

PM 21

100-916

8-12-98

10/12



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

U.S. ENVIRONMENTAL PROTECTION AGENCY
Office of Pesticide Programs
Registration Division (H7505C)
401 "M" St., S.W.
Washington, D.C. 20460

EPA Reg. Number:

100-916

Date of Issuance:

AUG 12 1998

NOTICE OF PESTICIDE:
 Registration
 Reregistration

(under FIFRA, as amended)

Term of Issuance:
Conditional, expires
January 31, 1999

Name of Pesticide Product:
MAXIM XL FUNGICIDE

Name and Address of Registrant (include ZIP Code):

Novartis Crop Protection, Inc.
P.O. Box 18300
Greensboro, NC 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 conditionally registered in accordance with FIFRA sec. 3(c)(7)(A) provided that you:

1. Comply with the conditional requirements for registration for both fludioxonil (conditional registration expires October 31, 2001) and mefenoxam (conditional registration expires January 31, 1999).

2. Make the following label revisions:

A. Revise the EPA registration number to read 100-916 before you release the product for shipment.

B. In the first sentence under GENERAL INFORMATION revise to read "...diseases of corn, popcorn, sweet corn and sorghum. Maxim is active against...".

C. Under CORN (FIELD CORN AND POPCORN) delete the last two sentences beginning with "If additional Apron XL LS is required..." and "Follow application and other instructions..." since there are no label recommendations on corn for mixing with additional Apron.

Signature of Approving Official:

Mary J. Waller

Date:

AUG 12 1998

EPA Form 6570-6

CONCURRENCES

SYMBOL	H7505C						
SURNAME	Chandler						
DATE	8/12/98						

D. Under SORGHUM the final sentence in the second paragraph should read `...using Maxim XL at 0.334 fl. oz. per 100 lb. of seed.' The NOTE under SORGHUM can not be used as intended because the user can't calculate when the total amount of APRON XL LS reaches 1.28 fl. oz. It is suggested that an asterisk or other indicator be used in the second paragraph to flag this footnote when these high dosages are recommended.

E. Under SWEET CORN the information under IMPORTANT must be relocated into the GENERAL INFORMATION section since it applies to both corn and sorghum, not just sweet corn. Further, revise the statement for treated seed bags to read `This seed has been treated with 4-(2,2-difluoro-1,3-benzodioxol-4-yl)-1H-pyrrole-3-carbonitrile and mefenoxam fungicides. Do not use for feed ...'

F. Precautionary statements must be revised to read `Harmful if swallowed. Wash thoroughly with soap and water after handling.' The remainder of the proposed statements are not required and may be deleted.

G. The only statement of practical treatment required is the `IF swallowed' statement as proposed. The remainder may be deleted.

H. Under NOTE TO PHYSICIAN the statement should be revised to read `There is no specific antidote if Maxim is ingested. Induce ...'

3. Submit production information (pounds or gallons produced) for this product for the fiscal year in which the use on corn and sorghum seed is conditionally registered, in accordance with FIFRA sec. 29. The fiscal year begins October 1 and ends September 30. The product information will be submitted to the Agency no later than November 15, following the end of the preceding fiscal year. This information is submitted to:

Registration Support Branch
Registration Division (7505C)
401 M St., S.W.
Washington, D.C. 20460

4. Submit 2 copies of the revised final printed labeling before you release the product for shipment.

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

A stamped copy of the label is enclosed for your records.

Sincerely,

Mary L. Waller,
Mary L. Waller, PM 21
Fungicide Branch
Registration Division (7505C)

Com and Sorghum
Draft

Maxim™ XL

FUNGICIDE

A seed treatment product for control of certain diseases of corn, sweet corn, popcorn, and sorghum.

Active Ingredients:

Fludioxonil (CAS #131341)	21.0%
(R)-2-[(2,6-dimethylphenyl)-methoxyacetyl-amino]-propionic acid methyl ester	8.4%
<u>Other Ingredients:</u>	<u>70.6%</u>
Total:	100.0%

One Gallon _____ Gallons
U.S. Standard Measure U.S. Standard Measure

KEEP OUT OF REACH OF CHILDREN.

CAUTION

See additional precautionary statements and directions for use inside booklet.

EPA Reg. No. 100- *ORA*

EPA Est.

NCP
NCP

**ACCEPTED
with COMMENTS
In EPA Letter Dated
AUG 12 1998**
Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.
100-916



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.

Not for use on agricultural establishments in hopper-box, planter-box, slurry-box, or other seed-treatment applications at or immediately before planting.

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, or seed 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. Treat using equipment similar to that planned for treating the total seed lot. Conduct germination tests on a small portion of seed before committing the total seed lot to a selected seed treatment. Due to seed quality and seed storage conditions beyond the control of Novartis, no claims are made to guarantee the germination of carry-over corn and sorghum seed.

GENERAL INFORMATION

Maxim XL, a prepack of the active ingredients of Maxim 4FS and Apron XL LS, is a seed treatment fungicide which controls soil-borne and seed-borne diseases of corn, sweet corn, and sorghum. Maxim is active against *Pythium*, *Fusarium*, *Rhizoctonia*, *Helminthosporium*, and weakly pathogenic fungi such as *Aspergillus* and *Penicillium*. When rate ranges are given, use the higher rate when disease pressure is expected to be severe.

Mixing Procedures

Apply Maxim XL as a water-based slurry utilizing standard slurry seed treatment equipment which provides uniform seed coverage. Uneven or incomplete seed coverage may not give the desired level of disease control. Thoroughly mix the recommended amount of Maxim XL into the required amount of water for the slurry treater and dilution rate to be used. Follow the manufacturer application instructions for the seed treatment equipment being used. Maintain constant agitation of the slurry during the treatment. Allow seed to dry before bagging.

CORN (FIELD CORN AND POPCORN)

For control of seed-borne and soil-borne fungi which cause seed decay, damping-off and seedling blights, apply 0.167-0.334 fl. oz. of Maxim XL per 100 lb. of seed.

At the 0.167 fl. oz. use rate, this formulation delivers the equivalent of 2.5 grams active ingredient of Maxim 4FS and 1 gram active ingredient of Apron XL LS per 100 kg. of seed. The 0.334 fl. oz. rate delivers the equivalent of 5 grams of active ingredient of Maxim 4FS and 2 grams active ingredient of Apron XL LS per 100 kg of seed. If additional Apron XL LS is required, it may be tank-mixed with Maxim XL during preparation of the slurry mixture.

Follow application and other instructions found on the Apron XL LS product label.

SORGHUM

For control of seed-borne and soil-borne fungi which cause seed decay, damping-off and seedling blights of sorghum and for downy mildew control on cultivars which possess sorghum downy mildew resistance, Maxim XL must be tank-mixed with Apron XL LS. Apply 0.167 fl. oz. of Maxim XL tank-mixed with 0.278-0.598 fl. oz. of Apron XL LS per 100 lb. of seed. This mixture delivers the equivalent of 2.5 grams of Maxim 4FS and 7.5 grams - 15 grams active ingredient of Apron XL LS per 100 kg of seed. When higher disease pressure is expected, apply 0.334 fl. oz. of Maxim XL with an additional 0.235-0.555 fl. oz. of Apron XL LS per 100 lb. of seed. This mixture delivers the equivalent of 5.0 grams of Maxim 4FS and 7.5 grams - 15 grams active ingredient of Apron XL LS per 100 kg of seed.

For systemic downy mildew control on those cultivars which do not possess resistance to a particular race of sorghum downy mildew grown in areas with recent history of severe disease, add an additional 1.238 fl. oz. per 100 lb. of seed of Apron XL LS to the seed treatment slurry when using the 0.167 fl. oz. rate of Maxim XL. Add an additional 1.195 fl. oz. of Apron XL LS per 100 lb. of seed to the seed treatment slurry when using Maxim XL at 0.334 oz./cwt.

Follow application and other instructions found on the Apron XL LS product label.

Note: Seed treated with the equivalent of 1.28 fl. oz. of Apron XL LS should be planted and not stored or carried over to the following year.

SWEET CORN

For control of seed-borne and soil-borne fungi which cause seed decay, damping-off and seedling blights, apply 0.167-0.334 fl. oz. of Maxim XL per 100 lb. of seed.

Additional Apron XL LS must be added to the slurry mixture for Pythium damping-off control on sh² sweet corn. Add an additional 0.278 fl. oz. per 100 lb. of seed.

For control of systemic downy mildew of sweet corn, additional Apron XL LS must be added to the slurry at the rate of 1.238 fl. oz. per 100 lb.

Follow application and other instructions found on the Apron XL LS product label.

Important: (1) Do not use treated seed for feed, food, or oil. (2) Corn and sorghum forage may not be grazed until 30 days after planting.

Federal law requires that bags containing treated seed shall be labeled with the following information: "This seed has been treated with fludioxonil fungicide. (or when applied with Apron seed treatment: "This seed has been treated with fludioxonil and mefenoxam fungicide.) Do not use for feed, food, or oil purposes. Store away from feed and foodstuffs. Corn and sorghum forage may not be grazed until 30 days after planting." Use an EPA-approved dye or colorant that imparts an unnatural color to the seed.

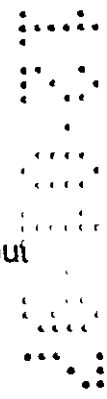
STORAGE AND DISPOSAL

Pesticide Storage and Disposal

Store in a cool, dry place. Do not contaminate water, food; or feed by storage, disposal or cleaning of equipment. Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility. If these wastes cannot be used according to label instructions, 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 (For one gallon, one quart)

Triple rinse (or equivalent), then 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.



Container Refilling and Disposal (For Bulk)

Refer to the label on container for refilling and disposal instructions.

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

Harmful if inhaled or absorbed through skin. Avoid contact with eyes, skin, or clothing. 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 in eyes: Flush with plenty of water. Call a physician if irritation persists.

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

If swallowed: Immediately drink 1 or 2 glasses of water and induce vomiting by touching back of throat with finger. Do not induce vomiting or give anything by mouth to an unconscious person. Call a physician or Poison Control Center.

If inhaled: Move to fresh air.

Note to Physician

There is no specific antidote if Maxim XL ingested. Induce emesis or lavage stomach. Treat symptomatically.

Note: Workers must wear long pants, long sleeve shirts, and chemical-resistant gloves when applying Maxim XL as a seed treatment to corn and sorghum.

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.

Apron® and Maxim™ trademarks of Novartis
U.S. Patent Nos. 4,151,299; 4,705,800

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Novartis Crop Protection, Inc.
Seed Treatment Products
Greensboro, NC 27419

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NCP

Initial Registration:



Pressure-Sensitive Label
(For One Gallon)

Maxim™ XL

FUNGICIDE

A seed treatment product for control of diseases of corn, sweet corn, popcorn, and sorghum.

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

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