

72155-71

8/9/2010

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF
CHEMICAL SAFETY AND
POLLUTION PREVENTION

August 9, 2010

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

Subject: Label Amendment—addition of alternate statements in accordance with EPA's pyrethroid label call-in

Product Name: Imidacloprid + Tau-fluvalinate + Tebuconazole RTU

EPA Reg. No.: 72155-71

Application Dated: June 11, 2010

Decision Number: 436275

Dear Mr. Boyd:

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, is acceptable with the following label revision provisions:

1. Revise the Storage and Disposal statement by adding the following statement: "Do not contaminate food, water, or feed by storage or disposal."

A copy of the label stamped "accepted with comments" is enclosed for your records. You must submit two copies of the final printed label revised in accordance with the comments listed above before the product is released for shipment under this label. If you have any questions, you may contact Clayton Myers at (703) 347-8874 or myers.clayton@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to be "R. Gebken".

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

Enclosure
Stamped Label

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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 listed insects, mites and diseases on roses, flowers, houseplants, ground covers, vines, ornamentals, shrubs, and trees
- Cures and prevents listed 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 listed 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:

Net Contents: 24 oz.

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

ACCEPTED
With COMMENTS
In EPA Letter Dated:
AUG - 9 2010

Under the Federal Insecticide, Fungicide and Rodenticide Act, As amended, for the pesticide Registered under EPA Reg. No:

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[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	Anthrachnose, 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

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 swallowed or absorbed through skin.
- Avoid contact with skin, eyes, or clothing.
- Wash hands thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco.
- Remove contaminated clothing and wash clothing before reuse.

First Aid	
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.
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.
<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 toxic to fish and aquatic organisms.</p> <p>Do not apply directly to water or to areas where surface water is present or to intertidal areas below the mean high water mark.</p> <p>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.</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>

Kills:


Adelegids, 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
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	
<p>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>	
<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. For houseplants, move them outside, treat, let dry, and bring back indoors. 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) Apply until both sides of the leaves are evenly coated with spray, but not dripping. (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.

	<p>Children and pets may re-enter the treated area after spray has dried.</p>
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Restrictions

- Do not water the treated area to the point of run-off
- Do not make applications during rain.
- All outdoor applications must be limited to spot or crack-and-crevice treatment only, except for the following permitted uses:
 - Treatment to soil or vegetation around structures;
 - Applications to lawns, turf, and other vegetation;
- Application is prohibited directly into sewers or drains, or to any area like a gutter where drainage to sewers, storm drains, water bodies, or aquatic habitat can occur. Do not allow the product to enter any drain during or after application.

Storage & 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"> Non-refillable container. Do not refill or 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.

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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. To the extent consistent with applicable law, 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

Imidacloprid + Tau-fluvalinate +Tebuconazole (MASTER) Approved 11/02/09, Notification 05/26/10