

**New York State Department of Environmental Conservation
Division of Solid & Hazardous Materials**

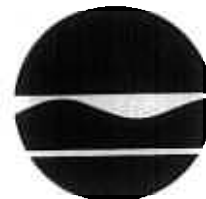
Bureau of Pesticides Management
Pesticide Product Registration Section

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Website: <http://www.dec.state.ny.us/website/dsh/pesticide/pesticide.htm>

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Denise Sheehan
Commissioner

November 9, 2006

(Via Email)

Ms. Debra Jennings
Bayer CropScience LP
2 T.W. Alexander Drive
Research Triangle Park, NC 27709

Dear Ms. Jennings:

**Re: FIFRA 2(ee) Recommendation for the use of Merit Tree Injection Insecticide
(EPA Reg. No. 432-1447)**

The Department of Environmental Conservation has approved your FIFRA 2(ee) Recommendation for **Merit Tree Injection Insecticide (EPA Reg. No. 432-1447)** allowing use at a less than labeled rate for control of Asian and Citrus Longhorned Beetles.

Enclosed is the stamped "accepted" copy of the recommendation as it is to appear in the Cornell Pest Management Guidelines. If you have any questions regarding this letter please contact me at 518-402-8768.

Sincerely,

Shaun M. Peterson
Environmental Chemist
Pesticide Product Registration Section

enclosure

cc w/enc: William Smith, Cornell University, PMEP
Robert Mungari, NYS Department of Agriculture and Markets

Bayer Environmental Science

Bayer Environmental Science
P.O. Box 12014
2 T.W. Alexander Drive
Research Triangle Park, North Carolina 27709
1-800-331-2867
<http://www.bayerprocentral.com>

Merit® Tree Injection Insecticide

EPA Reg. No. 432-1447

For injection into trees

PRODUCT BULLETIN

FOR DISTRIBUTION AND USE ONLY IN THE STATE OF NEW YORK

FIFRA Section 2(ee) Recommendation: This recommendation is made as permitted under FIFRA Section 2(ee) and has not been submitted to or accepted by the U.S. Environmental Protection Agency. It is a violation of federal law to use this product in a manner inconsistent with its label. This product bulletin must be in the possession of the user at the time of pesticide application. Follow all applicable directions, restrictions, Worker Protection Standard requirements, and precautions on the EPA registered label.

DIRECTIONS FOR USE

U.S.D.A. RATE SPECIFICATIONS FOR ASIAN AND CITRUS LONGHORNED BEETLE PROGRAMS. FOR USE ONLY UNDER U.S.D.A. SUPERVISION. FOR USE WITH U.S.D.A. APPROVED INJECTION DEVICES.

Read and follow the manufacturers' written documentation on the proper use and maintenance of the injector you are using. The following rates are generally recommended as a function of tree diameter at breast height (DBH).

2 to 23 inches DBH – 1 mL per diameter inch
24 inches DBH and above use 2 mL per diameter inch

GENERAL DIRECTIONS: To determine the initial number of needed injection holes, measure the tree at breast height using a standard forestry tape measure. a) If measuring the circumference, divide this number by six (6) to determine the number of holes needed. b) If measuring the diameter, divide this number by two (2) to determine the number of injection holes needed. c) Initial injector sites should be in the active sapwood, evenly spaced around the tree at the root buttress region and avoiding the root valleys. d) If a single hole cannot accept its full dose, that dose may be divided among the other initial injection holes. e) If additional injection holes are needed they may be spaced horizontally or vertically from the initial holes.

The minimum horizontal spacing for injection sites is 3 inches. The minimum vertical spacing for injection sites is 6 inches. Preferably vertical spacing should be staggered and not aligned. Do not apply more than once per calendar year.

**CLASSIFIED FOR
"RESTRICTED USE"
IN NEW YORK STATE
UNDER 6NYCRR PART 326**

ACCEPTED

NOV - 9 2006

NEW YORK STATE DEPARTMENT
OF ENVIRONMENTAL CONSERVATION
DIVISION OF SOLID & HAZARDOUS MATERIALS
PESTICIDE PRODUCT REGISTRATION