



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

NOV 13 2006

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Mr. Charles W. Boyd
Bayer Advanced
2. T.W. Alexander Drive
Research Triangle Park, NC 27709

Subject: Additional Claims on Label
Imidacloprid + Tau-fluvalinate + Tebuconazole
EPA Reg. No. 72155-71
Your Submission date, September 8, 2006

Dear Mr. Boyd:

The labeling referred to above, submitted in connection with registration under the Federal insecticide, and Rodenticide Act as amended is acceptable provided you make the following claim changes.

The following residual claims are not supported and must be deleted from the label:

1. Remove "Kills fire ants, flies, and mosquitoes". These public health pests efficacy data must be send in to support these kill claims.
2. Remove the parenthesis from around the last claim on page 1 of the label so that the claim reads "100% satisfaction guaranteed or your money back".

A stamped copy is enclosed for your records. Submit two (2) copies of your final printed labeling before you release the product for shipment. If there are questions, call me at 703 305-5409.

Sincerely,

A handwritten signature in black ink, appearing to read "Dani Daniel".

Dani Daniel
Insecticide-Rodenticide Branch
Registration Division 7505P

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[FRONT PANEL]

Imidacloprid + Tau-fluvalinate + Tebuconazole Ready-to-Use Insecticide, Miticide, and Fungicide

- For use on: Roses, Flowers, Houseplants, Ground Covers, Vines, Ornamentals, Shrubs, and Trees
- Just one application quickly kills insects
- Protects against insects for up to 30 days
- Up to 30 days (insect) protection
- Keeps killing insects for up to 30 days
- Rainproof Protection
- *Fast Acting ... Kills On Contact*
- Kills insects on contact
- Long Lasting ... Keeps On Killing For up to 4 Weeks (30 days)
- Protects 24/7
- Contains Merit®
- Highly effective (insecticide + miticide + fungicide) 3 way formula designed to kill insect pests, mites, and diseases on roses, flowers, houseplants, ground covers, vines, ornamentals, shrubs, and trees
- Highly effective against mites
- Systemic formula works through the leaves and stems to protect and cure
- Cures and protects against (most common) insects, mites and diseases on roses, flowers, houseplants, ground covers, vines, ornamentals, shrubs, and trees
- Cures and prevents major insect, mite and disease problems on roses, flowers, houseplants, ground covers, vines, ornamentals, shrubs, and trees
- 3 products in One: Insect Protection, Spider Mite Protection, and Disease Protection
- Systemic Protectant Formula – gets inside the plant to protect and cure
- Prevents, stops, and cures listed pests on roses, flowers, houseplants, ground covers, vines, ornamentals, shrubs, and trees
- Controls major pests that harm roses, flowers, houseplants, ground covers, vines, ornamentals, shrubs, and trees
- Rescues plants from pests
- Cures pests and protects
- Cures and Prevents Black Spot, Powdery Mildew and Rust Disease(s)
- Kills (Knocks Out) Insects and Mites on Contact
- Controls black spot, powdery mildew, (and) rust, (and more)
- Kills aphids, spider mites, Japanese beetle and more.
- New
- Ready to use... No mixing, and no measuring
- Premium care – 3 in 1 formula – controls insect, mites, and diseases
- 4 in 1 formula – kills insects on contact, controls mites, controls diseases, and keeps on protecting for (up to 4) weeks (provides long lasting protection)
- Kills insects, mites and disease on contact, and keeps on protecting for (up to 4) weeks
- Exclusive Formula – Three way control – controls insects, mites, and diseases
- Systemic formula, controls insects, mites and diseases
- Three benefits in one package
- Systemic three way action/control
- Fast, easy and efficient
- The Rose & Flower enhancer
- Merit inside
- Maintains and restores beauty
- Three garden products in one
- From the creators of Merit
- Proven three way control
- The Rose and Flower defender
- 100% Satisfaction Guaranteed *(or your money back)

ACTIVE INGREDIENTS:

Imidacloprid.....	0.012 %
Tau-fluvalinate.....	0.014 %
Tebuconazole.....	0.015 %

OTHER INGREDIENTS:

99.959 %

Net Contents:
ACCEPTED
 with **COMMENTS**
 In EPA Letter Dated
 NOV 13 2006
 Under the Federal Insecticide, Fungicide, and Rodenticide Act, amended, for sale into, distribution, and or use in Nassau, Suffolk, Kings, or Queens Counties of New York.
 under EPA Reg. No.
 72155-71

STOP - Read This Entire Label Before Use

KEEP OUT OF REACH OF CHILDREN


CAUTION

See back panel booklet for ingredients and precautionary statements

sale into, distribution, and or use in Nassau, Suffolk, Kings, or Queens Counties of New York.

[BACK PANEL]

This product's exclusive triple protection formula provides fast, easy and efficient control of insects, mites, and diseases in one easy step. Growing beautiful plants has never been easier!

QUICK FACTS	
Editorial Note: Additional Marketing claims approved on the front panel to be placed here.	
KILLS	Aphids, caterpillars, Japanese beetles, leafminers, spider mites, whiteflies, and other listed pests.
DISEASES CONTROLLED	Anthracnose, black spot, leaf spot, petal blight, powdery mildew, rust, and scab.
COVERAGE	Treats up to 45 medium-sized plants. (32 fl oz size)
WHERE TO USE	Roses, flowers, houseplants, ground covers, vines, ornamentals, shrubs, and trees For use on non-edible plants only
WHEN TO USE	To prevent insect, mite, or disease infestations or control them when they first appear.
	Questions or comments, call toll-free (877) 229-3724 1-877-Bayer-AG www.BayerAdvanced.com

ACTIVE INGREDIENTS:

Imidacloprid	0.012 %
Tau-fluvalinate	0.014 %
Tebuconazole	0.015 %
OTHER INGREDIENTS:	99.959 %
Total	100.000 %

Imidacloprid is the chemical name for Merit®.

EPA Reg. No. 72155-71

EPA Est. No. XXXX-AA-1

FOR RESIDENTIAL USE ONLY

PRECAUTIONARY STATEMENTS
Hazards to Humans and Domestic Animals

CAUTION

- Harmful if absorbed through skin or inhaled.
- Avoid contact with skin, eyes, or clothing.
- Avoid breathing spray mist.
- Wash thoroughly with soap and water after handling.
- Remove contaminated clothing and wash clothing before reuse.

+ First Aid	
If On Skin or Clothing	<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 advise.
If Swallowed	<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.
<p>NOTE: Have the product container or label with you when calling a poison control center or doctor, or going for treatment. For medical emergency information, you may call toll-free 1-877-229-3763.</p> <p>Active Ingredients: Imidacloprid [CAS # 138261-41-3], Tau-fluvalinate [CAS #102851-06-9], Tebuconazole [CAS #107534-96-3]</p>	

Environmental Hazards
<p>This product is highly toxic to fish and aquatic invertebrates.</p> <p>Do not apply directly to water.</p> <p>Do not apply when weather conditions favor drift from the target area.</p> <p>This pesticide is toxic to bees.</p> <p>Do not apply this product when bees are active.</p> <p>Apply this product only as specified on this label.</p> <p>Do not contaminate water when disposing of equipment washwaters or rinsate.</p>

Kills:

Adelgids, Aphids, Armyworms, Bagworms, Beetles, Boxelder bugs, Budworms, Cankerworms, Caterpillars, Chinch bugs, Clover mites, Crickets, Cucumber beetles, Cutworms, Earwigs, Elm leaf beetles, Fire Ants, Flea beetles, Flies, Fungus gnats, Grasshoppers, Gypsy moth larvae, Japanese beetles (adult), Lace bugs, Leaf-feeding beetles, Leaf-feeding caterpillars, Leafhoppers (including Glassy-Winged Sharpshooter), Leafminers (including Birch Leafminers and Holly Leafminers), Loopers, Mealybugs, Midges, Mites, Mosquitoes, Pillbugs, Plant bugs, Psyllids, Rose Midges, Rose Slugs, Sawflies, Scale insects (crawler stages), Silverfish, Sowbugs, Spider Mites, Spittlebugs, Stink Bugs, Thrips, Two-Spotted Spider Mites, Viburnum leaf beetle, Webworms, Weevils (including adult root weevils), Whiteflies

DISEASES CONTROLLED	PLANTS
Black Spot Powdery Mildew Rust	Roses
Leaf Spot Powdery Mildew Rust	Flowers
Anthrachnose Leaf Spot Powdery Mildew Rust Scab	Crabapples (Ornamental), Dogwoods and Other Small Landscape [Ornamental] Trees
Anthrachnose Black Spot Leaf Spot Petal Blight Powdery Mildew Rust	Azaleas, Camellias, Rhododendrons, and Other Landscape [Ornamental] Shrubs, Ground Covers, and Vines
Leaf Spot Powdery Mildew	Houseplants
<p>To treat existing disease: apply at least 3 times, every 7-14 days apart beginning at the first sign of disease.</p> <p>To prevent diseases: apply at least 3 times, every 7-14 days apart during the growing season, starting when new leaves first appear.</p>	

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.
 For best results, be sure to read and follow all label directions.

BEFORE YOU USE Read and follow these directions.	Apply the product to flowering plants 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. Do not use in small, enclosed areas where spray may be inhaled. For houseplants, move them outside, treat, let dry, and bring back indoors. Do not apply to fruits or vegetables used for food.
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WHEN TO USE	When insects, mites, or disease first appear. To avoid serious damage, eliminate pests and diseases early in the season before they multiply.
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HOW TO USE Shake well before using.	Adjust nozzle to desired spray pattern. Hold sprayer about 12 inches from foliage. Spray leaves, stems and tender new shoots. (ART: of steps above) Apply until both sides of the leaves are evenly coated with spray, but not dripping. (ART: spraying top and undersides of leaves)
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HOW OFTEN	Kills insects on contact and keeps on killing for up to 30 days. For diseases, repeat every 7 to 14 days as necessary.
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HOW IT WORKS	This product provides 3 way action: kills existing pests, forms protective barrier on outside of plant and is absorbed into the plant regardless of weather conditions. (This product provides 4 way action: kills insects on contact, controls mites, controls diseases, and keeps on protecting for (up to 4) weeks (provides long lasting protection).
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FOR BEST RESULTS

Do not wet the foliage within one hour after applying. To avoid serious damage to plants, eliminate pests and disease early in the season before they multiply.

	Children and pets may re-enter the treated area after spray 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.
Disposal 	If empty: <ul style="list-style-type: none"> • Do not reuse container. • Place empty container in trash or offer for recycling if available. If partly filled: <ul style="list-style-type: none"> • Call your local solid waste agency or toll free 1-877-229-3724 for disposal instructions. • Never place unused product down any indoor or outdoor drain.

NOTICE

Research and testing have determined that the "Directions for Use" are appropriate for the proper use of Imidacloprid + Tau-fluvalinate + Tebuconazole Ready-to-Use 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

Bayer Advanced

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

Imidacloprid + Tau-fluvalinate +Tebuconazole (PENDING) 09/06/06