

72155-57

8/29/2008

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

AUG 29 2008

Mr. Charles W. Boyd
Product Registration
Bayer Environmental Science
2T Alexander Drive
Research Triangle Park, NC 27709

SUBJECT: Application for Pesticide Notification (PRN 98-10)
Request Alternate Brand Name "Bayer Advanced 2 in 1 Systemic Rose & Flower
Care Ready-to-use Granules II" and Marketing Claims
EPA Reg. No. 72155-57
Application Dated July 21, 2008

Dear Registrant:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated 07/21/08 for the above product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action(s) requested fall within the scope of PRN 98-10. The label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions, please call me directly at 703-305-6249 or Owen F. Beeder of my staff at 703-308-8899.

Sincerely,

A handwritten signature in black ink, appearing to be "Linda Arrington".

Linda Arrington
Notifications & Minor Formulations Team Leader
Registration Division (7505P)
Office of Pesticide Programs



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United States Environmental Protection Agency Washington, DC 20460		<div style="display: inline-block; border: 1px solid black; padding: 2px;"><input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other</div>	OPP Identifier Number
Application for Pesticide - Section I			
1. Company/Product Number 72155-57		2. EPA Product Manager Venus Eagle	
4. Company/Product (Name) Merit 0.22G Rose, Flower & Shrub Care Insecticide		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 EPA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling to: <div style="text-align: right; font-weight: bold;">AUG 29 2008</div> EPA Reg. No. _____ Product Name _____	
Section - II			
<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 _____		<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.) See Attached			
Section - III			
1. Material This Product Will Be Packaged In:			
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	2. Type of Container <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			
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 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 both under applicable law.			8. Date Application Received (Stamped)
2. Signature <small>Digitally signed by Charles Boyd DN: cn=Charles Boyd, c=US, o=Bayer CropScience, ou=Consumer, email=charles.boyd@bayercropscience.com Date: 2008.07.21 14:50:47 -04'00'</small>		3. Title Registrations Manager	
4. Typed Name Charles W. Boyd		5. Date July 21, 2008	

Section II - Explanation

Bayer Advanced is submitting a **Notification** of alternate brand name and to add the following claims to the label for the above-mentioned product:

"Feeds & Protects for up to 8 weeks", "Treats up to 32 (medium sized) Rose bushes (4 lb. size)", and "Feeds and protects in one easy step"

The alternate brand name is "Bayer Advanced 2 in 1 Systemic Rose & Flower Care Ready-to-Use Granules II".

These claims are simply reworded versions of claims that are already present on the approved label or factual statements.

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

This notification is consistent with the provision 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.

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(Front Panel)

Merit[®] 0.22G

Rose, Flower & Shrub Care Insecticide

(ABN) Bayer Advanced 2 in 1 Systemic Rose & Flower Care Ready-to-Use Granules II

- Feeds and protects against insects for 8 weeks
- Promotes strong roots and beautiful blooms
- Rainproof Protection
- 2-in-1 Systemic
- Ready-To-Use Granules
- Feeds & protects for up to 8 weeks
- Treats up to 32 (medium sized) Rose Bushes (4 lb. size)
- Feeds & protects in one easy step

X - X - X Fertilizer Analysis



ACTIVE INGREDIENT:

Imidacloprid 0.22 %

OTHER INGREDIENTS: 99.78 %

Net Wt: 2 lbs. (907 g) or 5 lbs. (2.26 kg) or 10 lbs. (4.54 kg)

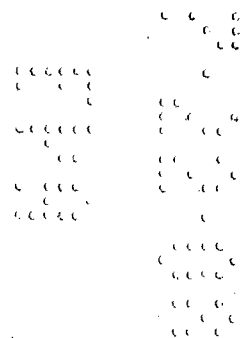
STOP - Read This Entire Label Before Use
KEEP OUT OF REACH OF CHILDREN

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.




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(BACK PANEL)

Merit 0.22G Rose, Flower & Shrub Care Insecticide's exclusive formula feeds your plants and protects against insects for up to eight weeks. Now you can grow beautiful roses, flowers and shrubs in one easy step.

READ THE LABEL FIRST!

QUICK FACTS	
<ul style="list-style-type: none">• Feeds and Protects in One Easy Step• Easy-to-Use Granules	
KILLS	Aphids, Holly Leafminers, Lacebugs, Leafhoppers, Pine Tip Moth Larvae, Thrips, Whiteflies and other listed pests.
FEEDS	X-X-X fertilizer for strong roots and blooms
COVERAGE	2 lbs. treats up to 16 medium-size roses or shrubs
WHERE TO USE	Roses, Flowers & Shrubs
WHEN TO USE	Every 8 weeks throughout the growing season
HOW MUCH TO USE	Use easy measuring cap to apply as directed
	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 INGREDIENT:

Imidacloprid 0.22 %

OTHER INGREDIENTS:* 99.78 %

TOTAL 100.00%

* Other ingredients include: Fertilizer, sticker and surfactants.

Imidacloprid is the chemical name for Merit® insecticide

EPA Reg. No. 72155-57

EPA Est. No. ____-AA-__

FERTILIZER ANALYSIS X-X-X

Total Nitrogen (N)..... X %

Available Phosphate (P₂O₅)..... X %

Soluble Potash (K₂O).....X %

Derived from commercially available fertilizer

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.


- Do not apply near fish pools, ponds, lakes or streams
- Do not use in vegetable gardens.

KILLS

Adelgids	Mealybugs
Aphids	Pine Tip Moth Larvae
Black Vine Weevil Larvae	Psyllids
Japanese Beetle Adults	Sawfly Larvae
Lacebugs	Scales (Including Armored Scale [Suppression] and Soft Scale)
Leaf Beetles [including Viburnum Leaf Beetles]	Thrips
Leafhoppers	Whiteflies
Leafminers	

Continued on next page

HOW TO USE	
WHEN TO USE	<p>Apply when planting.</p> <p>For established plants, use any time prior to pest problems or immediately when seen.</p> <p>Apply again every 8 weeks during the growing season.</p>
HOW MUCH TO APPLY	<ul style="list-style-type: none"> Fill measuring cap to top of inner circle (2 oz.). Four rounded tablespoons equals 2 oz. <p>Roses: 1 capful per plant</p> <p>Shrubs: 2 capfuls per foot of plant height</p> <p>Flower Beds: 2 capfuls per 12 sq ft (3' x 4' bed area)</p>
HOW TO APPLY	<ol style="list-style-type: none"> 1. Apply granules to soil around base of plant, sprinkling evenly in the area under branches. 2. Work granules into top 1 to 2 inches of soil. 3. Water thoroughly after applying. For flower beds, sprinkle granules evenly over the bed.
FOR BEST RESULTS	Apply evenly, cultivate lightly and water thoroughly.
HOW MERIT 0.22G ROSE, FLOWER & SHRUB INSECTICIDE WORKS	<p>This product is absorbed by roots and moves through the entire plant. Even new growth is fed and protected against insects for up to 8 weeks.</p> <p>Rain or watering cannot wash off this internal protection!</p>

IMPORTANT: Directions for Storage and Disposal	
Storage Conditions:	Store in original container in a cool, dry place, out of the reach of children, preferably in a locked storage cabinet.
Disposal: 	<ul style="list-style-type: none"> Do not reuse empty container. Place empty 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 and local guidelines.	

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

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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 to an unconscious person.
Contact with Skin	<ul style="list-style-type: none">• Take off contaminated clothing.• Rinse skin immediately with plenty of water for 15-20 minutes.• Call a poison control center or doctor for treatment advice.
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.
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 Ingredient: 0.22% Imidacloprid (CAS # 138261-41-3).	

ENVIRONMENTAL HAZARDS
<ul style="list-style-type: none">• This product is highly toxic to aquatic invertebrates.• Do not apply directly to water.• Do not contaminate water when cleaning equipment or disposing of equipment washwater.

NOTICE: Research and testing has determined that the "Directions for Use" are appropriate for the proper use of Merit® PM Plus Fertilizer under expected conditions. The Buyer assumes responsibility for lack of performance or safety if the product is not used according to the directions on this label.
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Money Back Guarantee: If you are not satisfied with this product, we will gladly refund your original purchase price.

D-9828 102204

BAYER ADVANCED

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

Merit 0.22 G (MASTER) Approved 10/22/04, Notification 07/18/08