

72155-71

9/2/2009

1/8



U.S. ENVIRONMENTAL PROTECTION AGENCY

Office of Pesticide Programs
 Registration Division (7505P)
 1200 Pennsylvania Ave., N.W.
 Washington, D.C. 20460

EPA Registration No.
 72155-71

Date of Issuance:
 SEP - 2 2009

NOTICE OF PESTICIDE: Registration
 Reregistration

(under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended)

Term of Issuance:
Unconditional

Name of Pesticide Product:
**Imidacloprid + Tau-fluvalinate +
 Tebuconazole Ready-to-Use
 Insecticide, Miticide, and Fungicide**

Name and Address of Registrant (include ZIP Code):

Clark W. Bard, Registrations Manager
Bayer Environmental Science,
A Business Group of Bayer CropScience
P.O Box 12014, 2 T. W. Alexander Drive
Research Triangle Park, NC 27709

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby reregistered under the Federal Insecticide, Fungicide and Rodenticide Act.

Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

This action is taken under the authority of section 4(g)(2)(c) of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended. Reregistration under this section does not eliminate the need for continual reassessment of pesticides. EPA may require submission of data at any time to maintain the registration of your product.

Based on your response to the Reregistration Eligibility Document(s), EPA has reregistered the product listed above provided that the following changes are made to the label:

(See comments on pages 2-3)

A copy of your label stamped "Accepted with Comments" is enclosed for your records.

Signature of Approving Official:
Refer to Page 3
 Richard J. Gebken, Product Manager (10)
 Registration Division, Insecticide Branch

Date:
 SEP - 2 2009

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), is acceptable subject to the comments listed below.

- 1. Delete all marketing claims that refer to killing with overly inclusive modifiers such as “most”, “most common”, “major”, or “all” insect pests, as this falsely implies efficacy against pests beyond those listed on the label, such as pests of public health importance. Revise all such claims to say “kills listed insects” or kills insects “as listed.”

Also, the “kills mites” claim must be revised to exclude chiggers, which are a pest of public health concern, unless efficacy data is submitted to support a chigger claim.

- 2. The acute toxicity review completed during reregistration indicates that you must re-order the FIRST AID statements. Revise the statement as follows

“FIRST AID:

IF SWALLOWED: 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 by a poison control center or doctor. Do not give anything by mouth to an unconscious person.

IF ON SKIN OR CLOTHING: 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.

Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact 1-800-248-7763 for emergency medical treatment information.”

- 3. Revise the **HAZARDS TO HUMANS AND DOMESTIC ANIMALS** statement as follows:

“CAUTION

Harmful if swallowed. Harmful if absorbed through skin. Avoid contact with eyes, skin, or clothing. Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.”

- 4. Add a **USER SAFETY RECOMMENDATIONS** statement under the **PRECAUTIONARY STATEMENTS** as follows:

“USER SAFETY RECOMMENDATIONS:

User should wear long sleeved shirt, long pants, shoes, socks, and chemical resistant gloves.

Remove clothes and gloves after handling this product. Wash the outside of gloves before removing.

As soon as possible, wash thoroughly and change into clean clothing.

Wash contaminated clothing before reuse.

- 5. Revise the **ENVIRONMENTAL HAZARDS** statement as follows:

"This pesticide is toxic to fish and aquatic organisms. Do not apply directly to water or to areas where surface water is present, or to inter-tidal areas below the mean high water mark. Drift and runoff from treated areas may be hazardous to fish and aquatic organisms in adjacent aquatic sites.

This pesticide is toxic to bees. Do not apply this product while bees are active or allow product to drift to adjacent flowers or weeds where bees are active.

Do not contaminate water when cleaning spray equipment or disposing of equipment washwaters or rinsate.

- 6. The **STORAGE AND DISPOSAL** statement must also be revised to read as follows (you may retain the box format for displaying the statements, and retain the optional 'locked storage cabinet' wording in the storage statement):

"Storage and Disposal: Do not contaminate water, food, or feed by storage or disposal. **Pesticide Storage:** Store in a cool dry place inaccessible to children and pets. Always store pesticides in the original container. If a leaky container must be contained within another, mark the outer container to identify the contents. **Container Disposal:** Non-refillable container. Do not reuse or refill this container. **If Empty:** Place in trash or offer for recycling if available. **If Partly Filled:** Call your local solid waste agency or 1-877-229-3724 for disposal instructions. Never place unused product down any indoor or outdoor drain."

- 7. Revise the second sentence in the **WARRANTY STATEMENT (NOTICE)** as follows:

"To the extent consistent with applicable law, the buyer assumes responsibility for lack of performance or safety if not used according to the directions."

Two copies of the finished labeling must be submitted prior to releasing the product for shipment. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA sec. 6(e). Your release for shipment of the product constitutes acceptance of these conditions. A stamped copy of the label is enclosed for your records. If you have any questions, you may contact Clayton T. Myers, at (703) 347-8874.

Sincerely,



Richard Gebken
Product Manager 10
Insecticide Branch
Registration Division (7505P)

Enclosure

[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:

STOP - Read This Entire Label Before Use

KEEP OUT OF REACH OF CHILDREN

CAUTION

See back panel booklet for ingredients and precautionary statements

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


ACCEPTED
with COMMENTS
In EPA Letter Dated
SEP - 2 2009.
 Under the Federal Insecticide,
 Fungicide, and Rodenticide Act,
 as amended, for the pesticide
 registered under EPA Reg. No.
72155-71

5/28

5/8

[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	Anthraco nose, 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
<p>CAUTION</p> <ul style="list-style-type: none"> • 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 advice.
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, Flea beetles, 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, 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
Anthracnose Leaf Spot Powdery Mildew Rust Scab	Crabapples (Ornamental), Dogwoods and Other Small Landscape [Ornamental] Trees
Anthracnose 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>	

2/8

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.

<p>BEFORE YOU USE</p> <p>Read and follow these directions.</p>	<p>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. <i>For houseplants, move them outside, treat, let dry, and bring back indoors.</i> Do not apply to fruits or vegetables used for food.</p>
<p>WHEN TO USE</p>	<p>When insects, mites, or disease first appear. To avoid serious damage, eliminate pests and diseases early in the season before they multiply.</p>
<p>HOW TO USE</p> <p>Shake well before using.</p>	<p>Adjust nozzle to desired spray pattern. Hold sprayer about 12 inches from foliage. Spray leaves, stems and tender new shoots. (ART: of steps above) <i>Apply until both sides of the leaves are evenly coated with spray, but not dripping.</i> (ART: spraying top and undersides of leaves)</p>
<p>HOW OFTEN</p>	<p>Kills insects on contact and keeps on killing for up to 30 days. For diseases, repeat every 7 to 14 days as necessary.</p>
<p>HOW IT WORKS</p>	<p>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).</p>


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.

Important – Directions for Storage and Disposal

<p>Storage Conditions</p>	<p>Store in original container in a cool, dry place, out of the reach of children, preferably a locked storage cabinet.</p>
<p>Disposal</p> 	<p>If empty:</p> <ul style="list-style-type: none"> Do not reuse container. Place empty container in trash or offer for recycling if available. <p>If partly filled:</p> <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.

8/8

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



www.bayeradvanced.com

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 (MASTER) Approved 11/13/06