



100-821

02/10/1998

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

FEB 10 1998

Mr. Richard Pence
Novartis Crop Protection, Inc.
P. O. Box 18300
Greensboro, NC 27419-8300

Dear Mr. Pence:

Subject: Review of Labeling Amendment
Maxim
EPA Reg. No. 100-821
Your Submission of December 9, 1997

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended, is acceptable subject to the following comment:

Add the label statement, "Do not use treated seed for food or feed purposes."

A stamped copy is enclosed for your records. Please submit one (1) copy of your final printed labeling. The above change can be made at the next printing of your labeling.

Sincerely,

Mary L. Waller

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

Enclosure

Maxim™



Potato Seed Protectant

FUNGICIDE

A seed treatment product for suppression of certain diseases of potatoes

Active Ingredient:	
Fludioxonil (CAS #131341-86-1)	0.5%
Other Ingredients:	99.5%
Total:	100.0%

Maxim Potato Seed Protectant contains 0.005 lb. active ingredient per pound.

- M-LD Formulation
- Nu-Bark Formulation
- Hard Wood Bark Formulation
- Micro-Cel Formulation
- Alder Bark Formulation

Product ID.
54115

KEEP OUT OF REACH OF CHILDREN. CAUTION

See additional precautionary statements and directions for use at end of label.

EPA Reg. No. 100-821
EPA Est. 38091-ID-1

40 POUNDS
NET WEIGHT

 **NOVARTIS**

ACCEPTED
with COMMENTS
In EPA Letter Dated

2/10/98

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

100-821

Maxim™ Potato Seed Protectant

DIRECTIONS FOR USE AND CONDITIONS OF SALE AND WARRANTY

IMPORTANT: Read the entire **Directions for Use** and the **Conditions of Sale and Warranty** before using this product. If terms are not acceptable, return the unopened product container at once.

CONDITIONS OF SALE AND WARRANTY

The **Directions for Use** of this product reflect the opinion of experts based on field use and tests. The directions are believed to be reliable and should be followed carefully. However, it is impossible to eliminate all risks inherently associated with use of this product. Crop injury, ineffectiveness, or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or the manner of use or application all of which are beyond the control of Novartis Crop Protection, Inc. or the Seller. All such risks shall be assumed by the Buyer.

Novartis warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes referred to in the **Directions for Use** subject to the inherent risks referred to above. **Novartis makes no other express or implied warranty of Fitness or Merchantability or any other express or implied warranty. In no case shall Novartis or the Seller be liable for consequential, special, or indirect damages resulting from the use or handling of this product.** Novartis and the Seller offer this product, and the Buyer and user accept it, subject to the foregoing **Conditions of Sale and Warranty**, which may be varied only by agreement in writing signed by a duly authorized representative of Novartis.

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
- Waterproof gloves
- 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.

• Treatment of highly mechanically scarred or damaged seed pieces, or seed pieces known to be of low vigor and poor quality, except for the purpose of curative control of existing disease pests, may result in reduced germination and/or reduction of seed and seedling vigor. Conduct germination tests on a small portion of seed before committing the total seed lot to a selected seed treatment. Treat using equipment similar to that planned for treating the total seed lot.

GENERAL INFORMATION

Maxim Potato Seed Protectant is a dry fungicide seed protectant designed to suppress certain fungal diseases of potatoes. Maxim Potato Seed Protectant effectively suppresses *Fusarium* dry rot seed decay, seed borne *Rhizoctonia solani* that causes stem canker and tuber black scurf, and seed borne *Helminthosporium solani*, the causal agent of silver scurf disease on potato tubers. It does not control bacterial disease or disease present within the seed.

Maxim Potato Seed Protectant is to be used as an integral part of a potato disease management strategy. This strategy includes the use of high quality certified seed and the incorporation of cultural techniques such as: crop rotation and optimal harvest time for tubers to minimize disease development; proper handling of tubers without bruising. The practices should also include management and sanitation of equipment and storage areas to reduce disease inoculum. In addition, appropriate storage management practices that maintain appropriate temperature, ventilation and relative humidity to avoid free moisture or condensation must be carried out. Consult your local agricultural extension agent for more detailed information on disease management practices.

DO NOT USE ON SEED TO BE PLANTED FOR THE PRODUCTION OF SEED.

Note: Fludioxonil is a fungicide with a specific mode of action that could be subject to development of less sensitive strains of fungi. Development of insensitivity cannot be predicted. Therefore, Novartis cannot assume liability for crop damage resulting from insensitive strains of fungi. Consult your State Agricultural Experiment Station or Extension Service Specialist for guidance on your particular disease control situation.

Mixing Procedures

Use Maxim Potato Seed Protectant at the rate of 0.5 lbs. of product per 100 lbs. of seed pieces. Apply using equipment that ensures uniform and thorough coverage of each seed piece. Periodically clean and sanitize all surfaces of cutting (e.g., cutting machines, knives, and tables), as well as planting equipment and planters thoroughly, before cutting and planting seed pieces. After cutting, treated seed pieces should be planted in soil above 45°F with adequate soil moisture required for planting. If cut seed needs to be stored or held for a few days (7 days or less) make sure that there is adequate cool air (60°F) movement through the pile of cut seed potatoes at relative humidity of 85-90%. Cut and treated seed should not be piled above 6 feet in height. When transporting cut and Maxim treated seed, make sure the seed is covered.

Do not use treated seed pieces for food, feed, or fodder.

Apply only in areas with adequate ventilation or dust collection and control equipment.

Federal law requires that bags containing treated seed shall be labeled with the following information: "This seed has been treated with fludioxonil fungicide. Store away from feed and foodstuffs." Use an EPA-approved dye or colorant that imparts an unnatural color to the seed.

STORAGE AND DISPOSAL

Pesticide Storage and Disposal

Store in a cool, dry place. Do not contaminate water, food, or feed by storage, disposal, or cleaning of equipment. To dispose of wastes resulting from the use of this product, contact your State Pesticide or Environmental Control Agency or the Hazardous Waste representative at the nearest EPA regional office for guidance in proper disposal methods.

Maxim™ Potato Seed Protectant

Container Disposal

Dispose of empty bag 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 procedures and disposal of wastes. In the event of a major spill, fire, or other emergency, call 1-800-888-8372, day or night.

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals CAUTION

Causes eye irritation. Harmful if absorbed through skin. Avoid contact with eyes, skin, or clothing.

Statement of Practical Treatment

If in eyes: Flush with plenty of water. Get medical attention if irritation persists.

If on skin: Wash with plenty of soap and water. Get medical attention.

Note to Physician: If ingested, induce emesis or lavage stomach. Treat symptomatically.

Personal Protective Equipment

Applicators and other handlers must wear:

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

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions are available 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

This product is toxic to fish and aquatic invertebrates. Do not apply directly to water, 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 waters or rinsates.

Maxim™ trademark of Novartis
U.S. Patent No. 4,705,800

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Novartis Crop Protection, Inc.
Seed Treatment Products
Greensboro, North Carolina 27419
NCP 821A-L1A 1197