



U.S. ENVIRONMENTAL PROTECTION AGENCY

Office of Pesticide Programs

Registration Division (H7505C)

401 "M" St., S.W.

Washington, D.C. 20460

EPA Reg.
Number:

79676-31

Date of Issuance:

NOV 27 2006

Term of Issuance: Conditional

Name of Pesticide Product:

ETI 105 04 I

NOTICE OF PESTICIDE:

☒ Registration
☐ Reregistration

(under FIFRA, as amended)

Name and Address of Registrant (include ZIP Code):

Mr. Michael Kellogg
Etigra
c/o Pyxis Regulatory Consulting, Inc.
4110 136th St. NW
Gia Harbor, WA 98332

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. "79676-31".

Signature of Approving Official:

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

Date:

NOV 27 2006

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2. Your request for a wavier for physical and chemical properties data is being denied by the Agency. Enclosed is a copy of the Chemistry Review with a full explanation of the denial.

3. Submit two copies of your final printed labeling before you release the product for shipment. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6(e). Your release for shipment of the product constitute acceptance of these conditions.

4. Make the following changes to the "Warranty Statement".

- Change the word "should" to the word "must" in the first line of paragraph 2.
- Change the statement "To the extent allowed by law..." to read as "To the extent consistent with applicable law..." every where it appears in the Warrant Statement.
- Add, "To the extent consistent with applicable law" to the third paragraph, right before the statement beginning with "Etigra makes no..."

5. Within eighteen months of the date of this registration, submit to the Agency the required one year storage stability study (830.6317) for the proposed product under warehouse conditions. The corrosion characteristics study (830.6320) may be carried out concurrently. It is recommended that observations be made at 0,3, 6, 9, and 12 months.

A stamped copy of the label is enclosed for your records. If you have any questions regarding this notice, please contact me at (703) 305-5409.

Enclosure:

3 8 7

ETI 105 04 I

Turf Fertilizer

A combination fertilizer / insecticide for use in turfgrass and landscape ornamentals.

ACTIVE INGREDIENT:

Imidacloprid, 1-[(6-Chloro-3-pyridinyl)methyl]-N-nitro-2-imidazolidinimine0.25%

OTHER INGREDIENTS:99.75%

TOTAL:100.00%

KEEP OUT OF REACH OF CHILDREN CAUTION

PRECAUCION AL USUARIO: Si usted no puede leer o entender ingles, no use este producto hasta que la etiqueta le haya sido explicada ampliamente.

(TO THE USER: If you cannot read or understand English, do not use this product until the label has been fully explained to you)

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 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 15-20 minutes. Call a poison control center or doctor for treatment advice.
If in eyes:	<ul style="list-style-type: none"> Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. Call a poison control center or doctor for treatment advice.
HOT LINE NUMBER	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-800-424-9300 for emergency medical treatment information.	
NOTE TO PHYSICIAN	
No specific antidote is available. Treat the patient symptomatically.	

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION

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

EPA Reg. No. 79676-

EPA Est. No.

Manufactured for:

Etigra
501 Cascade Pointe Lane
Suite 103
Cary, NC 27513
www.etigra.com

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

NOV 27 2006

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

79676-21

Net Weight:

ETI 105 04 I contains imidacloprid,
the active ingredient used in
Merit®.

ENVIRONMENTAL HAZARDS

This product is highly toxic to aquatic invertebrates. Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipments washwaters.

This chemical demonstrates the properties and characteristics associated with chemicals detected in groundwater. The use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. Do not formulate this product into other end-use products.

GENERAL INFORMATION

ETI 105 04 I is a systemic product absorbed by the roots and translocated upward within the plant, providing nutrients as well as control of selected insect pests. Best results are achieved when applications are followed by sufficient mechanical incorporation, irrigation or rainfall to move the active ingredient into the soil. For optimum levels of control, applications should be made prior to anticipated pest infestations.

General Use Restrictions

- Following application, avoid puddling or runoff of irrigation water.
- Avoid application of ETI 105 04 I to areas which are water logged or saturated. Saturated or water logged areas will not allow ETI 105 04 I penetration into the plant root zones.
- Do NOT apply more than 160 lbs. (0.4 lb. of active ingredient) per acre per year.
- Do NOT apply to vegetable gardens.

Application Equipment

Apply ETI 105 04 I uniformly over the area being treated with typical granular application equipment. Both drop-type and rotary-type spreaders may be used to apply ETI 105 04 I. Avoid the use of spreaders which would apply the material in narrow, concentrated bands. Calibrate application equipment prior to use according to the manufacturer's directions. Check frequently to be sure equipment is working properly and distributing granules uniformly and accurately.

[Note to Reviewer: The following text regarding spreader settings is optional text and may or may not be included on the final label. If spreader settings text is included on final label, spreader settings chart will also be included.]

Spreader Settings for ETI 105 04 I

The following chart can be used as a guide in establishing an accurate rate of ETI 105 04 I. The suggested settings should provide an application rate of 2.8 lbs. per 1000 sq. ft. or 120 lbs. per acre. Application rates will vary dependent upon speed, equipment wear and condition of spreader. Carefully calibrated all equipment used prior to commercial use of this product.

[Spreader Settings Chart]

TURFGRASS

ETI 105 04 I may be applied on turfgrass in sites such as home lawns, business and office complexes, shopping complexes, multi-family residential complexes, golf courses, airports, cemeteries, parks, playgrounds, and athletic fields to control the following soil inhabiting pests:

Asiatic garden beetle (*Maladera castanea*)
 European chafer (*Rizotrogus majalis*)
 Japanese beetle (*Popillia japonica*)
 Billbugs (*Sphenophorus* spp.)
 Black turfgrass ataenius (*Ataenius spretulus*)
 European Crane Fly (*Tipula paludosa*)

Annual bluegrass weevil (*Hyperodes* spp.)
 May or June beetles (*Phyllophaga*)
 Oriental beetle (*Anomala orientalis*)
 Mole crickets (*Scapterisus* spp.)
 Aphodius spp

Northern & Southern masked chafers (*Cyclocephala borealis*, *C. immaculata*, *C. lurida*)

Use Precautions

- ETI 105 04 I may NOT be used on commercial sod farms.
- Do NOT apply more than 160 lbs. (0.4 lb of active ingredient) per acre per year.
- Do NOT make applications when turfgrass areas are waterlogged or the soil is saturated with water. Adequate distribution of the active ingredient cannot be achieved when these conditions exist.
- Avoid mowing turf or lawn area until after irrigation or rainfall has occurred so that the uniformity of the application will not be affected. The treated turf must be in such a condition that the rainfall or irrigation will penetrate vertically into the soil profile.

Application Instructions

ETI 105 04 I has sufficient residual activity to permit applications to be made preceding the egg laying activity of the target pests and high levels of control can be achieved when applications are made preceding or during the egg laying period. Historical monitoring of the site, previous records or experiences, current season adult trapping or other methods should be used to determine the need for an application. Best results occur when applications are made prior to egg hatch of the target pest followed by sufficient irrigation or rainfall to move the active ingredient through the thatch with optimum control if irrigation or rainfall occurs within 24 hours of application to move the active ingredient through the thatch. Irrigate treated areas following application to golf courses.

Pests Controlled	Application Rate	Instructions
Larvae of: Annual Bluegrass Weevil Asiatic Garden Beetle Billbugs Black Turfgrass Ataenius European Chafer European Crane Fly Japanese beetle Northern Masked Chafer Oriental Beetle <i>Phyllophaga</i> spp. Southern Masked Chafer	100 - 160 lbs. / acre (2.4-3.6 lbs. / 1000 sq. ft.)	Make application prior to egg hatch of the target pest for best results. Be sure to read the Application Equipment section of this label.
Mole Crickets	160 lbs. / acre (3.6 lbs. / 1000 sq. ft.)	Apply prior to or during the peak egg hatch period. If adults or large nymphs are present and actively tunneling, ETI 105 04 I applications should be accompanied by a curative insecticide.
For specific information regarding application timing, consult your local State Agricultural Experiment Station or State Extension Turf specialists.		

ORNAMENTALS

ETI 105 04 I may be broadcast applied to ornamentals in commercial and residential landscapes as well as landscaped areas in golf courses and other recreational areas.

Use Precautions

- Do NOT apply more than a total of 160 lbs. (0.4 lb. of active ingredient) per acre per year.
- Do NOT use in commercial greenhouses or nurseries or on sod farms.

Pests Controlled	Application Rate	Instructions
White Grub Larvae such as: Japanese beetle larvae Chafers <i>Phyllophaga</i> spp. Asiatic garden beetle Oriental beetle	2.8 - 3.6 lbs. / 1000 sq. ft.	Apply as a broadcast treatment being sure that prior to application, black plastic or other weed barrier material that will not permit water to permeate the soil is removed. For best results, mechanical incorporation, irrigation or rainfall should occur within 24 hours of application in order to move the active

Pests Controlled	Application Rate	
		ingredient into soil. Be sure to read the Application Equipment and Spreader Settings sections of this label.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store in a cool, dry place and in such a manner as to prevent cross contamination with other pesticides, fertilizers, food and feed. Store in original container and out of the reach of children, preferably in a locked storage area.

Handle and open container in a manner as to prevent spillage. If material is spilled for any reason or cause, carefully contain any spilled material to prevent non-target contamination. Do not walk through spilled material and dispose of as directed for pesticides above. Refer to Precautionary Statements on label for hazards associated with the handling of this material. In spill or leak incidents, keep unauthorized people away. You may contact CHEMTREC (1-800-424-9300) for decontamination procedures or any other assistance that may be necessary.

PESTICIDE DISPOSAL: Wastes resulting from the use of this product may be disposed of on site or at an approved waste facility.

CONTAINER DISPOSAL: Completely empty bag into application equipment. Dispose of empty bag in a sanitary landfill or by incineration or if allowed by the state and local authorities, by burning. If burned, stay out of smoke.

CONDITION OF SALE AND LIMITATION OF WARRANTY AND LIABILITY

NOTICE: Read the entire Directions for Use and Conditions of Sale and Limitation of Warranty and Liability before buying or using this product. If the terms are not acceptable, return the product at once, unopened, and the purchase price will be refunded.

The Directions for Use of this product should be followed carefully. It is impossible to eliminate all risks inherently associated with the use of this product. Ineffectiveness or other unintended consequences may result because of such factors as manner of use or application, weather, presence of other materials or other influencing factors in the use of the product, which are beyond the control of Etigra or Seller. All such risks shall be assumed by Buyer and User, and Buyer and User agree to hold Etigra and Seller harmless for any claims relating to such factors.

Etigra warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated in the Directions for Use, subject to the inherent risks referred to above, when used in accordance with directions under normal use conditions. This warranty does not extend to the use of this product contrary to label instructions, or under abnormal conditions or under conditions not reasonably foreseeable to or beyond the control of Seller or Etigra, and Buyer and User assume the risk of any such use. ETIGRA MAKES NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY EXCEPT AS STATED ABOVE.

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PURCHASE PRICE OF THE PRODUCT OR, AT THE ELECTION OF ETIGRA OR SELLER, THE REPLACEMENT OF THE PRODUCT.

Etigra and Seller offer this product, and Buyer and User accept it, subject to the foregoing Conditions of Sale and Limitation of Warranty and Liability, which may not be modified except by written agreement signed by a duly authorized representative of Etigra.

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