

72155-71

2/12/2014

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



OFFICE OF
CHEMICAL SAFETY AND
POLLUTION PREVENTION

FEB 12 2014

Bayer Advanced
Annette Bloomberg
Regulatory Product Manager
P.O. Box 12014, 2 T.W. Alexander Drive
Research Triangle Park, NC 27709

Subject: Amended label adding pollinator protection language
Product Name: Imidacloprid + Tau-fluvalinate + Tebuconazole Ready-to-Use
EPA Reg. No. 72155-71
EPA Decision No. 484303
Submission dated September 26, 2013

Dear Ms. Bloomberg:

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act is acceptable. A stamped copy of your labeling is enclosed for your records. This labeling supersedes all previously accepted labeling. You must submit one (1) copy of the final printed labeling before you release the product for shipment with the new labeling. See 40 CFR 156.10(a)(6).

Under 40 CFR 152.130(d), EPA may establish dates by which all product distributed or sold by the registrant must bear revised labeling. The following paragraphs set forth the schedule for ensuring that that your product bears revised labeling within a reasonable time period.

- Any product released for shipment after 2/28/14 must bear the new label.

If these conditions are not complied with, EPA will take appropriate action against this registration. If you have any questions please contact Marianne Lewis at 703 308-8043 or lewis.marianne@epa.gov.

Regards,

A handwritten signature in black ink that reads "Venus Eagle". The signature is fluid and cursive, with a long horizontal line extending to the right.

Venus Eagle, Product Manager (01)
Insecticide-Rodenticide Branch
Registration Division (7505P)

ACCEPTED

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Under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, for the

pesticide registered under:

7255-91

[FRONT PANEL]

EPA Reg. No.

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 listed* 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)
- 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
- 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 and diseases 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 listed* pests
- Cures fungus pests and protects against listed* pests
- 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 beetles and other listed* pests
- 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

*The word "listed" can appear as a footnote with the appropriate phrase, such as *listed insects.

ACTIVE INGREDIENTS:

Imidacloprid.....	0.012 %
Tau-fluvalinate.....	0.014 %
Tebuconazole.....	0.015 %
OTHER INGREDIENTS:	99.959 %
TOTAL:	100.00%

This bottle contains [X] lbs of imidacloprid.

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.

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[BACK PANEL]

This product's exclusive triple protection formula provides fast, easy and efficient control of listed* 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 %

This bottle contains [X] lbs of imidacloprid.
Imidacloprid is the chemical name for Merit®.

EPA Reg. No. 72155-71

EPA Est. No. XXXX-AA-1

FOR RESIDENTIAL USE ONLY

+ 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 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>	

*The word "listed" can appear as a footnote with the appropriate phrase, such as *listed insects.

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PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION

- Harmful if swallowed.
- Harmful if absorbed through skin.
- Avoid contact with skin, eyes, or clothing.
- Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.
- Remove contaminated clothing and wash clothing before reuse.

ENVIRONMENTAL HAZARDS

This product is toxic to fish and aquatic organisms.

Do not apply directly to water or to areas where surface water is present or to intertidal areas below the mean high water mark.

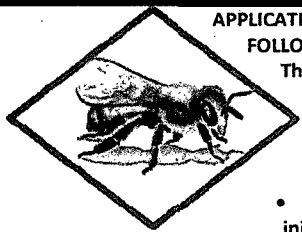
To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutters, or surface waters. Applying this product in calm weather when rain is not predicted for the next 24 hours will help to ensure that wind or rain does not blow or wash pesticide off the treatment area.

This pesticide is toxic to bees.

Do not apply this product when bees are foraging.

Apply this product only as specified on this label.

PROTECTION OF POLLINATORS



APPLICATION RESTRICTIONS EXIST FOR THIS PRODUCT BECAUSE OF RISK TO BEES AND OTHER INSECT POLLINATORS. FOLLOW APPLICATION RESTRICTIONS FOUND IN THE DIRECTIONS FOR USE TO PROTECT POLLINATORS.

This product can kill bees and other insect pollinators.

Bees and other insect pollinators will forage on plants when they flower, shed pollen, or produce nectar.

Bees and other insect pollinators can be exposed to this pesticide from:

- Direct contact during foliar applications, or contact with residues on plant surfaces after foliar applications
- Ingestion of residues in nectar and pollen when the pesticide is applied as a seed treatment, soil, tree injection, as well as foliar applications.

When Using This Product Take Steps To:

- Minimize exposure of this product to bees and other insect pollinators when they are foraging on pollinator attractive plants around the application site.
- Minimize drift of this product on to beehives or to off-site pollinator attractive habitat. Drift of this product onto beehives or off-site to pollinator attractive habitat can result in bee kills.

Information on protecting bees and other insect pollinators may be found at the Pesticide Environmental Stewardship website at: <http://pesticidestewardship.org/PollinatorProtection/Pages/default.aspx>.

Pesticide incidents (for example, bee kills) should immediately be reported to the state/tribal lead agency. For contact information for your state, go to: www.aapco.org/officials.html. Pesticide incidents should also be reported to the National Pesticide Information Center at: www.npic.orst.edu or directly to EPA at: beekill@epa.gov

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DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.



Do not apply this product while bees are foraging. Do not apply this product to plants that are flowering. Only apply after all flower petals have fallen off.

Read and follow all label restrictions and directions when using this product.

BEFORE YOU USE

RESTRICTIONS:

- For houseplants, move them outside, treat, let dry, and bring back indoors.
- 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:
 (1) Treatment to soil or vegetation around structures;
 (2) 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.
- Do not wet the foliage within one hour after applying.
- 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.
- Do not apply to fruits or vegetables used for food.
- Do not apply this product, by any application method, to linden, basswood, or other *Tilia* species.
- Do not apply to areas which are water logged or saturated, which will not allow penetration into the root zone of the plant.
- Maximum application rate is 0.4 lb imidacloprid [X bottles] per acre per year. This bottle contains [X] [lbs] of imidacloprid.

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.

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)

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.

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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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
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DISEASES CONTROLLED	PLANTS
Black Spot Powdery Mildew Rust	Roses
Leaf Spot Powdery Mildew Rust	Flowers
Anthraco-nose Leaf Spot Powdery Mildew Rust Scab	Crabapples (Ornamental), Dogwoods and Other Small Landscape [Ornamental] Trees
Anthraco-nose 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 (treated outdoors)
Restrictions Do not apply this product while bees are foraging. Do not apply this product to flowers that are flowering. Only apply after all flower petals have fallen off.	
Application Instructions Use prior to bloom or after petal fall is complete. To treat existing disease: apply at least 3 times, every 7-14 days apart beginning at the first sign of disease. To prevent diseases: apply at least 3 times, every 7-14 days apart during the growing season, starting when new leaves first appear.	


FOR BEST RESULTS
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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STORAGE AND DISPOSAL

Do not contaminate water, food, or feed by storage and disposal.

Pesticide Storage	Store in original container in a cool, dry place, out of the reach of children, preferably a locked storage cabinet.
Pesticide Disposal 	If empty: <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. 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.

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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

Net Contents: 24 oz.

PRODUCED FOR



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

Imidacloprid + Tau-fluvalinate +Tebuconazole (PENDING) 08/19/2013, 9/23/2013, 11/8/2013, 11/14/2013, 11/20/2013, 12/4/2013, 12/18/2013, 01/20/2014, 01/28/2014, 02/05/2014, 02/11/2014