

100-821

11/23/2009



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Ms Pat Dinnen
Syngenta Crop Protection
P.O. BOX 18300
Greensboro, NC 27419

NOV 23 2009

Subject: Label Notification(s) for Pesticide Registration Notice 2007-4

Dear Registrant:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated September 2, 2009 for:

EPA Registration 100-821 Maxim ® Potato Seed Protectant

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and finds that the label change(s) requested falls within the scope of PRN-2007-4. The label has been date-stamped "Notification" and will be placed in our records.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying the batch of the pesticide distributed and sold be placed on nonrefillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.

If you have any questions, please contact me directly at 703-305-6249 or Banza Djapao of my staff at 703-305-7269.

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Arrington".

Linda Arrington
Notifications & Minor Formulations Team Leader
Registration Division (7505P)
Office of Pesticide Programs



U.S. States
Environmental Protection Agency
 Washington, DC 20460

<input type="checkbox"/>	Registration
<input type="checkbox"/>	Amendment
<input checked="" type="checkbox"/>	Other

OPP Identifier Number

Notification

Application for Pesticide - Section I

1. Company/Product Number 100-821	2. EPA Product Manager Mary Waller	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Maxim Potato Seed Protectant	PM# 21	
5. Name and Address of Applicant (Include ZIP Code) Syngenta Crop Protection, Inc. 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.

NOTIFICATION

NOV 23 2009

Explanation: Use additional page(s) if necessary. (For Section I and Section II.).

Notification of label change per PR Notice 2007-4. This Notification is consistent with the guidance of PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR §§156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the Confidential Statement of Formula for 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 the amended label is not consistent with the requirements of 40 CFR §§156.10, 156.140, 156.144, 156.146, and 156.156, 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.

Syngenta is amending the Storage and Disposal section of the label by Notification according to the directions stated in PR Notice 2007-4.

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 40 lb. and 50 lb.	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 type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled		<input checked="" type="checkbox"/> Other <u>Pressure Sensitive</u>	

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	Telephone No. (Include Area Code) 336-632-2494
Certification 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 <i>Pat Dinnen</i>	3. Title Regulatory Specialist	
4. Typed Name Pat Dinnen	5. Date September 2, 2009	



FedEx

September 2, 2009

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. Linda Arrington

**SUBJECT: MAXIM® POTATO SEED PROTECTANT
EPA REG. NO. 100-821
NOTIFICATION OF LABEL CHANGE PER PR NOTICE 2007-4**

Syngenta Crop Protection, Inc. is submitting Notification for Maxim Potato Seed Protectant, EPA Reg. No. 100-821. Syngenta is amending the Storage and Disposal section of the label by Notification according to the directions stated in PR Notice 2007-4.

Attached are:

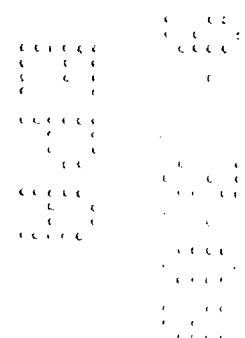
- One copy of the label with the changes clearly marked
- One unmarked copy of the label
- A CD of the unmarked copy of the label for "Electronic Comparison and Review"
- Certificate with Respect to Label Integrity Form
- Completed EPA Form 8570-1

Thank you in advance for approving this Notification. If you have any questions, please contact me at 336-632-2494.

Sincerely,

Pat Dinnen
Label Group Leader
Regulatory Affairs

Enclosures



Certification with Respect to Label Integrity

Version: 9/11/02

2/1/09

I certify that the information (including, but not limited to, text, tables, and graphics) contained in the electronic file identified below by file name and submitted with this certification is the same information as that on the paper copies of these documents included with this submission.

PROPOSED LABEL		
EPA Registration #	Date Submitted to EPA	Electronic file name
100-821	9/2/2009	000100-00821.20090902.MAXIM-PSP_PRN2007-4_SEP2009.pdf

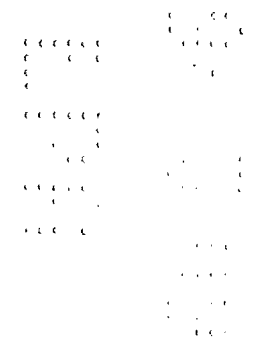
I certify that the statements that I have made on this form are true, accurate, and complete. I acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law.

Pat Dinnen
Signature

September 2, 2009
Date

Pat Dinnen
Name (typed)

Label Group Leader
Title



Maxim® Potato Seed Protectant

NOTIFICATION

Fungicide

NOV 23 2005

A seed treatment product for suppression of certain diseases of potatoes.

Active Ingredient:

Fludioxonil (CAS No. 131341-86-1).....0.5%

Other Ingredients:.....99.5%

Total:.....100.0%

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

KEEP OUT OF REACH OF CHILDREN.

CAUTION

See additional precautionary statements and directions for use at on label.

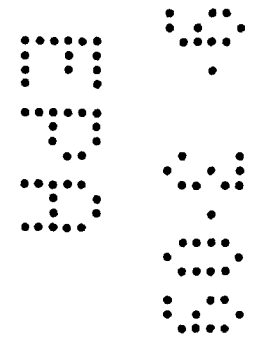
EPA Reg. No. 100-821
EPA Est. 2935-CA-1

Product of Switzerland
Formulated in the USA

SCP 821A-L3H 1003

50 pounds
Net Weight

40 pounds
Net Weight



FIRST AID	
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 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.
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

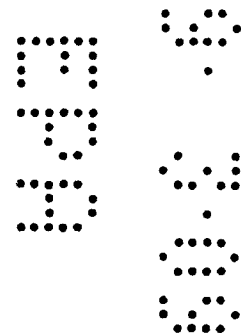
Causes moderate eye irritation. Harmful if absorbed through skin. Avoid contact with eyes, skin, or clothing. Wash thoroughly with soap and water after handling.

Personal Protective Equipment (PPE)

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Chemical resistant gloves made out of any waterproof material
- 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.

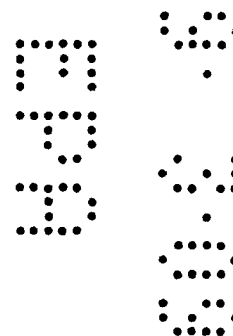
User Safety Recommendations

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 water or rinsates.



CONDITIONS OF SALE AND LIMITATION OF WARRANTY AND LIABILITY

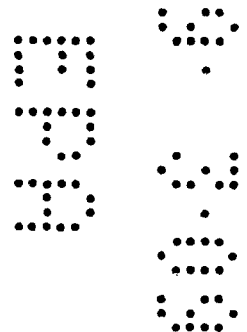
NOTICE: Read the entire Directions for Use and Conditions of Sale and Limitation of Warranty and Liability before buying or using this product. If the terms are not acceptable, return the product at once, unopened, and the purchase price will be refunded.

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.

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.



1/11

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 out of any waterproof material
- Shoes plus socks

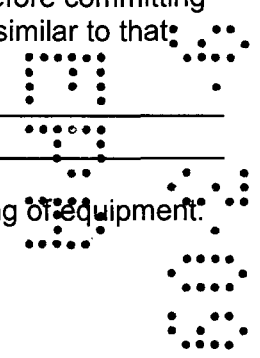
FAILURE TO FOLLOW THE DIRECTIONS FOR USE AND PRECAUTIONS ON THIS LABEL MAY RESULT IN CROP INJURY, POOR DISEASE CONTROL, AND/OR ILLEGAL RESIDUES.

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.

STORAGE AND DISPOSAL

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

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. 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.

Container Disposal/Handling

Non-refillable container. Do not reuse or refill this container. Completely empty bag into application equipment. Then offer for recycling if available or 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.

GENERAL INFORMATION

Maxim Potato Seed Protectant is a dry fungicide seed protectant designed to suppress certain fungal diseases of seed 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 nor diseases present within the seed.

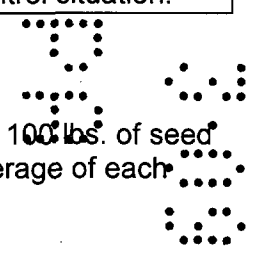
Maxim Potato Seed Protectant is to be used as an integral part of a potato disease management strategy. This strategy includes the use of high quality certified seed and the incorporation of cultural techniques such as: crop rotation and optimal harvest time for tubers to minimize disease development; 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, Syngenta 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 0.50 lb. 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, 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 ft. in height. When transporting cut and Maxim-treated seed, make sure the seed is covered.

Do not use treated seed pieces for food or feed purposes.

Apply only in areas with adequate ventilation and/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. Do not use treated seed for food or feed purposes." Use an EPA-approved dye or colorant that imparts an unnatural color to the seed.

Maxim® and the Syngenta logo 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.

Product of Switzerland
Formulated in the USA

Syngenta Crop Protection, Inc.
Greensboro, North Carolina 27409
www.syngenta-us.com

SCP 821A-L3H 1003

MAX PSP 821A-L3 AMD DRAFT aa-5-27-03 (highlight copy)
MAX PSP 821A-L3H 1003 aa-10-29-03 (clean copy)
MAX PSP 821A-L3H 1003 CLEAN – pd – 09/02/09
MAX PSP 821A-L3H 1003 PRN2007-4 NOTIF-SEP2009 – pl – 9/2/09

