Rose Midges																																																														
Fire Ants	Rose Slugs																																																														
Fleas	Sawfly Larvae																																																														
Flies	Scale Insects (Crawler																																																														
Fungus Gnats	Stages)																																																														
Grasshoppers	Sod Webworms																																																														
Gypsy Moth Larvae	Sowbugs																																																														
Hyperodes Weevil (Adult)	Spiders																																																														
Japanese Beetles (Adult)	Spittlebugs																																																														
Lacebugs	Thrips																																																														
Leaf-Feeding Beetles	Ticks (Including Deer																																																														
	Ticks)																																																														
	Wasps																																																														
	Weevils																																																														
	Whiteflies																																																														
	White Grubs																																																														
Continued in next column																																																															


5/5

DIRECTIONS FOR USE (Continued)	
FOR BEST RESULTS	<ul style="list-style-type: none"> Do not water the foliage within one hour after applying. To avoid serious damage to plants, eliminate pests early in the season before they multiply.
HOW MERIT + TEMPO READY-TO-SPRAY INSECTICIDE WORKS	<ul style="list-style-type: none"> MERIT + TEMPO READY-TO-SPRAY INSECTICIDE is a totally different way to control the insects that want to destroy your prized roses, flowers and other ornamental plants. The unique two-way blend of insecticides controls current insect pest problems and prevents reinfestations for up to 30 days. The residual component is actually taken into the plant. Rain or water cannot wash off this internal protection! Insects are killed when they come into contact with the product or when they attempt to eat the plant.

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

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:	 <ul style="list-style-type: none"> Do not reuse empty container. Wrap empty container and place 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 and local guidelines. Never dispose of any insecticide down sewers or storm drains.	

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS
CAUTION
<ul style="list-style-type: none"> Harmful if swallowed or inhaled. Causes moderate eye irritation. Avoid contact with skin, eyes or clothing. Avoid breathing spray mist. Removing and washing contaminated clothing before reuse may reduce exposure. Washing hands thoroughly with soap and water after handling and before eating, drinking, chewing gum or using tobacco will reduce exposure.

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. Do not give anything by mouth to an unconscious person.
Contact with 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.
Inhalation	<ul style="list-style-type: none"> If breathing is affected, move person to fresh air. If not breathing, call an ambulance and give artificial respiration. Contact doctor or poison control center for further 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 877-229-3763 for medical emergency information. Active Ingredients: 0.36% Cyfluthrin [CAS # 68359-37-5] and 0.36% Imidacloprid [CAS #138261-41-3].</p>	

ENVIRONMENTAL HAZARDS
<ul style="list-style-type: none"> This product is highly toxic to aquatic invertebrates and fish. Do not apply directly to water. Do not contaminate water when cleaning equipment or disposing of equipment washwaters or rinsate. This pesticide is highly toxic to bees. Do not apply MERIT + TEMPO READY-TO-SPRAY INSECTICIDE when bees are present. Apply this product only as specified on this label.

NOTICE: Research and testing have determined that the "Directions For Use" are appropriate for the proper use of MERIT + TEMPO READY-TO-SPRAY INSECTICIDE 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.

B-9565a 11/09/01

Distributed by:
Bayer Advanced LLC
1500 Urban Center Drive
Birmingham, AL 35242