

100-740

01/04/2012

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

JAN 4 2012

OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

Ruhi Rezaaiyan
Syngenta Crop Protection, Inc.
P.O. Box 18300
Greensboro, NC 27419-8300

SUBJECT: Label Amendment to add Oats and Rye Seed Treatment
Dividend
EPA Reg. No. 100-740; Decision # 440120
Petition 0F7785; Decision # 440121
Your Submission Dated September 20, 2011

Dear Ms. Rezaaiyan:

The amended labeling referred to above, submitted in connection with registration under the Federal Insecticide Fungicide and Rodenticide Act (FIFRA), as amended to add oats and rye, is acceptable provided that you.

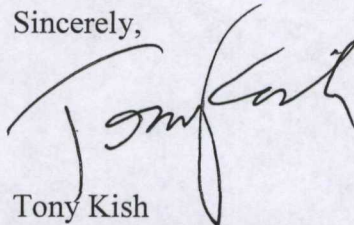
1. Make the following changes to the label.

- On page 2 add (PPE) after the heading "Personal Protective Equipment."
- On page 5 in the Agricultural Use Requirements box, line 7; add (REI) after "restricted-entry interval."
- On page 5 in the Agricultural Use Requirements box, second paragraph, second line; delete "(REI)".
- On page 7 delete the two post grazing sentences, "Green wheat, oats, rye or triticale...until 30 days after planting" as per page 8/59 in the HED risk assessment, dated 10/27/11.
- Delete pages 13, 14, and 15 which are already on the label.

Submit one copy of your final printed labeling before you release the product for shipment.

If you have any questions regarding this correspondence, contact Rose Kearns of my staff by phone at 703-305-5611 or via email at kearns.rosemary@epa.gov or myself at 703-308-9443 or via email at kish.tony@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Tony Kish". The signature is fluid and cursive, with the first name "Tony" written in a larger, more prominent script than the last name "Kish".

Tony Kish
Product Manager (22)
Fungicide Branch
Registration Division (7505P)

Enclosure

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Dividend®

Fungicide

A seed treatment for control of diseases of barley, canola, cotton, oats, rye, sweet corn, wheat and triticale

Active Ingredient:	
Difenoconazole*:	32.8%
Other Ingredients:	67.2%
Total:	100.0%

*CAS No. 119446-68-3

Contains 3.1 lbs. active ingredient per gallon.

EPA Reg. No. 100-740

EPA Est.

KEEP OUT OF REACH OF CHILDREN.

CAUTION

See additional precautionary statements and directions for use inside booklet.

SCP 740A

1 gallon
Net Contents

**ACCEPTED
with COMMENTS
In EPA Letter Dated
JAN - 4 2012**

**Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.
100-740**

FIRST AID	
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.
If inhaled	<ul style="list-style-type: none"> • Move person to fresh air. • If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible. • Call a poison control center or doctor for further treatment advice.
NOTE TO PHYSICIAN	
If ingested, induce emesis or lavage stomach. Treat symptomatically.	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment.	
HOT LINE NUMBER	
For 24 Hour Medical Emergency Assistance (Human or Animal) or Chemical Emergency Assistance (Spill, Leak, Fire, or Accident), Call 1-800-888-8372	

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

CAUTION

Causes moderate eye irritation. Avoid contact with eyes or clothing. Harmful if inhaled or absorbed through skin. Avoid breathing vapor or spray mist.

Personal Protective Equipment

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Shoes plus socks

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry.

Engineering Control Statements

When handlers use closed systems or enclosed cabs in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.240(d)(4-6)], the handler PPE requirements may be reduced or modified as specified in the WPS.

User Safety Recommendations

Users should:

- Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.
- Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.

Environmental Hazards

This product is toxic to fish and other aquatic invertebrates. For terrestrial uses: 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 equipment wash water or rinsate.

If treated seed is spilled outdoors or in areas accessible to birds, promptly clean up or bury to prevent ingestion.

CONDITIONS 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 must be followed carefully. It is impossible to eliminate all risks inherently associated with the use of this product. Crop Injury, ineffectiveness or other unintended consequences may result because of such factors as manner of use or application, weather or crop conditions, presence of other materials or other influencing factors in the use of the product, which are beyond the control of SYNGENTA CROP PROTECTION, Inc. or Seller. To the extent permitted by applicable law, Buyer and User agree to hold SYNGENTA and Seller harmless for any claims relating to such factors.

SYNGENTA 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. To the extent permitted by applicable law: (1) this warranty does not extend to the use of this product contrary to label instructions or under conditions not reasonably foreseeable to or beyond the control of Seller or SYNGENTA, and (2) Buyer and User assume the risk of any such use. To the extent permitted by applicable law, SYNGENTA MAKES NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY EXCEPT AS WARRANTED BY THIS LABEL.

To the extent permitted by applicable law, in no event shall SYNGENTA be liable for any incidental, consequential or special damages resulting from the use or handling of this product. **TO THE EXTENT PERMITTED BY APPLICABLE LAW, THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE EXCLUSIVE LIABILITY OF SYNGENTA AND SELLER FOR ANY AND ALL CLAIMS, LOSSES, INJURIES OR DAMAGES (INCLUDING CLAIMS BASED ON BREACH OF WARRANTY, CONTRACT, NEGLIGENCE, TORT, STRICT LIABILITY OR OTHERWISE) RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, SHALL BE THE RETURN OF THE PURCHASE PRICE OF THE PRODUCT OR, AT THE ELECTION OF SYNGENTA OR SELLER, THE REPLACEMENT OF THE PRODUCT.**

SYNGENTA 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 SYNGENTA.

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 in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application. For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation.

AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR part 170. This Standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE) and restricted-entry interval. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

Do not enter or allow worker entry into treated areas during the restricted-entry interval (REI) of 12 hours. Exception: If the seed is treated with the product and the treated seed is soil-injected or soil-incorporated, the Worker Protection Standard, under certain circumstances, allows workers to enter the treated area if there will be no contact with anything that has been treated.

PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil, or water is:

- Coveralls
- Chemical-resistant gloves made of any waterproof material
- Shoes plus socks

FAILURE TO FOLLOW THE DIRECTIONS FOR USE AND PRECAUTIONS ON THIS LABEL MAY RESULT IN CROP INJURY, POOR DISEASE CONTROL, AND/OR ILLEGAL RESIDUES.

GENERAL INFORMATION

Dividend is a systemic seed dressing which controls or suppresses certain seed-borne, soil-borne, and early season foliar diseases of wheat, barley, oats, rye, and triticale, and certain seed and seedling diseases of canola, sweet corn, and cotton. Use an EPA-approved dye or colorant that imparts an unnatural color to the seed.

Mixing Procedures

Apply Dividend as a water-based slurry through standard slurry or mist-type seed treatment equipment that accurately meters and mixes a liquid flowable seed treatment. The mix tank should be equipped with a mechanical or paddle agitator to ensure uniform blending of the slurry. The equipment must provide uniform coverage of Dividend on the seed. Uneven seed coverage may not give the desired level of disease control. Consult the manufacturer of the application equipment you plan to use for suitability for this application and for instructions on the operation and calibration of the equipment.

Fill the mix tank $\frac{1}{4}$ - $\frac{1}{2}$ full with clean water (see maximum recommended slurry volume table below). Start agitation of the mix tank. Next, open the container and add the recommended amount of Dividend into the mix tank, and maintain agitation. Thoroughly blend the mixture while adding the remainder of the required water.

After the mixture appears completely uniform, begin application to the seed. Mix the slurry thoroughly with the seed to provide uniform coverage.

The following table lists the maximum recommended total slurry volumes by crop.

Crop	Maximum fl. oz. slurry per 100 lbs. seed
Wheat, Oats, Rye and Barley	16
Canola	23
Sweet Corn	8 to 16
Cotton	30

Tank Mixtures

Confirm physical compatibility, seed safety, seed safety in stored seed, and biological efficacy before tank mixing with other seed treatment products.

Follow the label directions for the most restrictive of label precautions and limitations. This product cannot be mixed with any product containing a label prohibition against such mixing.

SEED BAG LABEL REQUIREMENT

Federal law requires that bags containing treated seeds shall be labeled with the following information: "This seed has been treated with difenoconazole fungicide. Do not use for feed, food, or oil purposes. Store away from feeds and foodstuffs. Use with an EPA-approved dye or colorant that imparts an unnatural color to the seed. Green wheat, oats, rye or triticale forage may not be grazed until 55 days after planting. Green barley forage may not be grazed until 30 days after planting. Do not plant any crop other than those on this label within 30 days to fields in which treated seeds were planted."

BARLEY

Apply Dividend to barley seed at the rates given in the following table:

Rate Dividend Per 100 lb seed	Diseases Controlled	Diseases Partially Controlled ¹
0.5 fl. oz.	Barley Stripe General Seed Rots ² Covered Smut Pythium Damping Off	Common Root Rot (<i>Cochliobolus</i> spp.) Fusarium Seed Scab Rhizoctonia Root Rot
1.0 fl. oz.	Barley Stripe General Seed Rots ² Fusarium Seed Scab Covered Smut Pythium Damping Off	Take-all Common Root Rot (<i>Cochliobolus</i> spp.) Fusarium Root Rot Fusarium Crown Rot Rhizoctonia Root Rot

¹Partial control can either mean erratic control from good to poor, or consistent control at a level below that is generally considered acceptable for commercial disease control.

²General seed rots controlled include those caused by saprophytic organisms such as *Penicillium* spp. and *Aspergillus* spp.

CANOLA

Apply Dividend at a rate of 1.0 fl. oz. of product per 100 lbs. of seed for protection against seed-borne blackleg caused by *Leptosphaeria maculens*. Tank mix Dividend with seed treatment fungicide Maxim® 4FS for broad spectrum protection against other diseases such as Fusarium and Rhizoctonia.

COTTON

Apply Dividend at a rate of 0.5 to 1.45 fl. oz. of product per 100 lbs. of seed for protection against preemergent and postemergent damping off seedling diseases caused by *Rhizoctonia* spp. and *Fusarium* spp. Use the higher rate where disease is expected to be severe. Always apply in combination with Apron XL® for activity against seed and seedling diseases caused by *Pythium* spp. Follow application and other instructions found on the Apron XL product label.

SWEET CORN

Apply Dividend at a rate of 0.5 to 1.24 fl. oz. of product per 100 lbs. of seed for control of die-back in sweet corn caused by *Penicillium* spp., *Fusarium* spp. and *Aspergillus* spp. Confirm physical compatibility, seed safety, seed safety in stored seed, and biological efficacy before tank mixing with other seed treatment products.

WHEAT, OATS, RYE AND TRITICALE

Apply Dividend to wheat or triticale seed at the rates given in the following table.

For control of damping-off of wheat caused by *Pythium* spp., the recommended rate of Dividend must be tank mixed with Apron XL in accordance with the most restrictive label limitations and precautions. No labeled dosage rate should be exceeded. Use Apron XL at a rate of 0.016 oz. active ingredient per 100 lbs. of seed (1 g of the active ingredient/100 kg of seed) tank mixed with the recommended rates of Dividend. Higher rates of Apron XL may be used in combination with Dividend if disease pressure is expected to be severe. Follow application and other instructions found on the Apron XL label.

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Winter Wheat and Triticale

Rate/100 lbs. seed	Diseases Controlled	Fall Season Foliar Diseases Controlled ¹	Early Season Control
0.5 fl. oz.	Common Bunt ¹ , Dwarf Bunt, Flag Smut, Seed-borne Septoria, Loose Smut, General Seed Rots ³ , Fusarium Seed Scab		Common Root Rot (<i>Cochliobolus</i> spp.), Rhizoctonia Root Rot
1 fl. oz.	Common Bunt ² , Dwarf Bunt, Loose Smut, Flag Smut, Seed-borne Septoria, General Seed Rots ³ , Fusarium Seed Scab	Fall Season Powdery Mildew, Fall Season Leaf Rust, Fall Season Septoria Leaf Blotch	Common Root Rot (<i>Cochliobolus</i> spp.), Fusarium Root Rot, Fusarium Crown Rot, Take-All, Rhizoctonia Root Rot

¹ Dividend provides control of fall season powdery mildew, fall season leaf rust, and fall season Septoria leaf blotch in winter wheat for the first 6 weeks after planting. For full season control of these foliar diseases, use Tilt® fungicide according to label instructions.

² Dividend controls both seed-borne and soil-borne common bunt.

³ General seed rots controlled include those caused by saprophytic organisms such as *Penicillium* spp. and *Aspergillus* spp.

Spring Wheat and Triticale

Rate/100 lbs. seed	Diseases Controlled	Early Season Control
0.5 fl. oz.	Common Bunt ¹ Seed-borne Septoria Loose Smut Flag Smut General Seed Rots ² Fusarium Seed Scab	Common Root Rot (<i>Cochliobolus</i> spp.) Rhizoctonia Root Rot
1 fl. oz.	Common Bunt ¹ Loose Smut Flag Smut Seed-borne Septoria General Seed Rots ² Fusarium Seed Scab	Common Root Rot (<i>Cochliobolus</i> spp.) Fusarium Root Rot Fusarium Crown Rot Take-All Rhizoctonia Root Rot

¹ Dividend controls both seed-borne and soil-borne common bunt.

² General seed rots controlled include those caused by saprophytic organisms such as *Penicillium* spp. and *Aspergillus* spp.

Oats

Rate/100 lbs. seed	Diseases Controlled
0.5 fl. oz.-1 fl. oz.	General Seed Rots ¹ Seedling Blight caused by seed- and soil-borne <i>Fusarium</i> and soil-borne <i>Pythium</i> Seedling Root Rot caused by seed- and soil-borne <i>Fusarium</i> and soil-borne <i>Pythium</i> <i>Pythium</i> and <i>Fusarium</i> Damping-Off Covered Smut Loose Smut Also suppression of Common Root Rot (<i>Cochliobolus</i> spp.)

¹ General seed rots controlled include those caused by saprophytic organisms such as , *Penicillium* and *Aspergillus*.

Rye

Rate/100 lbs. seed	Diseases Controlled	Diseases Suppressed ²
0.5 fl. oz.-1 fl. oz.	General Seed Rots ¹ Seedling Blight caused by seed- and soil-borne <i>Fusarium</i> and soil-borne <i>Pythium</i> Seedling Root Rot caused by seed- and soil-borne <i>Fusarium</i> and soil-borne <i>Pythium</i> Seed-borne <i>Septoria</i> <i>Pythium</i> and <i>Fusarium</i> Damping-Off Common Bunt Dwarf Bunt	Common Root Rot (<i>Cochliobolus</i> spp.) <i>Fusarium</i> Crown and Foot Rot Take-All

¹ General seed rots controlled include those caused by saprophytic organisms such as *Penicillium* and *Aspergillus*.

² Suppression means consistent control at a level which is not optimal but is still of commercial benefit.

STORAGE AND DISPOSAL

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

Pesticide Storage

Keep container tightly closed when not in use. Store out of the reach of children.


Pesticide Disposal

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

Container Handling

Non-refillable container. Do not reuse or refill this container. Offer for recycling if available. Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Drain for 10 seconds after the flow begins to drip. Fill the container ¼ full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use and disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Then offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

For minor spills, leaks, etc., follow all precautions indicated on this label and clean up immediately. Take special care to avoid contamination of equipment and facilities during cleanup and disposal of wastes.

Apron XL®, Dividend®, Maxim®, Tilt®, the Syngenta logo, and the CP FRAME  are trademarks of a Syngenta Group Company

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For non-emergency (e.g., current product information),
call Syngenta Crop Protection at 1-800-334-9481.

Manufactured for:
Syngenta Crop Protection, Inc.
P.O. Box 18300
Greensboro, North Carolina 27419-8300

SCP 740A

Dividend®

Fungicide

A seed treatment for control of diseases of barley, canola, cotton, oats, rye, sweet corn, wheat and triticale

Active Ingredient:	
Difenoconazole*:	32.8%
Other Ingredients:	67.2%
Total:	100.0%

*CAS No. 119446-68-3

Contains 3.1 lbs. active ingredient per gallon.

See directions for use in attached booklet.

AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR part 170. Refer to supplemental labeling under "Agricultural Use Requirements" in the Directions for Use section for information about this standard.

EPA Reg. No. 100-740

EPA Est.

KEEP OUT OF REACH OF CHILDREN.

CAUTION

SCP 740A

1 gallon
Net Contents

Precautionary Statements

Hazards to Humans and Domestic Animals

Causes moderate eye irritation. Avoid contact with eyes or clothing. Harmful if inhaled or absorbed through skin. Avoid breathing vapor or spray mist.

FIRST AID	
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.
If inhaled	<ul style="list-style-type: none"> • Move person to fresh air. • If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible. • Call a poison control center or doctor for further treatment advice.
NOTE TO PHYSICIAN	
If ingested, induce emesis or lavage stomach. Treat symptomatically.	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment.	
HOT LINE NUMBER	
For 24 Hour Medical Emergency Assistance (Human or Animal) or Chemical Emergency Assistance (Spill, Leak, Fire, or Accident), Call 1-800-888-8372	

Environmental Hazards

This product is toxic to fish and other aquatic invertebrates. For terrestrial uses: 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 equipment wash water or rinsate.

If treated seed is spilled outdoors or in areas accessible to birds, promptly clean up or bury to prevent ingestion.

Container Handling

Non-refillable container. Do not reuse or refill this container. Offer for recycling if available. Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Drain for 10 seconds after the flow begins to drip. Fill the container ¼ full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use and disposal. Drain for 10 seconds after the flow begins to

drip. Repeat this procedure two more times. Then offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

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Manufactured for:
Syngenta Crop Protection, Inc.
P.O. Box 18300
Greensboro, North Carolina 27419-8300

SCP 740A

DIV 740A MAS AMEND 0910 - bb - 9-20-10

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