

72155-57

5.22.2009

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

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

MAY 22 2009

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 General Label Change (Larger Product Size)  
EPA Reg. No. 72155-57  
Application Dated May 11, 2009

Dear Registrant:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated 05/11/09 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 read "Linda Arrington", is located above the typed name.

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



**Yellow - Applicant Copy**

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## Section II - Explanation

Bayer Advanced is submitting a **Notification** to add the following claim on the label for the above-mentioned product:

The claim "Bonus size – 25% more (\*vs. 4 lb. size)" has been added to the label as we are currently selling a bottle containing 4 lbs. of product that will now be sold with 5 lbs. in it.

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

- Protects against insects for 8 weeks, and feeds
- Promotes strong roots and beautiful blooms
- Rainproof Protection
- 2-in-1 Systemic
- Ready-To-Use Granules
- Protects for up to 8 weeks, and feeds
- Treats up to 32 (medium sized) Rose Bushes (4 lb. size)
- Feeds & protects in one easy step
- Bonus size – 25% more (\*vs. 4 lb size)

### X - X - X Fertilizer Analysis



**NOTIFICATION**

MAY 22 2009

**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.

A 10x10 grid of 100 small squares, each containing a single digit from 0 to 9. The digits are arranged in a pattern that resembles a stylized '10' or '01'.

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(BACK PANEL)

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

**READ THE LABEL FIRST!**

**QUICK FACTS**

- Feeds and Protects in One Easy Step
- Easy-to-Use Granules

<b>KILLS</b>	Aphids, Holly Leafminers, Lacebugs, Leafhoppers, Pine Tip Moth Larvae, Thrips, Whiteflies and other listed pests.
<b>FEEDS</b>	X-X-X fertilizer for strong roots and blooms
<b>COVERAGE</b>	2 lbs. treats up to 16 medium-size roses or shrubs
<b>WHERE TO USE</b>	Roses, Flowers & Shrubs
<b>WHEN TO USE</b>	Every 8 weeks throughout the growing season
<b>HOW MUCH TO USE</b>	Use easy measuring cap to apply as directed
	For questions or comments, call toll-free 1-877-BayerAG.

**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 (P<sub>2</sub>O<sub>5</sub>) ..... X %

Soluble Potash (K<sub>2</sub>O) ..... 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	

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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"> <li>Fill measuring cap to top of inner circle (2 oz.). Four rounded tablespoons equals 2 oz.</li> <li><b>Roses:</b> 1 capful per plant</li> <li><b>Shrubs:</b> 2 capfuls per foot of plant height</li> <li><b>Flower Beds:</b> 2 capfuls per 12 sq ft (3' x 4' bed area)</li> </ul>
HOW TO APPLY	<ol style="list-style-type: none"> <li>1. Apply granules to soil around base of plant, sprinkling evenly in the area under branches.</li> <li>2. Work granules into top 1 to 2 inches of soil.</li> <li>3. Water thoroughly after applying. For flower beds, sprinkle granules evenly over the bed.</li> </ol>
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"> <li>Non-refillable container. Do not refill or reuse empty container.</li> <li>Place empty container in trash.</li> </ul>
<b>Important:</b> 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	
<b>CAUTION</b> <ul style="list-style-type: none"> <li>Harmful if swallowed or absorbed through skin.</li> <li>Causes eye irritation.</li> <li>Avoid contact with skin, eyes, or clothing.</li> <li>Washing hands thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco will reduce exposure.</li> </ul>	

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<b>FIRST AID +</b>	
<b>IF SWALLOWED:</b>	<ul style="list-style-type: none"> <li>• Call a poison control center or doctor immediately for treatment advice.</li> <li>• Have person sip a glass of water if able to swallow.</li> <li>• Do not induce vomiting unless told to do so by a poison control center or doctor.</li> <li>• Do not give anything to an unconscious person by mouth.</li> </ul>
<b>IF ON SKIN:</b>	<ul style="list-style-type: none"> <li>• Take off contaminated clothing.</li> <li>• Rinse skin immediately with plenty of water for 15-20 minutes.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
<b>IF IN EYES:</b>	<ul style="list-style-type: none"> <li>• Hold eye open and rinse slowly and gently with water for 15 to 20 minutes.</li> <li>• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
<p><b>NOTE:</b> 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.</p> <p>Active Ingredient: 0.22% Imidacloprid (CAS # 138261-41-3).</p>	

<b>ENVIRONMENTAL HAZARDS</b>
<ul style="list-style-type: none"> <li>• This product is highly toxic to aquatic invertebrates.</li> <li>• Do not apply directly to water. 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. Sweeping any product that lands on a driveway, sidewalk, or street, back onto the treated area of the lawn or garden will help to prevent run off to water bodies or drainage systems.</li> <li>• Do not contaminate water when cleaning equipment or disposing of equipment washwater.</li> </ul>

**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.

**Money Back Guarantee:** If you are not satisfied with this product, we will gladly refund your original purchase price.

**NOTIFICATION**

MAY 22 2009



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, Notification 09/22/08, Notification 10/21/08, Notification 05/11/09