



OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

OCT 2 2 2010

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

SUBJECT:

Application for Pesticide Notification (PRN 98-10)

Request General Label Change to delete the patent number

"Dividend® XL RTA ® Fungicide"

EPA Reg. No. 100-826

Application Dated August 20, 2010

# Dear Registrant:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated 8/20/2010 for the above product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action(s) requested fall within the scope of PRN 98-10. The label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions, please contact me directly at 703-305-5335 or Banza Djapao of my staff at 703-305-7269.

Sincerely,

aul Mastradone, Acting Leader

Notifications & Minor Formulations Team Leader

Registration Division (7505P)

Office of Pesticide Programs

Title

5. Date

August 20, 2010

Regulatory Specialist

both under applicable law.

Signature

Pat Dinnen

Typed Name

Pat Dinnen

#### **Booklet Label**

NOTIFICATION OCT 2 2 200

## Dividend® XL RTA®

# **Fungicide**

A seed treatment for control of diseases of wheat and barley

 Active Ingredients:
 3.21%

 Difenoconazole\*
 0.27%

 Mefenoxam\*\*
 0.27%

 Other Ingredients:
 96.52%

 Total:
 100.00%

Dividend XL RTA contains 0.31 lbs. difenoconazole and 0.025 lb. mefenoxam per gallon.

### KEEP OUT OF REACH OF CHILDREN.

### **CAUTION**

See additional precautionary statements and directions for use inside booklet.

EPA Reg. No. 100-826

EPA Est. 100-NE-001

SCP 826A-L1K 0709 (2½ gals. - Product ID 53445) SCP 826A-L2K 0709 (\_\_\_ gals. - Product ID 26024)

2.5 gallons Net Contents

\_\_\_ gallons Net Contents



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

<sup>\*\*</sup>CAS Nos. 70630-17-0 and 69516-34-3

|                   | FIRST AID  |
|-------------------|--|
| If on skin or     | Take off contaminated clothing.  |
| clothing          | Rinse skin immediately with plenty of water for 15-20 minutes.         |
|                   | Call a poison control center or doctor for treatment advice.           |
|                   | NOTE TO PHYSICIAN  |
| If ingested, indu | ce emesis and treat symptomatically.                                   |
| Have the produc   | et container or label with you when calling a poison control center or |
| doctor or going f | for treatment.   |
|                   | HOT LINE NUMBER  |
|                   | 4 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

Harmful if absorbed through skin. Avoid contact with skin, eyes, or clothing. Wear long-sleeved shirt and long pants, socks and shoes, and chemical-resistant gloves made of any waterproof material. Wash thoroughly with soap and water after handling.

## Personal Protective Equipment (PPE)

# Applicators and other handlers must wear:

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

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 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 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 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 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. To the fullest extent allowed by State 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. 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 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.

To the fullest extent allowed by State law, SYNGENTA or Seller shall not 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.

SYNGENTA and Seller offer this product, and Buyer and User accept it, subject to the foregoing Conditions of Sale and Limitation of Warranty and of 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.

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.

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, wear:

- Coveralls
- Socks plus shoes
- Chemical-resistant gloves made of any waterproof material

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

### **GENERAL INFORMATION**

Dividend XL RTA is a systemic seed dressing that controls or suppresses certain seed-borne, soil-borne, and early season foliar diseases of wheat and barley. It is a mixture of Dividend and Apron XL® LS. Apron XL LS provides Pythium damping-off activity and Dividend provides activity on the remaining diseases claimed on this label. An EPA-approved coloring agent, Pigment Red 48 has been added to the formulation.

**Note:** Mefenoxam is a systemic fungicide having a specific mode of action. Apron XL LS 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 mefenoxam insensitive strains of fungi which may occur.

### **MIXING PROCEDURES**

Dividend XL RTA is especially formulated for on-farm treatment, using standard mechanical slurry- or mist-type seed treatment equipment which accurately meters and mixes a flowable seed treatment. The equipment must provide uniform coverage of Dividend XL RTA on the seed. Uneven seed coverage may not give the desired level of disease control. This product does not require the addition of water for application. Consult the manufacturer of the application equipment you plan to use for suitability for this application and for instructions on operation and calibration of the equipment.

#### **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 prohibition against such mixing.

### RESTRICTIONS

- Do not use for feed, food, or oil purposes. Store away from feeds and foodstuffs, <</li>
- Green wheat forage may not be grazed until 55 days after planting.
- Green barley forage may not be grazed until 30 days after planting.
- Do not plant any crop other than those on this label within 30 days to fields in which treated seeds were planted.

#### SEED BAG LABEL REQUIREMENT

Federal law requires that bags containing treated seeds shall be labeled with the following information: "This seed has been treated with the fungicides difenoconazole (CAS No. 119446-68-3) and mefenoxam (CAS Nos. 70630-17-0 and 69516-34-3). Do not use for feed, food, or oil purposes. Store away from feeds and foodstuffs. Green wheat forage may not be grazed until 55 days after planting. Green barley forage may not be grazed until 30 days after planting. Do not plant any crop other than those on this label within 30 days to fields in which treated seeds were planted."

### **BARLEY**

Apply Dividend XL RTA to barley seed at the rates given in the following table:

| Rate/CWT   | Diseases Controlled            | Diseases partially controlled <sup>1</sup> |
|------------|--------------------------------|--|
| 5 fl. oz.  | Barley Stripe                  | Common Root Rot (Cochiliobolus spp.)       |
|            | General Seed Rots <sup>2</sup> | Fusarium Seed Scab                         |
|            | Covered Smut                   | Rhizoctonia Root Rot                       |
|            | Pythium Damping Off            |  |
| 10 fl. oz. | Barley Stripe                  | Take-all                                   |
|            | General Seed Rots <sup>2</sup> | Common Root Rot (Cochilobolus spp.)        |
|            | Fusarium Seed Scab             | Fusarium Root Rot                          |
|            | Covered Smut                   | Fusarium Crown Rot                         |
|            | Pythium Damping Off            | Rhizoctonia Root Rot                       |

<sup>&</sup>lt;sup>1</sup> Partial control can either mean erratic control from good to poor, or consistent control at a level below that is generally considered acceptable for commercial disease control.

<sup>&</sup>lt;sup>2</sup> General seed rots controlled include those caused by saprophytic organisms such as *Penicillium* spp. and *Aspergillus* spp.



# **WHEAT**

Apply Dividend XL RTA to wheat seed at the rates given in the following table:

### **Winter Wheat**

| Rate/CWT                 | Diseases Controlled  | Fall Season Foliar<br>Diseases Controlled <sup>1</sup>                            | Diseases Partially<br>Controlled <sup>2</sup>   |
|--------------------------|--|---|---|
| 2.5 fl. oz. <sup>5</sup> | Common Bunt<br>Loose Smut  |   |   |
| 5 fl. oz.                | Common Bunt <sup>3</sup> Dwarf Bunt Flag Smut Seed-borne Septoria Loose Smut General Seed Rots <sup>4</sup> Fusarium Seed Scab Pythium Damping-Off |   | Common Root Rot<br>(Cochliobolus spp.)<br>Rhizoctonia Root Rot  |
| 10 fl. oz.               | Common Bunt <sup>3</sup> Dwarf Bunt Loose Smut Flag Smut Seed-borne Septoria General Seed Rots <sup>4</sup> Fusarium Seed Scab Pythium Damping-Off | Fall Season Powdery Mildew Fall Season Leaf Rust Fall Season Septoria Leaf Blotch | Common Root Rot<br>(Cochliobolus spp.)<br>Fusarium Root Rot<br>Fusarium Crown Rot<br>Take-All<br>Rhizoctonia Root Rot |

<sup>&</sup>lt;sup>1</sup>Dividend XL RTA provides control of fall season powdery mildew, fall season leaf rust, and fall season Septoria leaf blotch in winter wheat for the first 6 weeks after planting. For full season control of these foliar diseases, use Tilt® fungicide according to label instructions.

<sup>&</sup>lt;sup>2</sup>Partial control can either mean erratic control from good to poor or consistent control at a level below that generally considered acceptable for commercial disease control.

<sup>&</sup>lt;sup>3</sup>Dividend XL RTA controls both seed-borne and soil-borne common bunt.

<sup>&</sup>lt;sup>4</sup>General seed rots controlled include those caused by saprophytic organisms such as *Penicillium* spp.

and Aspergillus spp. 
<sup>5</sup>The 2.5 fl. oz. rate should only be used in the following states: TX, OK, KS, CO, MO, NE, ND, SD, MN. MT, CA.

## **Spring Wheat**

| Rate/CWT                 | Diseases Controlled            | Diseases Partially Controlled⁴ |
|--------------------------|--------------------------------|--------------------------------|
| 2.5 fl. oz. <sup>3</sup> | Common Bunt                    |                                |
|                          | Loose Smut                     |                                |
|                          | Fusarium Seed Scab             |                                |
| 5 fl. oz.                | Common Bunt <sup>1</sup>       | Common Root Rot                |
|                          | Seed-borne Septoria            | (Cochliobolus spp.)            |
|                          | Loose Smut                     | Rhizoctonia Root Rot           |
|                          | General Seed Rots <sup>2</sup> |                                |
|                          | Fusarium Seed Scab             |                                |
|                          | Pythium Damping-Off            |                                |
| 10 fl. oz.               | Common Bunt <sup>1</sup>       | Take-All                       |
|                          | Loose Smut                     | Common Root Rot                |
|                          | Flag Smut                      | (Cochliobolus spp.)            |
|                          | Seed-borne Septoria            | Rhizoctonia Root Rot           |
|                          | General Seed Rots <sup>2</sup> |                                |
|                          | Fusarium Seed Scab             |                                |
|                          | Pythium Damping-Off            |                                |

<sup>&</sup>lt;sup>1</sup>Dividend XL RTA controls both seed-borne and soil-borne common bunt.

### STORAGE AND DISPOSAL

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

### **Pesticide Storage**

Keep container tightly closed when not in use. Store out of the reach of children.

# **Spill Response**

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

## **Pesticide Disposal**

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

<sup>&</sup>lt;sup>2</sup>General seed rots controlled include those caused by saprophytic organisms, such as *Penicillium* spp. and *Aspergillus* spp.

<sup>&</sup>lt;sup>3</sup>The 2.5 fl. oz. rate should only be used in the following states: TX, OK, KS, CO, MO, NE, ND, SD, MN, MT, CA.

<sup>&</sup>lt;sup>4</sup>Partial control can either mean erratic control from good to poor or consistent control at a level below that generally considered acceptable for commercial disease control.

# Container Handling [less than 5 gallons]

Non-refillable container. Do not reuse or refill this container. Offer for recycling if available. 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 and 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 if allowed by state and local authorities, by burning. If burned, stay out of smoke.

## Container Handling [greater than 5 gallons]

Refillable container. Refill this container with Dividend XL RTA 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, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

Apron XL®, Dividend®, Dividend® XL RTA®, Tilt®, the Syngenta logo and the CP FRAME are trademarks of a Syngenta Group Company

U.S. Patent No. 5,266,585

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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, Inc.
P.O. Box 18300
Greensboro, North Carolina 27419-8300

SCP 826A-L1K 0709 (2½ gals. - Product ID 53445)
SCP 826A-L2K 0709 ( gals. - Product ID 26024)

#### Base Label

### Dividend® XL RTA®

## **Fungicide**

A seed treatment for control of diseases of wheat and barley

**Active Ingredients:** 

| Difenoconazole*    | 3.21%   |
|--------------------|---------|
|                    | 0.27%   |
| Other Ingredients: | 96.52%  |
| Total:             | 100.00% |

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

Dividend XL RTA contains 0.31 lb. difenoconazole and 0.025 lb. mefenoxam per gallon.

### KEEP OUT OF REACH OF CHILDREN.

### **CAUTION**

See directions for use in attached booklet.

### AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR part 170. Refer to supplemental labeling under "Agricultural Use Requirements" in the Directions for Use section for information about this standard.

EPA Reg. No. 100-826

EPA Est. 100-NE-001

2.5 gallons Net Contents

<sup>\*\*</sup>CAS Nos. 70630-17-0 and 69516-34-3

| FIRST AID   |   |
|---|---|
| If on skin or   | Take off contaminated clothing.                                       |
| clothing  | Rinse skin immediately with plenty of water for 15-20 minutes.        |
|   | Call a poison control center or doctor for treatment advice.          |
|   | NOTE TO PHYSICIAN   |
| If ingested, induc  | e emesis and treat symptomatically.                                   |
| Have the product  | t container or label with you when calling a poison control center or |
| doctor or going for   | or 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

Harmful if absorbed through skin. Avoid contact with skin, eyes, or clothing. Wear long-sleeved shirt and long pants, socks and shoes, and chemical-resistant gloves made of any waterproof material. Wash thoroughly with soap and water after handling.

#### **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 rinsate.

If treated seed is spilled outdoors or in areas accessible to birds, promptly clean up or bury to prevent ingestion.

### STORAGE AND DISPOSAL

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

### **Pesticide Storage**

Keep container tightly closed when not in use. Store out of the reach of children.

## Spill Response

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

## **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**

Non-refillable container. Do not reuse or refill this container. Offer for recycling if available. 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 and 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, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

Dividend® XL RTA® and the Syngenta logo are trademarks of a Syngenta Group Company

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

SCP 826A-L1K 0709

DIV XL RTA 826-L1K-L2K 0709 - pl - 10/9/09 DIV XL RTA 826-L1K-L2K 0709 NOTIF AUG2010 - ea - 07/12/10 000100-00826.20100820.PATENT\_NOTIF\_AUG2010-HI.pdf

