

# UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

June 13, 2018

Matthew C. Flanery Regulatory Specialist, Seedcare Syngenta Crop Protection, LLC P.O. Box 18300 Greensboro, NC 27419

Subject: PRIA Label Amendment – new seed treatment use of difenoconazole on rapeseed

crop subgroup 20A Product Name: Dividend

EPA Registration Number: 100-740 Application Date: March 20, 2017

Decision Number: 527905

Dear Mr. Flanery:

The application referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act, as amended, is acceptable under FIFRA Section 3(c)(7)(B), subject to the following conditions:

- 1. You must submit and/or cite all data required for registration/registration/registration review of your product under FIFRA when the Agency requires all registrants of similar products to submit such data.
- 2. You are required to comply with the data requirements described in the DCI identified below:
  - a. Difenoconazole GDCI-128847-1602

You must comply with all of the data requirements within the established deadlines. If you have questions about the Generic DCI listed above, you may contact the Chemical Review Manager in the Pesticide Reevaluation Division:

http://iaspub.epa.gov/apex/pesticides/f?p=chemicalsearch:1

A stamped copy of your labeling is enclosed for your records. This labeling supersedes all previously accepted labeling. You must submit one (1) copy of the final printed labeling before you release the product for shipment with the new labeling. In accordance with 40 CFR 152.130(c), you may distribute or sell this product under the previously approved labeling for 18 months from the date of this letter. After 18 months, you may only distribute or sell this product if it bears this new revised labeling or subsequently approved labeling. "To distribute or sell" is defined under FIFRA section 2(gg) and its implementing regulation at 40 CFR 152.3.

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Should you wish to add/retain a reference to the company's website on your label, then please be aware that the website becomes labeling under the Federal Insecticide Fungicide and Rodenticide Act and is subject to review by the Agency. If the website is false or misleading, the product would be misbranded and unlawful to sell or distribute under FIFRA section 12(a)(1)(E). 40 CFR 156.10(a)(5) list examples of statements EPA may consider false or misleading. In addition, regardless of whether a website is referenced on your product's label, claims made on the website may not substantially differ from those claims approved through the registration process. Therefore, should the Agency find or if it is brought to our attention that a website contains false or misleading statements or claims substantially differing from the EPA approved registration, the website will be referred to the EPA's Office of Enforcement and Compliance.

Your release for shipment of the product constitutes acceptance of these conditions. If you fail to satisfy these data requirements, EPA will consider appropriate regulatory action including, among other things, cancellation under FIFRA section 6(e). If you have any questions, please contact Heather Garvie by phone at 703-308-0034 or via email at <a href="mailto:garvie.heather@epa.gov">garvie.heather@epa.gov</a>.

Sincerely, Cffiles-Parker

Cynthia Giles-Parker, Chief

Fungicide Branch

Registration Division (7505P)

Enclosure - stamped "accepted" label

## ACCEPTED

06/13/2018

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

100-740

[Master]

DIFENOCONAZOLE GROUP 3 FUNGICIDE

	 $\sim$	-	-	$\sim$	®

Fungicide

A seed treatment for control of diseases of small grain cereals: barley, oats, rye, triticale, and wheat; cotton; potato; rapeseed (including canola) crop subgroup 20A; and sweet corn

. 32.8%
67.2%
100.0%

Dividend is a flowable concentrate for seed treatment containing 3.1 lb difenoconazole per gallon.

#### KEEP OUT OF REACH OF CHILDREN.

#### CAUTION

See additional precautionary statements and directions for use inside booklet.

EPA Reg. No. 100-740

EPA Est.

\_\_\_\_ gallons Net Contents

<sup>\*</sup>CAS No. 119446-68-3

FIRST AID					
If in eyes	<ul> <li>Hold eye open and rinse slowly and gently with water for 15-20 minutes.</li> <li>Remove contact lenses, if present, after the first 5 minutes, then</li> </ul>				
	continue rinsing.				
	Call a poison control center or doctor for treatment advice.				
If inhaled	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, indu	ce emesis or lavage stomach. Treat symptomatically.				
Have the produc	ct 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					
Che	mical 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. Avoid breathing vapor or spray mist. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet. Remove and wash contaminated clothing before reuse.

## **Personal Protective Equipment (PPE)**

## **Applicators and other handlers must wear:**

- Long-sleeved shirt and long pants
- Chemical-resistant gloves: barrier laminate, butyl rubber ≥ 14 mils, nitrile rubber ≥ 14 mils, neoprene rubber ≥ 14 mils, polyvinyl chloride (PVC) ≥ 14 mils, or Viton® ≥ 14 mils
- 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. Discard clothing or other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them.

## **Engineering Controls**

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 thoroughly with soap and water after handing and before eating, drinking, chewing gum, using tobacco, or using the toilet.
- Remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

#### **Environmental Hazards**

This product is toxic to fish, shrimp, and other 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 equipment washwater 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, LLC 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 the 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 shall not 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.

Use is permitted on-farm and in commercial seed treatment facilities. Do not use for atplant applications (e.g. hopper box, planter box, etc.). This product is to be applied as a water-based slurry through standard slurry- or mist-type commercial seed treatment equipment.

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.

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

#### 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 (REI), and notification to workers. 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 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: barrier laminate, butyl rubber ≥ 14 mils, nitrile rubber ≥ 14 mils, neoprene rubber ≥ 14 mils, polyvinyl chloride (PVC) ≥ 14 mils, or Viton® ≥ 14 mils
- Shoes plus socks

Treatment of highly mechanically scarred or damaged seed or seed known to be of low vigor and poor quality may result in reduced germination and/or reduction of seed and seedling vigor. Treat a quantity of seed using equipment similar to that planned for treating the total seed lot. Then, conduct germination tests with a portion of this treated seed before committing the total seed lot to a selected seed treatment.

Due to seed quality, crop or variety sensitivity, and seed storage conditions beyond the control of Syngenta, no claims are made to guarantee the germination of seed or propagating material for all crop seed when treated with Dividend.

#### PRODUCT INFORMATION

Dividend is a systemic seed dressing which controls or suppresses certain seed-borne, soil-borne, and early season foliar diseases of small cereal grains: barley, oats, rye, triticale, and wheat, and certain seed and seedling diseases of cotton, potato, rapeseed crop subgroup 20A, and sweet corn.

#### RESISTANCE MANAGEMENT

## DIFENOCONAZOLE GROUP 3 FUNGICIDE

For resistance management, Dividend contains a Group 3/difenoconazole fungicide. Any fungal population may contain individuals naturally resistant to Dividend and other Group 3 fungicides. A gradual or total loss of pest control may occur over time if these fungicides are used repeatedly in the same fields. Appropriate resistance-management strategies should be followed.

Difenoconazole belongs to the triazole class of chemistry and is a demethylation inhibitor of sterol biosynthesis (DMI) which disrupts membrane synthesis of the fungal cell.

To delay fungicide resistance, take one or more of the following steps:

- Rotate the use of Dividend or other Group 3 fungicides within a growing season sequence with different groups that control the same pathogens.
- Use tank mixtures with fungicide from a different group that are equally effective on the target pest when such use is permitted. Use at least the minimum application rate as labeled by the manufacturer.
- Adopt an integrated disease management program for fungicide use that includes scouting, uses historical information related to pesticide use, and crop rotation, and which considers host plant resistance, impact of environmental conditions on disease development, disease thresholds, as well as cultural, biological and other chemical control practices.
- Where possible, make use of predictive disease models to effectively time fungicide applications. Note that using predictive models alone is not sufficient to manage resistance.
- Monitor treated fungal populations for resistance development.
- Contact your local extension specialist or certified crop advisor for any additional pesticide resistance-management and/or IPM recommendations for specific crop and pathogens.
- For further information or to report suspected resistance contact Syngenta at 1-866-Syngent(a) (866-796-4368). You can also contact your pesticide distributor or university extension specialist to report resistance.

Syngenta encourages responsible product stewardship to ensure effective long term control of the fungal diseases on this label.

#### **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 ½-½ 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 lb seed
Barley, Oats, Rye, Triticale,	16
and Wheat	
Canola	23
Cotton	30
Sweet Corn	8 to 16

- Use an EPA-approved dye or colorant that imparts an unnatural color to the seed as required in 40 CFR 153.155(c).
- Allow seed to dry before bagging.

#### **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 prohibiting such mixing.

#### SEED CONTAINER LABEL REQUIREMENTS

The Federal Seed Act requires that containers of treated seeds shall be labeled with the following statements:

- This seed has been treated with difenoconazole fungicide.
- Do not use for feed, food, or oil purposes.

In addition, the following statements are required on containers of seeds treated with Dividend:

- Do not allow children, pets, or livestock to have access to treated seed.
- Store away from feeds and foodstuffs.
- Wear long-sleeved shirt, long pants and chemical-resistant gloves when handling treated seeds.
- Treated seeds exposed on soil surface may be hazardous to wildlife. Cover or collect treated seeds spilled during loading.
- Dispose of all excess treated seed. Leftover treated seed may be doublesown around the headland or buried away from water sources in accordance with local requirements.
- Do not contaminate water bodies when disposing of planting equipment washwater.
- Dispose of seed packaging in accordance with local requirements.
- Excess treated seed may be used for ethanol production only if (1) By-products are not used for livestock feed, and (2) No measurable residues of pesticide remain in the ethanol by-products that are used in agronomic practice.
- Regardless of type of application (seed treatment, soil or foliar), do not apply more than 0.46 lb difenoconazole per acre (208.7 grams ai/A) per calendar year.

• In the event of crop failure or harvest of a crop grown from seeds treated with Dividend, the following crops may be replanted immediately:

#### **Immediate Plantback**

Carrot

Cereal Grains: Barley, Oats, Rye, Triticale, and Wheat

Cotton

Cucurbit Vegetables Crop Group 9

Dried Shelled Pea and Bean (Except Soybean) Crop Subgroup 6C

Fruiting Vegetables Crop Group 8-10

Head and Stem Brassica Crop Subgroup 5A

Leafy Brassica Greens Crop Subgroup 5B

Onion, Bulb, Crop Subgroup 3-07A

Onion, Green, Crop Subgroup 3-07B

Rapeseed Crop Subgroup 20A

Soybean

Strawberry

Sugarbeet

Sweet Corn

Tuberous and Corm Vegetables Crop Subgroup 1C

Turnip, Greens

 For any other crops the minimum plantback interval is 30 days from the date seeds treated with Dividend were planted.

#### **SEED TREATMENT DIRECTIONS**

**RESTRICTION:** Regardless of type of application (seed treatment, soil or foliar), do not apply more than 0.46 lb difenoconazole per acre (208.7 grams ai/A) per calendar year.

## SMALL GRAIN CEREALS: BARLEY, OATS, RYE, TRITICALE, AND WHEAT

Use Dividend to treat seeds of small grain cereals according to the following table:

#### **Dividend Rate Table for Small Grain Cereals**

Crop	For Protection Against the Following Diseases	Use Rate (fl oz/100 lb)	Use Rate (g ai/100 kg)
SMALL GRAIN CEREALS: Barley Oats Rye Triticale Wheat, Spring Wheat, Winter	Diseases Controlled:  General Seed Rots¹:  Seedling Disease Complex:    Damping-off, Seedling Blight,    Seed Rot, and Root Rot    caused by Fusarium species  Bunts²: Common, Dwarf, and Karnal Seed-borne Septoria species  Septoria Blotch³  Smuts: Covered, False Loose, Flag, and Loose,    Except Loose Smut (Ustilago nuda) in Barley  True Loose Smut (except in Barley)  Diseases Suppressed⁴:  Common Root Rot (Cochliobolus species)  Crown and Foot Rot (Fusarium species)  Rhizoctonia Root Rot  Take-All	0.5 – 1.0	Difenoconazole: 12 – 24

<sup>&</sup>lt;sup>1</sup>Active on pathogens that cause general seed rots. These seed rots include those caused by saprophytic organisms such as Penicillium and Aspergillus species.

<sup>&</sup>lt;sup>2</sup>Provides protection against both seed- and soil-borne bunts (common, dwarf).

<sup>&</sup>lt;sup>3</sup>Provides early-season foliar disease protection for up to 6 weeks after planting at the 1.0 fl oz/100 lb rate. For full-season protection, apply a foliar fungicide according to label directions.

<sup>&</sup>lt;sup>4</sup>Suppression means consistent protection at a level which is not optimal but is still of commercial benefit.

#### COTTON

Apply Dividend at a rate of 0.5 to 1.45 fl oz of product per 100 lb of seed for protection against pre-emergent and post-emergent damping-off seedling diseases caused by Rhizoctonia spp. and Fusarium spp. Use the higher rate where disease pressure is expected to be severe. Apply in combination with a mefenoxam containing product (e.g., Apron XL®) for activity against seed and seedling diseases caused by Pythium spp. Follow application and other instructions found on the Mefenoxam product label.

#### **POTATO**

Apply Dividend at a rate of 0.10 fl oz of product per 100 lb of potato seed tubers for protection against seed-borne Fusarium spp. causing dry rot seed decay. Tank mix Dividend with a seed treatment fungicide containing fludioxonil (e.g., Maxim® 4FS) for resistance management against Fusarium dry rot seed decay and broad spectrum protection against seed-borne *Rhizoctonia solani* that causes black scurf and stem and stolon canker and seed-borne *Helminthosporium solani*, the causal agent of silver scurf on potato tubers.

#### **RAPESEED CROP SUBGROUP 20A**

Borage, crambe, cuphea, echium, flax seed, gold of pleasure, hare's ear mustard, lesquerella, lunaria, meadowfoam, milkweed, mustard seed, oil radish, poppy seed, rapeseed, sesame, sweet rocket, and cultivars, varieties, and/or hybrids of these

Apply Dividend at a rate of 1.0 fl oz of product per 100 lb of seed for protection against seed-borne blackleg caused by *Leptosphaeria maculans*. Tank mix Dividend with a seed treatment fungicide containing fludioxonil (e.g., Maxim® 4FS) for broad spectrum protection against other diseases such as Fusarium and Rhizoctonia.

#### **SWEET CORN**

Apply Dividend at a rate of 0.5 to 1.24 fl oz of product per 100 lb of seed for suppression 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.

#### STORAGE AND DISPOSAL

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

## **Pesticide Storage**

Store in the original container and only in a cool, dry, secure place **Pesticide Disposal** 

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

### **Container Handling [less than or equal to 5 gallons]**

Non-refillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and 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 or 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 by other procedures approved by state and local authorities.

#### **Container Handling [greater than 5 gallons]**

Non-refillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container ¼ full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. 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 by other procedures approved by state and local authorities.

#### **Container Handling [greater than 5 gallons]**

Refillable container. Refill this container with pesticide only. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the person refilling. To clean container before final disposal, empty the remaining contents from this container into application equipment or mix tank. Fill the container about 10 percent full with water. Agitate vigorously or recirculate water with the pump

for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times. Then offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration, or by other procedures approved by state and local authorities.

## CONTAINER IS NOT SAFE FOR FOOD, FEED, OR DRINKING WATER.

Apron XL®, Dividend®, Maxim®, the ALLIANCE FRAME the Syngenta Logo, and the PURPOSE ICON are Trademarks of a Syngenta Group Company

Viton® is a trademark of E.I. DuPont de Nemours and 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, LLC P.O. Box 18300 Greensboro, North Carolina 27419-8300

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