



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Washington, D.C. 20460

OFFICE OF
CHEMICAL SAFETY AND
POLLUTION PREVENTION

Pat Dinnin
Staff Label Group Leader
Regulatory Affairs
Syngenta Crop Protection, LLC
PO Box 18300
Greensboro, NC 27419-8300

MAY 23 2012

Subject: Fludioxonil Technical
EPA Reg. No. 100-759
Notification dated March 2, 2012
Decision Number 462446

Dear Mr./Ms. Dinnin:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action requested falls within the scope of PRN 98-10.

The Agency acknowledges the change to the Warranty Statement.


The label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions, please call Lisa Jones at 703-308-9424 or you may call me at 703-305-6784.

Sincerely,

A handwritten signature in cursive script that reads "Marcel Howard".

Marcel Howard
Product Manger (20)
Fungicide Branch
Registration Division (7504P)

| | | |
|--|--|--|
|  United States Environmental Protection Agency Washington, DC 20460 | <input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other | OPP Identifier Number <hr/> NOTIFICATION |
|--|--|--|

Application for Pesticide - Section I

| | | |
|--|---|--|
| 1. Company/Product Number 100-759 | 2. EPA Product Manager Shaja Joyner | 3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted |
| 4. Company/Product (Name) Fludioxonil Technical | PM# 20 | |
| 5. Name and Address of Applicant (Include ZIP Code) Syngenta Crop Protection, LLC P. O. Box 18300 Greensboro, NC 27419 <input type="checkbox"/> Check if this is a new address | 6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____ | |

Section - II

| | |
|--|--|
| <input type="checkbox"/> Amendment - Explain below. | <input type="checkbox"/> Final printed labels in response to Agency letter dated _____ |
| <input type="checkbox"/> Resubmission in response to Agency letter dated _____ | <input type="checkbox"/> "Me Too" Application. |
| <input checked="" type="checkbox"/> Notification - Explain below. | <input type="checkbox"/> Other - Explain below. |

Explanation: Use additional page(s) if necessary. (For Section I and Section II.)
 This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

In accordance with PR Notice 98-10, Syngenta Crop Protection, LLC is submitting Notification to update the warranty statement for Fludioxonil Technical, EPA Reg. No. 100-759. The warranty statement has been updated to language approved by the EPA Office of General Counsel and by Syngenta Legal Counsel. A copy of the email correspondence is attached.

Section - III

| | | | |
|---|--|--|---|
| 1. Material This Product Will Be Packaged In: | | | |
| Child-Resistant Packaging <input type="checkbox"/> Yes* <input type="checkbox"/> No | Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 2. Type of Container <input type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____ |
| *Certification must be submitted | | If "Yes" Unit Packaging wgt. No. per Container | If "Yes" Unit Packaging wgt. No. per container |
| 3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container | | 4. Size(s) Retail Container 88.2 and 132.3 pounds | |
| | | 5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product | |
| 6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input checked="" type="checkbox"/> Other <u>Pressure Sensitive</u> <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled | | | |

Section - IV

| | | |
|--|--|---|
| 1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.) | | |
| Name Pat Dinnen | Title Label Group Leader, Regulatory Affairs | Telephone No. (Include Area Code) 336-632-2494 |
| I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law. | | 6. Date Application Received (Stamped) |
| 2. Signature  | 3. Title Label Group Leader, Regulatory Affairs | |
| 4. Typed Name Pat Dinnen | 5. Date March 2, 2012 | |



March 2, 2012

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 South Crystal Drive
Arlington, VA 22202-4501

Attention: Ms. Shaja Joyner, PM Team 20

**SUBJECT: FLUDIOXONIL TECHNICAL
EPA REG. NO. 100-759
NOTIFICATION TO UPDATE WARRANTY STATEMENT**

In accordance with PR Notice 98-10, Syngenta Crop Protection, LLC is submitting Notification to update the warranty statement for Fludioxonil Technical, EPA Reg. No. 100-759. The warranty statement has been updated to language approved by the EPA Office of General Counsel and by Syngenta Legal Counsel. A copy of the email correspondence is attached. Also attached is: EPA Form 8570-1 – Application for Pesticide Notification; one marked copy of the label showing the revisions to the warranty statement and one unmarked copy of the label; a CD of the unmarked label for electronic comparison; and Certificate with Respect to Label Integrity Form.

If you have any questions, please contact me at 336-632-2494. Thank you.

Sincerely,

Pat Dinnen
Staff Label Group Leader
Regulatory Affairs

Enclosures

cc: Teresa Cox

NOTIFICATION

MAY 23 2012

Fludioxonil Technical

For Formulation into End-Use Fungicide Products

| | |
|--|--------|
| Active Ingredient: | |
| Fludioxonil (CAS No. 131341-86-1)..... | 98.0% |
| Other Ingredients: | 2.0% |
| Total: | 100.0% |

Product of Switzerland

EPA Reg. No. 100-759

EPA Est. 70992-CHE-003

KEEP OUT OF REACH OF CHILDREN.

CAUTION

See additional precautionary statements on label.

SCP 759A-L3G 0710 (40 kg) [Prod ID 31509]

SCP 759A-L2G 0710 (60 kg) [Prod ID 30882]

SCP 759A-L2G 0710 (60 kg) [Prod ID 39977]

88.2 pounds (40 kg)

132.3 pounds (60 kg)

Net Weight

| 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 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 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 treatment advice. |
| If swallowed | <ul style="list-style-type: none"> • Call a poison control center or doctor immediately for treatment advice. • Have a person sip a glass of water if able to swallow. • Do not induce vomiting unless told to do so by a poison control center or doctor. • Do not give anything by mouth to an unconscious person. |
| 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

Harmful if inhaled or absorbed through skin. Avoid contact with eyes, skin, or clothing. Avoid breathing vapor or spray mist. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse.

Environmental Hazards

This product is toxic to fish and aquatic invertebrates. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or other waters, unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer

systems without previously notifying the local sewage treatment plant authority. For guidance, contact your State Water Board or Regional Office of the EPA.

DIRECTIONS FOR USE

It is a violation of federal law to use this product in a manner inconsistent with its labeling.

Only for formulation into fungicides for the following uses:

1. Terrestrial Food Crops: Field and Greenhouse Food Crops as well as Seed Treatments and Post Harvest Uses: root and tuber vegetables, leaves of root and tuber vegetables, bulb vegetables, leafy vegetables except *Brassica* vegetables, *Brassica* (cole) leafy vegetables, legume vegetables (succulent or dried), foliage of legume vegetables, fruiting vegetables (except cucurbits), curcubit vegetables, cereal grains, nongrass animal feeds (forage, fodder, straw and hay), herbs and spices, rape, cotton, peanut, crambe, flax, jojoba, lesquerella, safflower, sunflower, bushberry subgroup, caneberry subgroup, juneberry, lingonberry, pistachio, salal, and watercress and stone fruits.
2. Terrestrial Nonfood Uses: for use on turf including golf courses, institutional, commercial and residential lawns, sod farms, sports fields, parks, municipal grounds and cemeteries, and uses on ornamentals grown in interiorscapes, field nursery plantings, container nurseries, forest nurseries, residential and commercial landscapes, greenhouses, lath and shade houses, or other enclosed structures.
3. Uses for which EPA has accepted the required data and/or citations of data that the formulator has submitted in support of registrations; and
4. Uses for experimental purposes that are in compliance with USEPA requirements.

Syngenta recommends this product only for the uses cited above and makes no warranty, expressed or implied, with respect to experimental uses and disclaims all liability for damages attributable to such experimental uses.

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 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 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.

STORAGE AND DISPOSAL

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

Pesticide Storage

Store in a cool, dry place.

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

Fiber Drums with Liners: Non-refillable container. Do not reuse or refill this container. Completely empty liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into formulation equipment. Then offer for recycling if available or dispose of liner in a sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke. If drum is contaminated and cannot be reused, dispose of in a manner required by its liner.

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 procedures and disposal of wastes.

©2010 Syngenta

Product of Switzerland

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

SCP 759A-L3G 0710 (40 kg) [Prod ID 31509]
SCP 759A-L2G 0710 (60 kg) [Prod ID 30882]
SCP 759A-L2G 0710 (60 kg) [Prod ID 39977]

Fludioxonil Technical 759A-L2F-L3F 1203 - bb - 4-8-10
Fludioxonil Technical 759A-L2F-L3F 1203 CLEAN - pl - 8/20/10
Fludioxonil Technical 759A-L2G-L3G 0710 - pl - 8/20/10
Fludioxonil Technical 759A-L2G-L3G 0710 NOTIF MAR2012 CLEAN - pd - 03/02/2012
000100-00759.20120302.FLUDI-TECH_NOTIF_MAR2012.pdf