

PM 22

100-885

2-9-98

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U.S. ENVIRONMENTAL PROTECTION AGENCY
Office of Pesticide Programs
Registration Division (7505C)
401 "M" St., S.W.
Washington, D.C. 20460

EPA Reg. Number:

100-885

Date of Issuance:

FEB 9 1998

Term of Issuance:

Conditional

Name of Pesticide Product:

Dividend® XL

NOTICE OF PESTICIDE:
 Registration
 Reregistration

(under FIFRA, as amended)

Name and Address of Registrant (include ZIP Code):

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

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act.

Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

This product is registered in accordance with FIFRA sec. 3(c) (7) provided that you:

1. Submit and/or cite all data required for registration/ reregistration of your product under FIFRA sec. 3(c) (5) when the Agency requires all registrants of similar products to submit such data; and submit acceptable responses required for reregistration of your product under FIFRA section 4.
2. Make the changes to the Booklet Label that are listed below before you release the product for shipment:
 - a. Add the appropriate EPA Establishment Number.
 - b. Change the beginning of the last paragraph in the "AGRICULTURAL USE REQUIREMENTS" box from:

"For early entry to treated areas that is permitted..."

to

"PPE required for early entry to treated areas that is permitted..."
 - c. In item (3) in the paragraph that begins with "Important:" and in the last sentence in the paragraph that follows it and begins with "Note:," both at the top of page 7, change:

Signature of Approving Official:

(S)

Date:

FEB 9 1998

"Do not plant any crop other than those on this label within 30 days..."

to

"Do not plant any crop other than wheat within 30 days..."

- d. On page 8, add "Waterproof gloves" as an additional bulleted item under the phrase "Applicators and other handlers must wear:". equipment."
3. Make the following changes to the Base Label (For 2½ Gallons):

- a. In the "Statement of Practical Treatment" section change:

"If inhaled: Move to fresh air."

to

"If inhaled: Remove victim to fresh air. If not breathing, give artificial respiration, preferably mouth-to-mouth. Get medical attention."

- 4. Submit one copy of your final printed label before you release this product for shipment.

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA Section 6(e). Your release for shipment of the product constitutes acceptance of these conditions.

Copies of the Acute Toxicology and Product Chemistry reviews are attached. A copy of the label stamped "ACCEPTED with COMMENTS" is also attached, for your records. If you have any questions about this letter, please contact John Bazuin at (703)305-7381.

Sincerely yours,

Cynthia L. Giles-Parker
Product Manager (22)
Fungicide-Herbicide Branch
Registration Division (7505C)

Attachments: Product label, stamped "Accepted with Comments"
Acute Toxicology and Product Chemistry reviews
A-79 Enclosure

DRAFT
Booklet Label

Dividend® XL

FUNGICIDE

A seed treatment for control of diseases of wheat.

Active Ingredients:

Difenoconazole: (CAS #119446)	16.5%
(R)-[(2,6-dimethylphenyl)-methoxyacetyl-amino]- propionic acid methyl ester	1.38%

Other Ingredients:	82.12%
<hr/> Total:	<hr/> 100.00%

Dividend XL contains 1.54 lbs. difenoconazole and 0.13 lbs. (R)-[(2-6-dimethylphenyl)-methoxyacetyl-amino]-propionic acid methyl ester per gallon.

2 1/2 Gallons
U. S. Standard Measure

_____ Gallons
U.S. Standard Measure

EPA Reg. No. 100-885

(For 2 1/2 Gallons)
EPA Est. _____

(For _____ Gallons)
EPA Est. _____

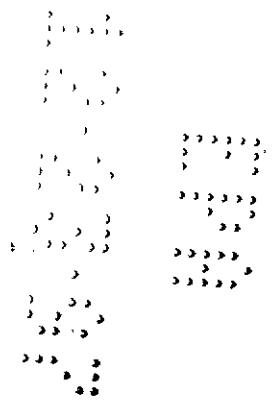
ACCEPTED
with **COMMENTS**
In EPA Letter Dated
FEB 9 1998
Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.
100-885

KEEP OUT OF REACH OF CHILDREN.

CAUTION

See additional precautionary statements and directions for use inside booklet.

NCP 885A-L1A 1197 (2 1/2 Gallon)
NCP 885A-L2A 1197 (___ Gallon)



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 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, and waterproof gloves.

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

General Information

Dividend XL is a systemic seed dressing that controls or suppresses certain seed-borne, soil-borne, and fall foliar diseases of wheat. 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: Apron XL LS 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, Novartis 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 LS insensitive strains of fungi which may occur.

Mixing Procedures

Apply Dividend XL as a water-based slurry through standard slurry or mist-type commercial seed treaters. Prepare a slurry by mixing Dividend XL in up to 16 fl. oz. of water per 100 lbs. of seed. Mix the slurry thoroughly with the seed to provide uniform coverage.

Wheat

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

Winter Wheat

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

¹Dividend XL 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.

²Partial 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.

³Dividend XL controls both seed-borne and soil-borne common bunt.

⁴General seed rots controlled include those caused by saprophytic organisms, such as *Penicillium* and *Aspergillus*.

⁵The 0.5 fl. oz. rate should only be used in the following states: TX, OK, KS, CO, MO, NE, ND, SD, MN, MT.

Spring Wheat

Rate/CWT	Diseases Controlled	Diseases Partially Controlled ⁴
2 fl. oz.	Common Bunt ¹ , Loose Smut, Flag Smut, Seed-borne Septoria, General Seed Rots ² , Fusarium Seed Scab, Pythium Damping-Off	Take-All, Common Root Rot Rhizoctonia Root Rot
1 fl. oz.	Common Bunt ¹ , Seed-borne Septoria, Loose Smut, General Seed Rots ² , Fusarium Seed Scab, Pythium Damping-Off	Common Root Rot (<i>Cochliobolus</i> spp.) Rhizoctonia Root Rot
0.5 fl. oz. ³	Common Bunt, Loose Smut, Fusarium Seed Scab	

¹Dividend XL controls both seed-borne and soil-borne common bunt.

²General seed rots controlled include those caused by saprophytic organisms, such as *Penicillium* and *Aspergillus*.

³The 0.5 fl. oz. rate should only be used in the following states: TX, OK, KS, CO, MO, NE, ND, SD, MN, MT.

⁴Partial 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.

Important: (1) Do not use treated seed for feed, food, or oil. (2) Green wheat may not be grazed until 55 days after planting. (3) Do not plant any crop other than those on this label within 30 days to fields in which treated seeds were planted.

Note: Federal law requires that bags containing treated seeds shall be labeled with the following information: "This seed has been treated with difenoconazole fungicide. Do not use for feed, food, or oil purposes. Store away from feeds and foodstuffs. Green wheat may not be grazed until 55 days after planting. Do not plant any crop other than those on this label within 30 days in fields in which treated seeds were planted."

Storage and Disposal

Pesticide Storage and Disposal

Do not contaminate water, food, or feed by storage, disposal, or cleaning of equipment. Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

(For 2½ Gallons)

Container Disposal

Do not reuse empty container. Triple rinse (or equivalent), and offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by incineration, or by open burning, if allowed by state and local authorities. If burned, keep out of smoke.

(For ____ gallons)

Container Refilling and Disposal

Thoroughly clean container before reuse **unless** this is a Novartis refillable container. If this is a Novartis refillable container, and is to be refilled, do not rinse or introduce any pesticide other than Dividend XL. Reseal and return the container to an authorized Novartis refilling facility. If the Novartis container is not to be refilled, triple rinse (or equivalent), and offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by incineration, or by open burning if allowed by state and local authorities. If burned, keep 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 and disposal of wastes. In the event of a major spill, fire, or other emergency, call 1-800-888-8372, day or night.

10243

Precautionary Statements

Hazards to Humans and Domestic Animals

CAUTION

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

Statement of Practical Treatment

If inhaled: Move to fresh air.

Note to Physician: If ingested, induce emesis and treat symptomatically.

Personal Protective Equipment

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- 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 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.

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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.

Apron®, Dividend®, and Tilt® trademarks of Novartis
U.S. Patent No. 5,266,585

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Novartis Crop Protection, Inc.
Seed Treatment Products
Greensboro, North Carolina 27419

NCP 885A-L1A 1197 (2½ Gallon)
NCP 885A-L2A 1197 (_ Gallon)

[QUARK/DIVIDEND XL/DIVIDEND XL BKLT] - ccg - 12/15/97

Def 13

Base Label
(For 2 1/2 Gallons)

Dividend® XL
FUNGICIDE

A seed treatment for control of diseases of wheat

Active Ingredients:

Difenoconazole: (CAS #119446)	16.5%
(R)-[(2,6-dimethylphenyl)-methoxyacetyl-amino]- propionic acid methyl ester	1.38%
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Total:	100.00%

Dividend XL contains 1.54 lbs. difenoconazole and 0.13 lbs. (R)-[(2-6-dimethylphenyl)-methoxyacetyl-amino]-propionic acid methyl ester per gallon.

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. 100-885

EPA Est.

2 1/2 Gallons
U.S. Standard Measure

KEEP OUT OF REACH OF CHILDREN.

CAUTION

Precautionary Statements

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Dividend® trademark of Novartis
U.S. Patent No. 5,266,585

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Novartis Crop Protection, Inc.
Seed Treatment Products
Greensboro, North Carolina 27419

NCP 885A-L1A 1197 (2½ Gallon)
NCP 885A-L2A 1197 (___ Gallon)

[QUARK\DIVIDEND XL\DIVIDEND XL BKLT] - ccg - 12/15/97