

100-797

04/24/2006

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Patrick McCain
Regulatory Product Manager
Syngenta Crop Protection, Inc.
P.O. Box 18300
Greensboro, NC 27419

APR 24 2006

Subject: Mefenoxam 45W
EPA Reg. No. 100-797
Your amendment dated January 23, 2006
EPA Decision Number 364496

Dear Mr. McCain:

The amended label referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act as amended is acceptable provided the following changes are made:

1. In the first paragraph of the section "CONDITIONS OF SALE AND LIMITATION OF WARRANTY AND LIABILITY", change "All such risks shall be assumed by Buyer and User, and Buyer and User agree...." to "To the fullest extent allowed by State law, Buyer and user agree...."
2. In the second paragraph of the section "CONDITIONS OF SALE AND LIMITATION OF WARRANTY AND LIABILITY", delete the words "or under abnormal conditions".
3. In the third paragraph of the section "CONDITIONS OF SALE AND LIMITATION OF WARRANTY AND LIABILITY", change "It is Syngenta's and Seller's intention that in no event shall SYNGENTA or Seller be liable for any incidental...." to "To the fullest extent allowed by State law, Syngenta or Seller shall not be liable for any incidental...."

One copy of the label stamped "Accepted with comments" is enclosed for your records. Please submit one copy of the final printed label that incorporates the required changes before the product is released for shipment.

If you have any questions, please contact Robert Westin by phone at (703) 305-5721 or via email at westin.robert@epa.gov.

Sincerely,

A handwritten signature in cursive script that reads "Mary L. Waller".

Mary L. Waller
Product Manager (21)
Fungicide Branch
Registration Division (7505C)

Enclosure

2/14

Master Label

**Apron XL® WS
Fungicide**

A seed treatment chemical for control of *Pythium* and *Phytophthora* causing damping-off, seed rot, and systemic downy mildew diseases of certain crops.

Active Ingredient:	
Mefenoxam*	45.0%
Other Ingredients:	55.0%
Total:	100.0%

*CAS Nos. 70630-17-0 and 69516-34-3

Apron XL WS is a wettable powder packaged in a water-soluble bag.

This outer protective container contains Apron XL WS in an inner water-soluble bag. Entire inner bag and contents dissolve in water. After opening outer container, immediately drop entire unopened inner bag into the partially filled sprayer or mix tank. Do not handle the soluble bag or expose it to moisture, since this may cause rupturing.

KEEP OUT OF REACH OF CHILDREN.

CAUTION

See additional precautionary statements on panel at left and directions for use on panel at right. (For the 4 lb. bag)

See additional precautionary statements and directions for use inside booklet. (For the 1 lb.)

EPA Reg. No. 100-797

EPA Est.

SCP 797A-M2

1 pound

4 pounds

Net Weight

**ACCEPTED
with COMMENTS
In EPA Letter Dated**

APR 24 2006
Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.

100-797

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 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 a poison control center or doctor. • Do not give anything by mouth to an unconscious person.
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.
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 swallowed or absorbed through skin. Avoid contact with skin.

Personal Protective Equipment (PPE)

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Chemical resistant gloves made of any waterproof material
- Shoes plus socks

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

Engineering Control Statements

When handlers use closed systems 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

Do not apply directly to water, to areas where surface water is present, or to intertidal areas below the mean high water mark. Apply only as specified on this label. Do not apply when weather conditions favor drift from treated areas. Do not contaminate water when disposing of equipment wash water or rinsate.

Physical or Chemical Hazards

Do not use or store near heat or open flame.

Groundwater Advisory

This chemical is known to leach through soil into groundwater under certain conditions as a result of agricultural use. Use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination.

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 should 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. All such risks shall be assumed by Buyer and User, and 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. This warranty does not extend to the use of the product contrary to label instructions, or under abnormal conditions or under conditions not reasonably foreseeable to or beyond the control of Seller or SYNGENTA, and Buyer and User assume the risk of any such use. SYNGENTA MAKES NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY EXCEPT AS STATED ABOVE.

IT IS SYNGENTA'S AND SELLER'S INTENTION THAT in no event shall SYNGENTA or Seller be liable for any incidental, consequential or special damages resulting from the use or handling of this product. **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.

Apron XL WS should be used only in accordance with recommendations on this label or in separately published Syngenta supplemental labeling recommendations for this product.

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 48 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 OR POOR DISEASE CONTROL.

STORAGE AND DISPOSAL

Do not contaminate water, food, or feed by storage, or disposal. Open dumping is prohibited.

Pesticide Storage

Store in a cool, dry place. Do not store this product under wet conditions. Handle outer packaging carefully to avoid breakage of inner soluble bag.

Pesticide Disposal

Wastes resulting from the use of this product are toxic. Improper disposal of unused pesticide, spray mixture, or rinsate is a violation of federal law. Pesticide, spray mixture, or rinsate that cannot be used according to label instructions must be disposed of according to federal, state, or local procedures. For guidance in disposal methods, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office.

Container Disposal

Do not reuse outer container. Dispose of empty outer container in a sanitary landfill, or by incineration, or by alternative methods allowed by state and local authorities. If burned, keep out of smoke from burning containers.

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. In the event of a major spill, fire, or other emergency, call 1-800-888-8372, day or night.

GENERAL INFORMATION

Apron XL WS is a systemic fungicide seed dressing specifically for control of systemic downy mildews and diseases caused by soil-borne *Pythium* and *Phytophthora* spp. When a rate range is specified, use higher rates of Apron XL WS when the disease pressure is expected to be high.

For control of other soil-borne diseases, such as *Rhizoctonia* spp., Apron XL WS should be applied in combination with other registered seed dressing fungicides.

Note: Apron XL WS is a systemic fungicide having a specific mode of action. Apron XL WS could be subject to development of insensitive strains of fungi. Development of insensitivity cannot be predicted. Therefore, Syngenta cannot assume liability for crop damage resulting from insensitive strains of fungi. Consult with your State Agricultural Experiment Station or Extension Service Specialist for guidance and ways to control any possible Apron XL WS insensitive strains of fungi which may occur.

Apron XL WS may be applied as a water-based slurry with other registered seed treatment insecticides and fungicides through standard slurry- or mist-type commercial seed treatment equipment.

Mixing Instructions

Prepare no more mixture than is needed for the immediate operation. Thoroughly clean spray equipment before using this product. **Vigorous agitation is necessary to dissolve the bag and disperse the product. Maintain maximum agitation throughout the spraying operation.** Do not let the spray mixture stand overnight in the spray tank. Flush the spray equipment thoroughly following each use.

Note: 1 lb. of Apron XL WS displaces 0.70 lb. of water.

Precautions: (1) Water soluble bags of Apron XL WS must be completely dissolved and dispersed in plain water before any other tank mix partner is added to the spray solution. (2) The maximum recommended concentration of Apron XL WS in slurries is 7 oz. of Apron XL WS in 10 oz. of water per 100 lbs. of seed.

Apron XL WS Alone: Add $\frac{1}{4}$ of the required amount of plain water to the spray or mixing tank. With the agitator running, drop the required number of **unopened** soluble bags of Apron XL WS into the tank all at once. Continue agitation while adding the remainder of the water. Begin application of the spray solution after the bags have dissolved and the material has completely dispersed into the mix water. Maintain agitation until all of the mixture has been applied.

Apron XL WS + Tank Mixtures: Add $\frac{1}{4}$ of the required amount of plain water to the spray or mixing tank. With the agitator running, drop the required number of **unopened** soluble bags of Apron XL WS, and any other products packaged in water-soluble bags, into the tank all at once. After the water-soluble bags have dissolved and the products have dispersed uniformly into the mix water, continue to fill the tank with water. Then add the desired amount of other products recommended for tank mixture and allow them to become completely dispersed. Continue agitation to maintain a uniform suspension until all of the spray solution has been applied.

If using Apron XL WS in a tank mixture with other seed treatment chemicals, observe all directions for use, crops/sites, use rates, dilution ratios, precautions, and limitations which appear on the tank mix product label. No label dosage rate should be exceeded, and the most restrictive label precautions and limitations should be followed. This product should not be mixed with any product, which prohibits such mixing.

SEED TREATMENT - DOMESTIC USE

Carrots For Pythium damping-off control: Apply Apron XL WS as a seed treatment at 0.27-0.53 oz./100 lbs. of seed.

Cereal Grains Wheat, barley, rye, oats, millet, rice, corn (field corn, sweet corn, and popcorn), buckwheat, and triticale.

For Pythium damping-off control: Apply Apron XL WS as a seed treatment at the rate of 0.27-0.53 oz./100 lbs. of seed.

For Pythium seed rot and damping-off control in field corn when applied in combination with Maxim™ or captan products at labeled rates: Apply Apron XL WS as a seed treatment at 0.035 oz./100 lbs. of seed.

For systemic downy mildew control of sweet corn: Apply Apron XL WS as a seed treatment at the rate of 1.06 oz./100 lbs. of seed.

For Pythium damping-off control in wheat, barley, rye, and oats, when applied in combination with Dividend® or other seed treatment products labeled for disease control in these crops: Apply Apron XL WS as a seed treatment at 0.035 oz./100 lbs. of seed.

For Pythium seed rot and damping-off control in rice when applied in combination with Vitavax® 200, 42-S Thiram, or RTU® Vitavax® Thiram at labeled rates: Apply Apron XL WS as a seed treatment at 0.035-0.07 oz./100 lbs. of seed.

Note: If using Apron XL WS treated rice seed, do not use Ridomil Gold™ for control of Pythium in water seeded rice.

Cotton For Pythium seed rot and damping-off control: Apply Apron XL WS as a seed treatment to machine-delinted or acid-delinted cottonseed at the rate of 0.27-0.53 oz./100 lbs. of seed.

Forage Grasses - Grasses grown for hay grazing or silage, corn (fodder or silage), and small grain grown for hay grazing or silage.

For Pythium damping-off control: Apply Apron XL WS as a seed treatment at the rate of 0.27-0.53 oz./100 lbs. of seed.

Forage Legumes

Alfalfa, clover, lespedeza, beans (for forage), soybeans (for forage), soybean hay, peas (for forage), pea vine hay, cowpeas (for forage), cowpea hay, trefoil, vetch, velvet beans (for forage)

For Pythium damping-off and early season Phytophthora control: Apply Apron XL WS as a seed treatment at the rate of 0.53 oz./100 lbs. of seed.

For suppression of early season downy mildew in alfalfa and soybeans: Apply Apron XL WS as a seed treatment at the rate of 0.53 oz./100 lbs. of seed.

Garden/Table Beets

For Pythium damping-off control: Apply Apron XL WS as a seed treatment at the rate of 0.53 oz./100 lbs. of seed.

Legume Vegetables and Okra

Black-eyed peas, cowpeas, edible soybeans, soybeans, field beans, chick peas (garbanzo beans), field peas, garden peas, green beans, kidney beans, lima beans, navy beans, okra, pinto beans, peas, pole beans, snap beans, string beans, wax beans, lentils, lupines

For Pythium damping-off control: Apply Apron XL WS as a seed treatment at 0.27-0.53 oz./100 lbs. of seed.

For Pythium damping-off control in field beans, kidney beans, navy beans, pinto beans, and lentils when disease pressure is expected to be low: Apply Apron XL WS as a seed treatment at 0.07-0.27 oz./100 lbs. of seed in combination with other seed treatment products labeled for these crops.

For early season Phytophthora control: Apply Apron XL WS as a seed treatment at 0.53 oz./100 lbs. of seed.

For Pythium damping-off and systemic downy mildew control of peas: Apply Apron XL WS as a seed treatment at the rate of 1.06 oz./100 lbs. of seed.

Peanuts

For Pythium seed rot and damping-off control: Apply Apron XL WS as a seed treatment at 0.27-0.53 oz./100 lbs. of seed.

Sorghum

For Pythium damping-off control on all sorghum cultivars: Use 0.27-0.53 oz. of Apron XL WS per 100 lbs. of seed applied as a seed treatment.

For Pythium damping-off control when pressure is expected to be low: Apply Apron XL WS as a seed treatment at 0.07-0.27 oz./100 lbs. of seed in combination with Maxim or captan products at labeled rates.

For systemic downy mildew control: Apply 0.53 oz. of Apron XL WS per 100 lbs. of seed on cultivars, which possess sorghum downy mildew resistance. To those cultivars, which do not possess resistance to a particular race of sorghum downy mildew grown in areas with recent history of severe disease, apply 1.06 oz. of Apron XL WS per 100 lbs. of seed as a seed treatment.

Note: Seed treated with the 1.06 oz. rate should be planted and not carried over to the following year.

Only high quality sorghum seed (90% germ and above) should be treated with Apron XL WS.

Soybeans

For Pythium damping-off and early season Phytophthora control: Apply Apron XL WS as a seed treatment at the rate of 0.27-0.53 oz./100 lbs. of seed.

For Pythium damping-off control when disease pressure is expected to be low: Apply Apron XL WS as a seed treatment at 0.07-0.27 oz./100 lbs. of seed in combination with other seed treatment products labeled for soybeans.

Spinach

For Pythium damping-off control: Apply Apron XL WS as a seed treatment at 0.27-0.53 oz./100 lbs. of seed.

Note: Do not apply Apron XL WS to spinach, which is destined to be grown in the greenhouse. Containers or bags containing Apron-treated spinach seed must be labeled with the restriction. "Do not use seed for spinach destined to be grown in the greenhouse."

Sugar Beets

For Pythium damping-off control: Apply Apron XL WS as a seed treatment at the rate of 0.27-0.53 oz./100 lbs. of seed.

Sunflower

For systemic downy mildew control: Apply Apron XL WS as a seed treatment at the rate of 1.06 oz./100 lbs. of seed.

Turfgrasses (All)

For Pythium damping-off control on golf courses, home lawns, reclamation, and erosion control projects: Apply Apron XL WS as a seed treatment at the rate of 0.53-1.06 oz./100 lbs. of seed.

Note: For long-term control of Pythium in areas when using Apron XL-treated seed, make an application of Subdue® MAXX® 7-10 days after seeding.

SEED TREATMENT-EXPORT USE

FOR TREATMENT OF THE FOLLOWING SEED FOR EXPORT ONLY TO COUNTRIES REQUIRING TREATMENT WITH Apron XL WS BEFORE IMPORTATION. User should verify actual registered rate in country of destination and/or use.

Brassica (Cole) Leafy Vegetables For Pythium damping-off control: Apply Apron XL WS as a seed treatment at 0.27-0.53 oz./100 lbs. of seed.

Corn For Pythium damping-off control: Apply Apron XL WS as a seed treatment at 0.27-0.53 oz./100 lbs. of seed.

For systemic downy mildew control: Apply Apron XL WS as a seed treatment at 1.77 oz./100 lbs. of seed.

Cucurbits For Pythium damping-off control: Apply Apron XL WS as a seed treatment at 0.27-0.53 oz./100 lbs. of seed

Fruiting Vegetables (e.g. tomatoes, peppers eggplant) For Pythium damping-off control: Apply Apron XL WS as a seed treatment at 0.27-0.53 /100 lbs. of seed.

Leafy Vegetables For Pythium damping-off control: Apply Apron XL WS as a seed treatment at 0.27-0.53 oz./100 lbs. of seed.

Millet For Pythium damping-off control: Apply Apron XL WS as a seed treatment at 0.27-0.53 oz./100 lbs. of seed.

For systemic downy mildew control: Apply Apron XL WS as a seed treatment at 2.0 oz./100 lbs. of seed.

Onions For Pythium damping-off control: Apply Apron XL WS as a seed treatment at 0.27-0.53 oz./100 lbs. of seed.

Peas For Pythium damping-off and early season Phytophthora control: Apply Apron XL WS as a seed treatment at the rate of 0.53-1.06 oz./100 lbs. of seed.

For downy mildew control, apply Apron XL WS as a seed treatment at 1.06 oz./100 lbs. of seed.

Root and Tuber Vegetables

For Pythium damping-off control: Apply Apron XL WS as a seed treatment at 0.27-0.53 oz./100 lbs. of seed.

Note: Do not apply Apron XL WS to potatoes.

Sorghum

For Pythium damping-off control: Apply Apron XL WS as a seed treatment at 0.27-0.53 oz./100 lbs. of seed.

For systemic downy mildew control: Apply Apron XL WS as a seed treatment at 1.77 oz./100 lbs. of seed.

Sunflower

For systemic downy mildew control: Apply Apron XL WS as a seed treatment at 3.1-3.72 oz./100 lbs. of seed.

Seed treated in accordance with the export use pattern must be labeled as follows: FOR EXPORT ONLY - NOT FOR DOMESTIC SALE OR USE.

Note: Federal law requires that bags containing treated seeds shall be labeled with the following information:

"This seed has been treated with Apron XL WS fungicide. Do not use for feed, food, or oil purposes. Store away from feeds and foodstuffs.

Use with an EPA-approved dye that imparts an unnatural color to the seed.

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