

72155-73

11/20/2008

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

NOV 20 2008

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

SUBJECT: Application for Pesticide Notification – Add Additional Optional Sprayer Directions
Imidacloprid + Tau Fluvalinate + Tebuconazole Concentrate
EPA Reg. No. 72155-73
Application Dated October 9, 2008

Dear Mr. Boyd:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 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 label changes requested falls within the scope of PRN 98-10. The label has been date-stamped "Notification" and will be placed in our records.

If you have any questions, please call me directly at 703-305-6249 or Terri Stowe of my staff at 703-305-6117.

Sincerely,

A handwritten signature in black ink, appearing to be "Linda Arrington".

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

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[FRONT PANEL]

NOTIFICATION

NOV 20 2008

Imidacloprid + Tau-fluvalinate + Tebuconazole

Concentrate Insecticide, Miticide, and Fungicide

This label contains two separate label statements for, **Outdoor Residential Pump Sprayer/Hose-end Sprayer Concentrate** product use and **Outdoor Residential Ready-To-Spray** product use.

- For use on: Roses, Flowers, Houseplants, Ground Covers, Vines, Ornamentals, Shrubs, and Trees
- Just one application quickly kills insects
- Complete plant protection - Protects plants from roots to leaves/branches (top to bottom)
- Protects plants from the inside out
- Up to 30 day insect protection (guard, defense, shield)
- Protects against insects for up to 30 days
- Keeps killing insects for up to 30 days
- Continuous killing (power) for up to 30 days
- Rainproof Protection
- Protection that won't wash off
- Fast Acting ... Kills On Contact
- Kills insects on contact
- Long Lasting ... Keeps On Killing For up to 4 Weeks (30 days)
- Residual action, keeps killing for up to 4 weeks
- Protects 24/7, around the clock protection (guard, killing) for up to 4 weeks
- Contains Merit®
- Proprietary Merit® inside
- Systemic formula works through the leaves and stems to protect and cure
- A systemic protectant and curative
- A curative and preventative
- 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
- One application, three benefits: Insect Protection, Spider Mite Protection, and Disease Protection
- All-in-One, three products: insect, disease, and spider mite protection
- Systemic Protectant Formula - gets (moves) 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 (Kills, Eliminates) major pests that harm roses, flowers, houseplants, ground covers, vines, ornamentals, shrubs, and trees
- Rescues (guards) plants from pests
- Kills, Eliminates pests
- Cures and Prevents Black Spot, Powdery Mildew and Rust Disease(s)
- Kills (Eliminates, Annihilates) (Knocks Out) Insects and Mites on Contact
- Controls black spot, powdery mildew, (and) rust, (and more)
- Controls (Kills) aphids, caterpillars, (and) mites, (and more)
- New
- Revolutionary
- Premium (Superior) 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)
- Total (Complete, All-in-one) Protection Formula - Kills insects, mites and disease on contact, and keeps on protecting for (up to 4) weeks
- Exclusive (Proprietary) Formula - Three way control - controls insects, mites, and diseases
- Systemic formula, controls insects, mites and diseases
- Three benefits in one package
- One application with three benefits: controls insects, mites and diseases
- Systemic three way action (control)
- Fast, easy and efficient
- The Rose & Flower enhancer (enforcer, eliminator)
- 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 (guardian, protector)
- 100% Satisfaction Guaranteed* (or your money back)
- Kills aphids, spider mites, Japanese beetles & more

ACTIVE INGREDIENTS:

Imidacloprid.....	0.47 %
Tau-fluvalinate.....	0.61 %
Tebuconazole.....	0.65 %
OTHER INGREDIENTS:	98.27 %

Net Contents: 32 fl. oz. (946 ml)

STOP - Read This Entire Label Before Use

KEEP OUT OF REACH OF CHILDREN

CAUTION

See back panel booklet for additional 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 long lasting control against insects, diseases and mites in one easy step.]

This product's exclusive 3-way systemic formula protects against insects, mites, and diseases in one easy step (Bayer Advanced's proprietary 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)). This systemic concentrate formula provides long lasting insect, mite, and disease protection on roses, flowers, houseplants, ground covers, vines, ornamentals, shrubs, and trees. Growing beautiful plants has never been easier! Better Science, Better Results. For more information go to www.bayeradvanced.com

QUICK FACTS	
<ul style="list-style-type: none"> • Effective Against a Broad Range of Insects, Mites, and Diseases • Keeps on Killing Insects for Up to 30 Days • Easy, Accurate Measuring & Mixing 	<ul style="list-style-type: none"> • Apply with most common garden sprayers • Kills insects on contact • Highly effective against mites
INSECTS and MITES CONTROLLED	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	Makes (Creates, Delivers) up to 12 gallons of spray
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.
HOW MUCH TO USE	Dilute 2.67 oz (5¼ Tablespoons) concentrate in 1 gallon of water
	Questions or comments, call toll-free (877) 229-3724 1-877-Bayer-AG

ACTIVE INGREDIENTS:

- Imidacloprid 0.47 %
- Tau-fluvalinate 0.61 %
- Tebuconazole 0.65 %

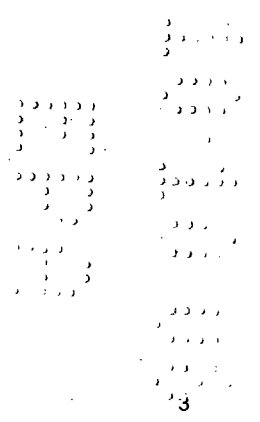
OTHER INGREDIENTS: 98.27 %

Imidacloprid is the chemical name for Merit® Insecticide.

EPA Reg. No. 72155-73

EPA Est. No. XXXX-AA-1

FOR OUTDOOR RESIDENTIAL USE ONLY



PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

CAUTION

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



First Aid

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.

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 to an unconscious person.

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.

- Active Ingredients: Imidacloprid [CAS #138261-41-3], Tau-fluvalinate [CAS #102851-06-9], Tebuconazole [CAS #107534-96-3]

Environmental Hazards

- This pesticide is highly toxic to aquatic invertebrates and fish. Do not apply directly to water.
- Do not contaminate water when cleaning equipment or disposing of equipment washwater or rinsate.
- This pesticide is highly toxic to bees. Do not apply Imidacloprid + Tau-fluvalinate + Tebuconazole Concentrate Insecticide when bees are active.
- Apply this product only as specified on this label.

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 these directions when using:

- 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.
- Shake well before using.

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.

MIXING & MEASURING

SEE SPRAYER TYPES

HOW TO SPRAY

- Adjust nozzle on your sprayer to desired spray pattern.
- Hold sprayer about 12 inches from foliage.
- Spray leaves, stems and tender new shoots.

	(ART: of steps above) <ul style="list-style-type: none"> Apply until both sides of the leaves are evenly coated with spray, but not dripping. (ART: spraying undersides of leaves)
HOW OFTEN	Kills insects on contact and keeps on killing for up to 30 days. For diseases and severe infestations, 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)).

INSECTS AND MITES CONTROLLED	(ART: Aphid, Japanese Beetle, Leafminer, Lace bugs)			
	Adelgids Aphids Armyworms Bagworms Beetles Boxelder bugs Budworms Cankerworms Caterpillars Chinch bugs Clover mites Crickets Cucumber beetles Cutworms	Earwigs Elm leaf beetles Firebrats 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	CONTROLS	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

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

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



Children and pets may re-enter after spray has dried.

SPRAYER TYPES

(ART: ICON OF PUMP TYPE)

For Pump Style Tank Sprayer:

To make one gallon of spray:

1. Pour 2.67 fl. oz. (5¼ Tablespoons) of the liquid concentrate.
2. Dilute in 1 gallon of water.
3. Close sprayer and shake well before applying.

(ART: ICON DIAL TYPE)

For Dial-Style Hose-End Sprayers:

Dilution rate: 2.67 fl. oz. per gallon (2 tablespoons = 1 fl. oz.)

1. Fill sprayer jar with enough concentrate to treat the desired plants.
2. Close sprayer and set dial.
3. Attach sprayer to hose and apply.

OR

Fill sprayer jar with enough concentrate to cover plants to be treated and follow sprayer label directions for applying.

(ART: ICON OF WATER TYPE)

For Concentrate-Plus-Water Hose-End Sprayers:

Dilution rate: 2.67 fl. oz. per gallon (2 tablespoons = 1 fl. oz.)

1. Pour concentrate into sprayer jar to the required fluid ounce level.
2. Add the appropriate amount of water to the gallons level.
3. Replace sprayer top and shake well before applying.

OR

Pour concentrate into sprayer jar to the required fluid ounce level and follow sprayer label directions for applying.

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:

- Do not reuse container.
- Place empty container in trash or offer for recycling if available.

If partly filled:

- 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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[BACK PANEL]

[This product's exclusive triple protection formula provides long lasting control against insects, diseases and mites in one easy step.]

This product's exclusive 3-way systemic formula protects against insects, mites, and diseases in one easy step (proprietary 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)). This ready-to-spray formula provides long lasting insect, mite, and disease protection on roses, flowers, houseplants, ground covers, vines, ornamentals, shrubs, and trees. Growing beautiful plants has never been easier! Better Science, Better Results. For more information go to www.bayeradvanced.com

QUICK FACTS	
<ul style="list-style-type: none"> Effective Against a Broad Range of Insects, Mites, and Diseases Keeps on Killing Insects for Up to 30 Days 30 days of Insect Control 	<ul style="list-style-type: none"> Ready-to-Spray formula ... no mixing, no measuring Kills insects on contact Highly effective against mites
INSECTS and MITES CONTROLLED	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 (Protects) up to 192 roses
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	0.47 %
Tau-fluvalinate	0.61 %
Tebuconazole	0.65 %
OTHER INGREDIENTS:	98.27 %

Imidacloprid is the chemical name for Merit® Insecticide.

EPA Reg. No. 72155-73

EPA Est. No. XXXX-AA-1

FOR OUTDOOR RESIDENTIAL USE ONLY

PRECAUTIONARY STATEMENTS	
Hazards to Humans and Domestic Animals	
CAUTION	
<ul style="list-style-type: none"> Harmful if absorbed through skin or if swallowed. Avoid contact with skin, eyes, or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Remove and wash contaminated 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 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> <ul style="list-style-type: none"> • Active Ingredients: Imidacloprid [CAS #138261-41-3], Tau-fluvalinate [CAS #102851-06-9], Tebuconazole [CAS #107534-96-3] 	

Environmental Hazards
<ul style="list-style-type: none"> • This pesticide is highly toxic to aquatic invertebrates and fish. Do not apply directly to water. • Do not contaminate water when cleaning equipment or disposing of equipment washwater or rinsate. • This pesticide is highly toxic to bees. Do not apply this product when bees are active. • Apply this product only as specified on this label.

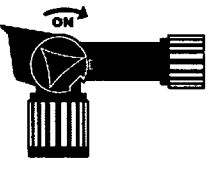
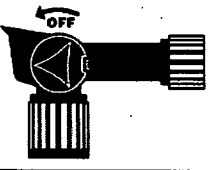
DIRECTIONS FOR USE

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.

<p>BEFORE YOU USE</p> <p>Read and follow these directions when using:</p>	<ul style="list-style-type: none"> • 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. • Shake well before using.
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WHEN TO USE	<ul style="list-style-type: none"> • 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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<p>HOW TO USE</p> <p>Shake Well Before Use</p>	<p>This product is ready to spray. Just attach this bottle to your hose according to directions. Water automatically mixes with the concentrate as you spray.</p>
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<p>HOW TO ATTACH AND SPRAY</p>  	<ol style="list-style-type: none"> 1. Connect your garden hose to the bottle. Be sure the blue water control valve on top of the spray nozzle is in the OFF position. 2. To begin spraying, turn on water at faucet. Point nozzle towards the area to be treated and Press lock tab while using other hand to turn sprayer valve to on position. 3. To stop spraying, turn the water control valve on top of the spray nozzle to OFF. Turn off faucet. 4. Relieve water pressure by turning water control valve to the ON position until water slows to a drip. Turn water control valve back to OFF. Disconnect garden hose from bottle. 5. The unused portion can be saved and used at a later date. <p>Tips for Applying</p> <ol style="list-style-type: none"> 1. Extend hose to the farthest plants to be treated and work back toward the faucet to avoid contacting wet, treated plants. 2. Use an even sweeping motion, ensuring thorough coverage of both the top and bottom leaf surfaces.
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[HOW TO ATTACH AND SPRAY]	<ol style="list-style-type: none"> 1. [Connect your garden hose to the bottle. Be sure the (color inserted here) water control valve on top of the spray nozzle is in the OFF position. 2. Turn on water at faucet. Twist the small, star-shaped, (color inserted here) product-control button to align the flat portion with the lock tab. Push the button in to open. 3. To begin spraying, point nozzle towards the area to be treated and turn the (color) water control valve to ON position. Tab will be horizontal. 4. To stop spraying, turn the (color) water control valve on top of the spray nozzle to OFF. To close, push in the small round button opposite the star-shaped product-control button. Turn off faucet.] <p>[Alternative Sprayer Directions]</p>
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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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INSECTS AND MITES CONTROLLED	(ART: Aphid, Japanese Beetle, Leafminer, Lace bugs)			
	<ul style="list-style-type: none"> Adelgids Aphids Armyworms Bagworms Beetles Boxelder bugs Budworms Cankerworms Caterpillars Chinch bugs Clover mites Crickets Cucumber beetles Cutworms 	<ul style="list-style-type: none"> Earwigs Elm leaf beetles Firebrats Flea beetles Fungus gnats Grasshoppers Gypsy moth larvae Japanese beetles (adult) Lace bugs Leaf-feeding beetles Leaf-feeding caterpillars Leafhoppers (including Glassy-Winged Sharpshooter) 	<ul style="list-style-type: none"> Leafminers (including Birch Leafminers and Holly Leafminers) Loopers Mealybugs Midges Mites Pillbugs Plant bugs Psyllids Rose Midges Rose Slugs Sawflies Scale insects (crawler stages) 	<ul style="list-style-type: none"> Silverfish Sowbugs Spider Mites Spittlebugs Stink Bugs Thrips Two-Spotted Spider Mites Viburnum leaf beetle Webworms Weevils (including adult root weevils) Whiteflies

DISEASES CONTROLLED	CONTROLS	PLANTS
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	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

To treat existing disease: apply at least 3 times, every 7-14 days, beginning at the first sign of disease.
 To prevent diseases: apply at least 3 times, every 7-14 days, during the growing season, starting when new leaves first appear.

