



U.S. ENVIRONMENTAL PROTECTION AGENCY
 Office of Pesticide Programs
 Registration Division (H7505C)
 401 "M" St., S.W.
 Washington, D.C. 20460

EPA Reg. Number
 72155-76

Date of Issuance:
 AUG 16 2006

Term of Issuance: Conditional

Name of Pesticide Product:
 Merit 1.47% Insecticide Plus Fertilizer

NOTICE OF PESTICIDE:

- Registration
- Reregistration

(under FIFRA, as amended)

Name and Address of Registrant (include ZIP Code):

Mr. Charles W. Boyd
 Bayer Environmental Science
 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 registered/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 product is conditionally registered in accordance with FIFRA sec. 3(c)(7)(A). Once a pesticide is registered, however, it is not regarded as permanently acceptable. Registration does not eliminate the need for continual reassessment of pesticides. If the Agency determines that, at any time, additional data are required to maintain in effect an existing registration, the Agency will require submission of such data under FIFRA section (3)(c)(2)(B).

1. Revise the EPA Registration Number to read, "EPA Reg. No. 72155-76".

Signature of Approval Official

Dani Daniel
 Insecticide-Rodenticide Branch
 Registration Division (7505C)

Date

AUG 16 2006

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2. Submit to the Agency the required one year storage stability and corrosion characteristics studies.

3. Remove the following claims unless you can prove these claims are factual and not misleading:

- Improves plant growth
- Improves plant health
- Revitalize trees and shrubs
- Spurs tree and shrub recovery
- Advances plant health
- Increases plant health
- Increases plant growth
- Promotes stronger root systems
- Remove "Exclusive" from the statement "Dual Acton-Protect & Feeds"
- Remove "New (Green Booster) Formula" from "Protects and Feed
- Remove "Unique (Green Booster) from "Protects your trees and shrubs and insects plus feeds"
- The Insect Guard
- The Tree Guard
- Proprietary Super Booting Green Formula
- Remove "Systemic" from rain proof protection won't wash off"
- Remove "Emerald Ash Borers" from your list of pest. The Agency has not made a decision on this pest and Imidacloprid.

4. Add the additional statement to your warranty notice: "The buyer assumes to the extent consistent with applicable law,..."

Submit two copies of your final printed labeling before you release the product for shipment.

A stamped copy of the label is enclosed for your records. If you have any questions regarding this notice, please contact me at (702) 305-5409

Enclosure:

(Front Panel)

Merit® 1.47% Insecticide Plus Fertilizer

- New
- Improves plant growth
- Improves plant health
- Revitalize trees and shrubs
- Spurs tree and shrub recovery
- Stimulates Tree & Shrub recovery
- Advances plant health
- Increases plant health
- Increases plant growth
- Promotes stronger roots systems
- Exclusive green color liquid fertilizer formula
- Exclusive Dual Action - Protect & Feeds
- New (Green Booster) Formula – Protects and Feeds
- Protects for up to a year (with a single application) and Feeds
- Insects stop eating when they feed on the plant
- Protects trees, shrubs, and containerized plants from damaging insects with one easy treatment
- Helps keep trees and shrubs strong. Protects new growth
- Kills insects that damage trees and shrubs
- Controls insects that damage trees and shrubs
- Season long protection
- The Insect Guard
- The Tree Guardian
- Year-long insect protection for trees and shrubs
- Systemic insecticide is absorbed through the roots, carried up into the plant and won't wash off
- Prevents insects from damaging trees and shrubs
- For use on all ornamental trees and shrubs, listed fruit & nut trees, and containerized plants
- Kills insects & prevents new infestations
- One application feeds and protects up to 12 months
- Provides 12-Month Insect Protection
- Rainproof Protection
- Apply around plant and walk away
- Feeds and protects against insects in one easy step
- Feeds, and protects against insects for up to 12 months
- No spraying, just mix and pour around tree base (trunk)
- No messy spraying
- A new way to protect (and feed) trees and shrubs
- Cost effective alternative to professional treatments
- Do it Yourself Tree Protection
- Protects against insects PLUS improves vitality of trees and shrubs
- Unique (Green Booster) formula - Provides 12 month insect protection Plus Feeds
- Exclusive (Green Booster) formula protects your trees and shrubs from insects plus feeds
- Delivers 12 month insect protection
- Delivers year long insect protection
- No Spray technology
- Protects against insects plus restores vitality of trees and shrubs
- Proprietary Super Boosting Green Formula
- A breakthrough in Do-It-Yourself tree care
- 12-MONTH PROTECTION with one application
- Protects the entire tree or shrub – especially new growth
- Systemic rainproof protection won't wash off
- Kills devastating pests like: Adelgids, Borers, Emerald Ash Borers, Leafminers, Japanese Beetles (adult) and many others
- No spraying! Just mix and pour at base of tree or shrub
- Significantly easier way to protect trees
- Contains MERIT®
- 100% Satisfaction Guaranteed *(or your money back)

ACTIVE INGREDIENT:

Imidacloprid 1.47 %

OTHER INGREDIENTS:

..... 98.53 %

Net Contents: X

**ACCEPTED
with COMMENTS
In EPA Letter Dated:**

AUG 16 2006

**Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
as amended, for the pesticide
registered under EPA Reg. No.**

72155-76

**STOP - Read This Entire Label Before Use
KEEP OUT OF REACH OF CHILDREN**

CAUTION

See Back Panel [Booklet] for Additional Precautionary Statements

Text in () is optional.

(BACK PANEL)]


This product provides 12-month systemic protection against damaging insects including Adelgids, Aphids, Borers (including emerald ash borer), Japanese beetles, Leafminers, Scale, and Whiteflies plus feeds in a single application. Having beautiful trees and shrubs has never been easier.

No spraying, just mix and pour. Protects entire tree for up to 12 months

READ THE LABEL FIRST!

QUICK FACTS

- Provides Year Long Insect Protection
- Easy to Use in three steps: Measure, Mix and Apply Around Plant
- Rain or Moisture can not wash off this internal protection
- Rainproof
- Dual action, kills insects and feeds your tree
- Two Products in one, an insect killer and a fertilizer
- Two-in-One (Green Booster) formula kills insects while feeding your tree
- Unique Double Action (Green Booster) Formula (2-in-1): kills insects before they damage tree and feeds root system

KILLS	Adelgids, aphids, borers (including emerald ash borer), Japanese beetles, leafminers, scale, whiteflies and other listed pests
WHERE TO USE	Outdoor trees and shrubs, including listed fruit and nut trees, and containerized plants
HOW TO USE	<ol style="list-style-type: none"> 1. Measure distance around tree trunk or height of shrub or determine container size 2. Measure and pour required amount of product into bucket of water 3. Pour solution around tree or shrub base or in container
HOW MUCH TO USE	<p>Trees: 1 oz for every inch of distance around trunk; treats 4 trees that measure 8 inches around trunk (32 fl oz size)</p> <p>Shrubs: 3 oz for every foot of height; treats 5 shrubs that are 2 foot tall (32 fl oz size)</p> <p>Containerized Plants: 1.5 tablespoon for each five gallon container; treats up to 42 - five gallon containers (32 fl oz size)</p>
	For questions or comments, call toll-free 1-877 BayerAG (1-877-229-3724) or visit us on-line at www.BayerAdvanced.com

FOR OUTDOOR RESIDENTIAL USE ONLY

ACTIVE INGREDIENT:

Imidacloprid 1.47 %

OTHER INGREDIENTS:

..... 98.53 %
 100.00%

EPA Reg. No. 72155-XX

EPA Est. No. XXXX-AA-XX

FERTILIZER ANALYSIS X-X-X

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 directions when using


- Do not apply near lakes streams rivers or ponds
- Do not apply to soils which are water-logged or saturated
- Bucket or measuring utensils should not be used for any food or drinking water purposes after use with this product

HOW TO USE	Determine the amount to use by measuring the distance around the tree trunk or height of the shrub. Pour the required amount into a bucket of water and empty the bucket around the base of the tree/shrub. For containerized plants, determine container size and pour required amount into enough water to wet the potting soil thoroughly but not causing loss of water from bottom of container.		
FOR USE ON	Outdoor trees and shrubs, including listed fruit and nut trees:		
	Apple Crabapple	Loquat Mayhaw	Oriental Pear Pear Pecan Quince
CONTROLS	Containerized plants not intended to be used as edible food.		
HOW MUCH TO APPLY (SHOW 3 STEP IMAGE ON HOW TO APPLY)	Trees	<p>Measure the distance in inches around the tree trunk at approximately 4.5 feet from ground level. This measurement is the amount of ounces of product to add to 1 gallon of water.</p> <p>Example: A tree measuring 8 inches around, pour 8 ounces of product into gallon of water.</p> <p>If the tree measures > 50 inches around, pour the required product into 2 gallons of water.</p> <p>A flexible tape measure is the recommended method [tool] for measuring the distance around a tree.</p>	
	Tree With 2 or More Trunks	<p>Measure the distance in inches around the largest and smallest tree trunks at approximately 4.5 feet from ground level and add together. This measurement is the number of ounces of product to add to 1 gallon of water.</p> <p>Example: A tree has 4 trunks. They measure 20, 10, 5 and 5 [inches]. A total of [20 + 5 =] 25 ounces product should be poured into a gallon of water.</p>	
	Shrubs	<p>Measure the height of the shrub to the nearest foot. Multiply the number of feet by 3 – this is the number of ounces of product to add to 1 gallon of water.</p>	
	Containerized Plants	<p>Container Size</p> <p>1 gallon 2 gallon 3 gallon 5 gallon 10 gallon 15 gallon 20 gallon</p>	<p>Amount Product Needed</p> <p>1 teaspoon 2.5 teaspoons 1 Tablespoon 1.5 Tablespoons 3 Tablespoons 4.5 Tablespoons 6 Tablespoons</p> <p>Pour the required product into sufficient water to wet the potting soil thoroughly. To help assure that roots absorb the insecticide, do not water too heavily for the first 10 days.</p>
	Do not make more than one application per year.		


DIRECTIONS FOR USE continued

<p>HOW TO APPLY</p>	<p>Trees and Shrubs:</p> <ul style="list-style-type: none"> • For trees with distance around trunk less than 30 inches, apply the solution evenly in a circle 2 feet from the tree trunk. Trees with distance around trunk greater than 30 inches, apply the solution evenly in a circle 3-4 feet from the tree trunk. • For shrubs less than 3 feet tall, apply the solution evenly in a circle 1 foot from the base of the shrub. Shrubs greater than 3 feet tall, evenly apply the solution in a circle 2 feet from the base of the shrub. <p>Containerized Plants:</p> <ul style="list-style-type: none"> • Apply the solution evenly on top of potting soil and water thoroughly. • For the first 10 days, avoid flushing through the container to the point where it flows out the bottom. • For indoor containerized plants, bring outdoors, make treatment, and return indoors when no excess water is present.
<p>FOR BEST RESULTS</p>	<p>Pull back mulch and weed barrier before application.</p> <p>Use this product as part of an overall tree and shrub health care program before problems start (preferably in the fall). (However,) MERIT 1.47% Insecticide Plus Fertilizer can be applied anytime except when the soil is waterlogged or frozen. These conditions inhibit the movement of the product down into the root zone. During prolonged dry periods, saturate the soil around the tree or shrub well with water the night before making an application.</p> <p>For severe infestations, treat with a foliar insecticide such as MERIT + TEMPO Ultra Concentrate Insecticide, then use MERIT 1.47% Insecticide Plus Fertilizer as part of a routine care program.</p>
<p>HOW MERIT 1.47% Insecticide Plus Fertilizer WORKS</p> <p>(SHOW IMAGE OF HOW THE PRODUCT WORKS SYSTEMICALLY)</p>	<p>The insecticide and fertilizer dissolved in water moves down through the soil, where it is absorbed by the roots. Once absorbed, it moves up through the tree or shrub providing year-long insect protection and feeds. This product even moves into new growth after application, thus protecting and feeding it, too! To get complete results, the insecticide and fertilizer must distribute completely through the tree or shrub. Depending on the size and health of the plant, this may take one week to three months (for very large trees). Rain or water cannot wash off this internal protection and feeding.</p>

(NOTE: Application to trees heavily infested may not prevent their eventual loss due to existing pest damage and tree stress.)

	<p>Children and pets may re-enter the treated area after it has dried.</p>
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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. Protect from freezing</p>
<p>Disposal</p> 	<p>If empty:</p> <ul style="list-style-type: none"> • Do not reuse container. • Rinse the empty product container thoroughly and disperse the rinse water around tree or shrub as part of application. • 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 [1-800 CLEAN-UP] for disposal instructions. • Never place unused product down any indoor or outdoor drain

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION

- Harmful if swallowed or absorbed through skin.
- Causes moderate eye irritation.
- Avoid contact with skin, eyes, or clothing.
- Wash thoroughly with soap and water after handling.

First Aid +

neonicotinyl Insecticide

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 the poison control center or doctor. • Do not give anything by mouth 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 to 20 minutes. • Call a poison control center or doctor for treatment advise.
If in eyes	<ul style="list-style-type: none"> • Hold eye open and rinse slowly and gently with water for 15 to 20 minutes. • Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. • Call a poison control center or doctor for treatment advise.
<p>NOTE: Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may contact 877-229-3763 for emergency medical treatment information. Active Ingredient: 1.47% Imidacloprid [CAS # 138261-41-3]</p>	

ENVIRONMENTAL HAZARDS

- This pesticide is toxic to aquatic invertebrates. Do not apply directly to lakes, streams, rivers or ponds.
- Do not dump rinse water into sewers or other bodies of water.
- Apply this product only as specified on this label.

NOTICE: Research and testing have determined that the "Directions for Use" are appropriate for the proper use of MERIT 1.47% Insecticide Plus Fertilizer 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 Group of Bayer CropScience, L.P.
2 T.W. Alexander Drive
Research Triangle Park, NC 27709**

Merit 1.47 Insecticide Plus Fertilizer (PENDING) Submitted 05/15/06