

72155-21

2/24/2009



Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060

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United States Environmental Protection Agency Washington, DC 20460		<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number
Application for Pesticide - Section I			
1. Company/Product Number 72155-21		2. EPA Product Manager Mary Waller	
4. Company/Product (Name) Tebuconazole 0.8% + Merit 0.15% Concentrate		3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted	
5. Name and Address of Applicant (Include ZIP Code) Bayer Advanced 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. NOTIFICATION FEB 24 2009 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:	
Explanation: Use additional page(s) if necessary. (For section I and Section II.) See Attached.			
Section - III			
1. Material This Product Will Be Packaged In:			
Child-Resistant Packaging: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2. Type of Container <input type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____
* Certification must be submitted			
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container: 32 Fl. oz., or 1/2 Gallon	
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 checked="" type="checkbox"/> Other Integ	
Section - IV			
1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)			
Name Charles W. Boyd		Title Registrations Manager	
		Telephone No. (Include Area Code) (919) 549-2422	
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 Registrations Manager	
4. Typed Name Charles W. Boyd		5. Date December 16, 2008	

Section II - Explanation

Bayer Advanced is submitting a **Notification** to add the text prescribed by PR Notice 2007-4 and 2008-1 to the label for the above-mentioned product:

In the disposal section, we have added the statement "Non-refillable container." Also we have added "refill or" to the statement Do not refill or reuse empty container.

We have also added the following statement "To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutters or surface waters. Applying this product in calm weather when rain is not predicted for the next 24 hours, will help to ensure that wind or rain does not blow or wash pesticide off the treatment area. Rinsing application equipment over the treatment area will help avoid run off to water bodies or drainage systems.

Enclosed is one copy of the label with the changes highlighted.

Notification of label changes per PR Notice 2007-4, and PR Notice 2008-1. This notification is consistent with the guidance of PR Notice 2007-4, 2008-1 and EPA regulations at 40 CFR § 156.10, 156.80, 156.140, 156.144, 156.146, 156.156, and 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 EPA. I further understand that if this notification is not consistent with the terms of PR Notice 2007-4, 2008-1 and 40 CFR § 156.10, 156.80, 156.140, 156.144, 156.146, 156.156, and 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.

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[FRONT PANEL]

Tebuconazole 0.8% + Merit® 0.15% Concentrate Fungicide/Insecticide

A soil applied drench used to feed and systemically protect roses, flowers and shrubs from insects and disease for up to 6 weeks.

- 3 Systemic Products in One
 - Fertilizer – Feeds & Renews
 - Insect Control
 - Disease Control
- All-in-One Rose Care
- Total/Complete Rose and Flower Care
- Contains Merit®
- Feeds and Protects Against Insects & Diseases in One Easy Step
- Protects Against Insects & Diseases for 6 Weeks
- Promotes Strong Roots and Beautiful Blooms
- Rainproof Protection
- Even Protects New Growth
- Easy-to-Use . . . Mix in Water and Pour Around Rose/Flower/Shrub
- One Quart Makes Up To 32 Gallons of Solution
- One Quart Treats up to 16 Rose Bushes, Azaleas, Camellias, Rhododendrons, and Other Shrubs or up to 200 Square Feet of Flowerbed
- For Control of Specified Diseases on Roses, Flowers, and Shrubs
- Prevents, Stops and Cures Specified Diseases of Roses, Flowers, and Shrubs
- Controls All Specified Fungal Diseases That Harm Roses and Flowers
- Controls Specified Diseases That Harm Roses, Flowers, and Shrubs
- Rescues Roses, Flowers, and Shrubs from Insects & Diseases
- Cures Specified Diseases and Restores Beauty to Roses, Flowers and Shrubs
- A New Way to Feed and Protect Your Roses, Flowers and Shrubs from Insects & Diseases
- Fertilizer-feeds and renews
- No spraying, just mix in water and pour at plant base (around roses, flowers or shrubs)
- American Rose Society Endorced (logo)

NOTIFICATION

FEB 24 2009

ACTIVE INGREDIENTS:

Tebuconazole	0.80%
Imidacloprid	0.15%

OTHER INGREDIENTS:	99.05%
	100.00%

Net Contents: 32 fl. oz. (946 mL), ½ Gallon

KEEP OUT OF REACH OF CHILDREN

CAUTION

See Back Panel Booklet for Additional Ingredients and Precautionary Statements

Not for sale, sale into, distribution and or use in Nassau and Suffolk counties of New York.

(Optional alternate statement) Not for sale, sale into, distribution and or use in Nassau, Suffolk, Kings, and Queens counties of New York.

[BACK PANEL]

Tebuconazole 0.8% + Merit 0.15% Concentrate Fungicide/Insecticide's exclusive 3-in-1 formula feeds and protects against insects & diseases in one easy step. It provides 6 week protection against the major problems of roses, hibiscus, iris and other flowers and shrubs. Growing beautiful roses, flowers and shrubs has never been easier!

READ THE LABEL FIRST!

QUICK FACTS		
(Marketing Claims Positioned Here)		
INSECTS CONTROLLED	Insects Adelgids Aphids Black Vine Weevil Larvae Borers, Flatheaded (including Bronze Birch and Alder Borers) Roundheaded (including Eucalyptus Longhorned Borers) Japanese Beetles, Adult Lace Bugs Leaf Beetles (including Elm Leaf Beetles and Viburnum Leaf Beetles) Leafhoppers (including Glassy-winged Sharpshooters)	Leafminers (including Birch Leafminers and Holly Leafminers) Mealybugs Pine Tip Moth Larvae Psyllids Royal Palm Bugs Sawfly Larvae Scales (including Armored Scale [suppression] and Soft Scale) Thrips Whiteflies
	Diseases Black Spot Powdery Mildew Rust Powdery Mildew Rust Southern Blight Black Spot Powdery Mildew Rust Southern Blight	Plants Roses Flowers Azaleas Camellias Rhododendrons And Other Landscape [Ornamental] Shrubs
DISEASES CONTROLLED		
FEEDS	XX-XX-XX fertilizer for strong roots, shoots, and blooms	
WHERE TO USE	Roses, flowers, iris, hibiscus, azaleas, camellias, rhododendrons and other shrubs	
WHEN TO USE	Every 6 weeks throughout the growing season (See seasonal limitations in Directions For Use.)	
COVERAGE	Treats up to 16 roses & other shrubs or 200 square feet of flowerbed (32 fl. oz.)	
	Questions or comments, call toll-free 1-877 BayerAG	

FOR OUTDOOR RESIDENTIAL USE ONLY

Imidacloprid is the chemical name for Merit® insecticide.

EPA Reg. No. 72155-21

EPA Est. No. XXXX-AA-XX


GUARANTEED ANALYSIS


Total Nitrogen (N)	X%
Available Phosphate (P ₂ O ₅)	X%
Soluble Potash (K ₂ O)	X%

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

When applied as directed, this product meets the guidelines for metals adopted by the Association of American Plant Food Control Officials.

Directions for Use	
It is a violation of Federal law to use this product in a manner inconsistent with its labeling.	
BEFORE YOU USE Read and follow these directions when using.	<ul style="list-style-type: none"> Do not apply near lakes, streams, rivers or ponds. Do not apply to plants grown for food. Do not treat plants grown in pots, flower boxes or other containers. Do not apply to soils which are water logged or frozen. Measuring utensils such as measuring cups and measuring spoons should not be used for any food or drinking water purposes after use with this product.
HOW TO USE Shake well before use.	<ul style="list-style-type: none"> Fill a bucket or watering can with the appropriate amounts of concentrate (add first) and water (add last). <ul style="list-style-type: none"> <u>Single Plants</u> Slowly pour as close to the base of the plant as possible, being careful not to get on leaves. <u>Flowerbeds</u> Sprinkle over the tops of the plants and cover the entire area. NOTE: The Flowerbed solution is diluted with more water than the Single Plant solution to ensure safety to plant leaves when sprinkling over the top. When finished, rinse the bucket/watering can with clean water and pour onto treated area.
HOW MUCH TO USE	<u>Roses</u> 2 fl. oz. (4 TBSP) in 1 quart of water treats 1 plant <u>Flowerbeds</u> 2 fl. oz. (4 TBSP) in 2 gallons of water treats 12 sq. ft. <u>Azaleas, Camellias, Rhododendrons, and Other Shrubs</u> 1 fl. oz. (2 TBSP) in 1 quart of water per foot of plant height
FOR BEST RESULTS	<ul style="list-style-type: none"> Begin using this product in the spring when plants are actively growing. Reapply every 6 weeks for a total of 3 applications per year. In areas where disease occurs frequently and the soil is sandy, the application interval can be shortened to 4 – 5 weeks for a total of 4 applications per year. Ensure the product gets down into the rootzone by, <ul style="list-style-type: none"> - pulling mulch away from plants to be treated. - building a well around individual plants. - pouring the drench solution slowly to allow the soil to absorb it. Keep rose, flower and shrub beds clean. This minimizes harborage sights for diseases and insects (for additional cultural practices, consult your local County Extension Service).
HOW TEBUCONAZOLE 0.8% + MERIT 0.15% CONCENTRATE FUNGICIDE/ INSECTICIDE WORKS	Water moves the product down into the root zone where it is taken up & moved into the plant. The entire plant, even new growth, is fed and protected against insects and disease. Rain or watering cannot wash off this long-lasting systemic protection.

	Do not allow entry of children, pets or others into treated areas until drench solution has dried.
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IMPORTANT: Directions for Storage and Disposal	
Storage Conditions:	Store in original container in a cool, dry place, out of the reach of children, preferably a locked storage cabinet. Protect from freezing.
Disposal: 	If Empty: <ul style="list-style-type: none"> Non-refillable container. Do not refill or reuse empty container. Place empty container in trash or offer for recycling if available. If Partly Filled: <ul style="list-style-type: none"> It is best to use all of the product in accordance with label directions. If it is necessary to dispose of unused product, please call your local solid waste agency or you may call toll-free 1-877-229-3724 for disposal instructions. Never place unused product down any indoor or outdoor drain.

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PRECAUTIONARY STATEMENTS Hazards to Humans and Domestic Animals
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CAUTION <ul style="list-style-type: none">• Causes moderate eye irritation.• Avoid contact with eyes or clothing.• Wear long-sleeved shirt, long pants, shoes, socks, and gloves made of any waterproof material.• 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...
Contact with Eyes	<ul style="list-style-type: none">• 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 eye.• Call a poison control center or doctor for treatment advice.
NOTE: When calling poison control center, have this product label accessible. If seeking treatment at an emergency room or doctor's office, bring this product label to show medical personnel. You may call toll-free 1-877-229-3763 for medical emergency information. Active Ingredients: 0.80% Tebuconazole (CAS # 107534-96-3) and 0.15% Imidacloprid (CAS # 138261-41-3)	

Environmental Hazards <ul style="list-style-type: none">• This product is highly toxic to aquatic invertebrates.• To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutters or surface waters. Applying this product in calm weather when rain is not predicted for the next 24 hours will help to ensure that wind or rain does not blow or wash pesticide off the treatment area. Rinsing application equipment over the treated area will help avoid run off to water bodies or drainage systems.
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NOTICE
Research and testing have determined that the "Directions For Use" are appropriate for the proper use of TEBUCONAZOLE 0.8% + MERIT 0.15% CONCENTRATE FUNGICIDE/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.



A Business Unit of Bayer CropScience LP
P.O. Box 12014, 2 T.W. Alexander Drive
Research Triangle Park, North Carolina 27709

NOTIFICATION

FEB 24 2009

Tebuconazole 0.8% + Merit 0.15% Concentrate (MASTER) Approved 01/09/08, Notification 12/12/08