

100-916

11-28-2000

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

NOV 28 2000

Gregory Watson, Ph.D.
Novartis Crop Protection, Inc.
P.O. Box 18300
Greensboro, NC 27419-8300

Subject: Maxim XL, EPA Registration Number 100-916
Your amended labeling submitted June 29, 2000

Dear Dr. Watson:

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, is acceptable.

A stamped copy of the revised label is enclosed for your records. Submit one copy of the final printed labeling before you release the product for shipment.

If you have any questions, please contact Lisa Jones of my staff by phone at (703) 308-9424 or by e-mail at jones.lisa@epa.gov.

Sincerely yours,

Mary L. Waller

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

Enclosure: Stamped label

CONCURRENCES							
SYMBOL ▶	7505C						
SURNAME ▶	Lisa Jones						
DATE ▶	Sep 25, 2000						

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Maxim® XL

FUNGICIDE

A seed treatment chemical for control of certain seed and seedling diseases of crop plants

Active Ingredient:

Fludioxonil (CAS No.131341-86-1)	21.0%
(R)-[2,6-dimethylphenyl)-methoxyacetyl-amino]- propionic acid methyl ester (CAS No. 70630-17-0)	8.4%
Other Ingredients:	70.6%
<hr/> Total:	<hr/> 100.0%

2.5 GALLONS
U.S. Standard Measure

15 GALLONS
U.S. Standard Measure

KEEP OUT OF REACH OF CHILDREN.

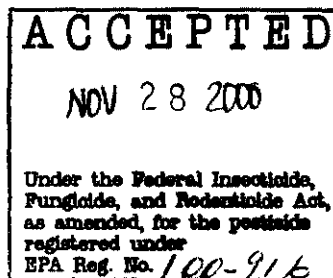
CAUTION

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

EPA Reg. No. 100-916

EPA Est. 5905-GA-1

NCP



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 laboratory and field trials. 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.

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, such as barrier laminate or butyl rubber or nitrile rubber or neoprene rubber or polyvinyl chloride (PVC) or viton
- Shoes plus socks

FAILURE TO FOLLOW DIRECTIONS 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 treated seed.

GENERAL INFORMATION

Maxim XL, a prepack of the active ingredients of Maxim 4FS (fludioxonil) and Apron XL™ LS, is a seed treatment fungicide which controls certain soil-borne and seed-borne diseases of crop plants. Fludioxonil is active against *Fusarium*, *Rhizoctonia*, seed-borne *Sclerotinia*, *Helminthosporium*, *Tilletia caries* (which causes common bunt in wheat) and weakly pathogenic fungi, *Aspergillus* and *Penicillium*. The other active ingredient is active against *Pythium*, *Phytophthora* and systemic downy mildew. On some crops, additional Apron XL LS will be required to control *Pythium*, *Phytophthora*, and systemic downy mildew. The amount of additional Apron XL LS needed will depend on the level of disease pressure. Follow all directions on the Apron XL LS label if mixed with Maxim XL.

The following guidelines may be used to determine the required rate of each product :

Step 1 - Select the rate of Maxim XL required based on the expected level of *Fusarium*, *Rhizoctonia*, seed-borne *Sclerotinia*, *Helminthosporium*, *Tilletia caries*, *Aspergillus*, or *Penicillium*. Use the higher rate (0.334 fl. oz. per 100 lbs. of seed) when high levels of disease are expected.

Step 2 - If necessary, select the rate of additional Apron XL LS required based on the expected level of *Pythium*, *Phytophthora*, or systemic downy mildew. See directions under each crop for specific rate.

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

Federal law requires that bags containing treated seeds shall be labeled with the following information: "This seed has been treated with Maxim

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XL fungicide. Do not use for feed, food, or oil purposes. Store away from feeds and foodstuffs. 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.

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.

Maxim XL used at 0.167 fl. oz. per 100 lbs. seed will deliver 2.5 grams active ingredient of fludioxonil and 1 gram of Apron XL LS active ingredient per 100 kg. seed. The 0.334 fl. oz. per 100 lbs. seed of Maxim XL will deliver 5 grams active ingredient of fludioxonil and 2 grams of Apron XL LS active ingredient per 100 kg. seed.

CARROTS, COTTON, FORAGE GRASSES, GARDEN BEETS, PEANUTS, LEAFY VEGETABLES AND SPINACH

For control of seed-borne and soil-borne fungi which cause decay, damping-off and seedling blight, apply Maxim XL and Apron XL LS as shown here:

Rate of Maxim XL* fl. oz. per 100 lbs. seed	Expected <i>Pythium</i> pressure	Rate of Apron XL LS fl. oz. per 100 lbs. seed
0.167	Low to Moderate <i>Pythium</i> damping-off	0.278
	High level of <i>Pythium</i> damping-off	0.598
0.334	Low to Moderate <i>Pythium</i> damping-off	0.234
	High Level of <i>Pythium</i> damping-off	0.553

*Refer to the general information section for additional guidance on rate selection.

SOYBEANS

For control of seed-borne and soil-borne fungi which cause decay, damping-off and seedling blight, and early season Phytophthora control, apply Maxim XL and Apron XL LS as shown here:

Rate of Maxim XL fl. oz. per 100 lbs. seed	Expected <i>Pythium</i> pressure	Rate of Apron XL LS fl. oz. per 100 lbs. seed
0.167	Low to Moderate level of <i>Pythium</i> damping-off control	0.117
	High level of <i>Pythium</i> and early season Phytophthora control	0.598
0.334	Low to Moderate level of <i>Pythium</i> damping-of control	0.074
	High Level of <i>Pythium</i> and early season <i>Phytophthora</i> control	0.553

*Refer to the general information section for additional guidance on rate selection

CEREAL GRAINS: WHEAT, BARLEY, RYE, OATS, BUCKWHEAT AND TRITICALE

For control of damping-off, caused by *Fusarium* spp., *Rhizoctonia* spp. and *Pythium* spp., and general seed rots caused by *Aspergillus* spp. and *Penicillium* spp. in wheat, barley, rye and oats, apply 0.167 to 0.334 fl. oz. of Maxim XL. Apply Maxim XL at 0.167-0.334 fl. oz. for control of *Tilletia caries* (Common Bunt) in wheat.

Maxim XL may also be used in combination with Dividend XL for damping off caused by *Fusarium* spp. in wheat. Maxim XL at 0.084 fl. oz. may be combined with labeled rates of Dividend XL for a broader spectrum of seedling disease control. Follow all label directions described on the Dividend XL label.

OTHER CEREAL GRAINS: MILLET AND RICE

For control of seed-borne and soil-borne fungi which cause decay, damping-off and seedling blight. Apply Maxim XL and Apron XL LS as shown here:

Rate of Maxim XL fl. oz. per 100 lbs. seed	Expected <i>Pythium</i> pressure	Rate of Apron XL LS fl. oz. per 100 lbs. seed
0.167	Low to Moderate <i>Pythium</i> damping-off	0.278
	High level of <i>Pythium</i> damping-off	0.598
0.334	Low to Moderate <i>Pythium</i> damping-off	0.234
	High Level of <i>Pythium</i> damping-off	0.553

*Refer to the general information section for additional guidance on rate selection

CORN: FIELD CORN AND POPCORN

For control of seed-borne and soil-borne fungi which cause seed decay, damping-off and seedling blight, apply 0.167 to 0.334 fl. oz. of Maxim XL per 100 lbs. seed. If the *Pythium* disease pressure is high, apply an additional 0.0425 fl. oz. of Apron XL LS tank mixing with 0.167 fl. oz. of Maxim XL per 100 lbs. of seed. Follow application and other instructions found on the Apron XL LS product label.

Note: If 0.334 fl. oz. of Maxim XL is used for corn, do not apply additional Apron XL LS.

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CORN: All Sweet Corn

For control of seed-borne and soil-borne fungi which cause decay, damping-off and seedling blight, and systemic downy mildew, apply Maxim XL and Apron XL LS as shown here:

Rate of Maxim XL fl. oz. per 100 lbs. seed	Expected <i>Pythium</i> pressure	Rate of Apron XL LS fl. oz. per 100 lbs. seed
0.167	Low to Moderate level of <i>Pythium</i> pressure.	0.278
	High level of <i>Pythium</i> pressure	0.598
	For systemic downy mildew control	1.23
0.334	Low to Moderate level of <i>Pythium</i> pressure	0.234
	High level of <i>Pythium</i> pressure	0.553
	For systemic downy mildew control	1.19

*Refer to the general information section for additional guidance on rate selection

FORAGE LEGUMES - ALFALFA, CLOVER, LESPEDEZA, BEANS (FOR FORAGE), SOYBEANS (FOR FORAGE), SOYBEAN HAY, PEAS (FOR FORAGE), PEA VINE HAY, COWPEAS (FOR FORAGE), COWPEA HAY, TREFOIL, VETCH, AND VELVET BEANS (FOR FORAGE)

For control of seed-borne and soil-borne fungi which cause decay, damping-off and seedling blight, and early season *Phytophthora* control, apply Maxim XL and Apron XL LS as shown here:

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Rate of Maxim XL fl. oz. per 100 lbs. seed	Expected <i>Pythium</i> pressure	Rate of Apron XL LS fl. oz. per 100 lbs. seed
0.167	For <i>Pythium</i> damping-off and early season phytophthora control	0.598
	For suppression of early season downy mildew in alfalfa and soybeans	0.598
0.334	For <i>Pythium</i> damping-off and early season Phytophthora control	0.553
	For suppression of early season downy mildew in alfalfa and soybeans	0.553

Note: Forage may not be grazed until 30 days after planting.

*Refer to the general information section for additional guidance on rate selection

LEGUME VEGETABLES - BLACK-EYED PEAS, COWPEAS, EDIBLE SOYBEANS, FIELD BEANS, CHICK PEAS (GARBANZO BEANS), FIELD PEAS, GARDEN PEAS, GREEN BEANS, KIDNEY BEANS, LIMA BEANS, NAVY BEANS, PEAS, PINTO BEANS, POLE BEANS, SNAP BEANS, STRING BEANS, WAX BEANS, LENTILS, AND LUPINES

For control of seed-borne and soil-borne fungi which cause decay, damping-off and seedling blight, and early season *Phytophthora* control, apply Maxim XL and Apron XL LS as shown here:

Rate of Maxim XL fl. oz. per 100 lbs. seed	Expected <i>Pythium</i> pressure	Rate of Apron XL LS fl. oz. per 100 lbs. seed
0.167	For low <i>Pythium</i> pressure	0.0425
	For high <i>Pythium</i> pressure	0.598
	For early season <i>Phytophthora</i> control	0.598
	For systemic downy mildew control in peas	1.23
0.334	For high <i>Pythium</i> pressure	0.553
	For early season <i>Phytophthora</i> control	0.553
	For systemic downy mildew control in peas	1.19

*Refer to the general information section for additional guidance on rate selection.

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 lbs. 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 lbs. of seed.

To those cultivars which do not possess resistance to a particular race of sorghum downy mildew in areas with recent history of severe disease, apply 0.167 fl. oz. of Maxim XL per 100 lbs. of seed with an additional 1.28 fl. oz. of Apron XL LS per 100 lbs. of seed for suppression of downy mildew. If higher disease pressure is expected, apply 0.334 fl. oz. of Maxim with an additional 1.195 fl. oz. of Apron XL LS per 100 lbs. of seed.

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

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

SUNFLOWER

For control of seed-borne and soil-borne fungi which cause decay, damping-off and seedling blight, apply Maxim XL and Apron XL LS as shown here:

Rate of Maxim XL fl. oz. per 100 lbs. seed	Expected <i>Pythium</i> pressure	Rate of Apron XL LS fl. oz. per 100 lbs. seed
0.167	For <i>Pythium</i> damping-off control	0.598
	For systemic downy mildew control	1.23
0.334	For <i>Pythium</i> damping-off control	0.553
	For systemic downy mildew control	1.19

*Refer to the general information section for additional guidance on rate selection.

ALL TURFGRASSES

For control of seed-borne and soil-borne fungi which cause decay, damping-off and seedling blight in turfgrass, apply Maxim XL and Apron XL LS on seed as follows:

Rate of Maxim XL fl. oz. per 100 lbs. seed	Expected <i>Pythium</i> pressure	Rate of Apron XL LS fl. oz. per 100 lbs. seed
0.167	Low to Moderate <i>Pythium</i> damping-off control	0.598
	High level of <i>Pythium</i> damping-off	1.23
0.334	Low to Moderate <i>Pythium</i> damping-off	0.553
	High Level of <i>Pythium</i> damping-off	1.19

*Refer to the general information section for additional guidance on rate selection.

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 2.5 gals.)

Do not reuse empty container. Triple rinse (or equivalent), 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 from burning containers.

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Container Refilling and Disposal (Refillable 15 gal.)

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 swallowed or absorbed through skin. Avoid contact with eyes, skin, or clothing.

Statement of Practical Treatment

If in eyes: Hold eyelids open and flush with a steady gentle stream of water for 15 minutes. Get medical attention if irritation persists.

If swallowed: Immediately call a physician or Poison Control Center. 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.

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

If inhaled: Move to fresh air.

Note to Physician

If ingested, induce emesis or lavage stomach. Treat symptomatically.

Personal Protective Equipment

Some materials that are chemical-resistant to this product are listed below. If you want more options, follow the instructions for Category C on an EPA chemical resistance category selection chart.

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants

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- Chemical-resistant gloves, such as barrier laminate or butyl rubber or nitrile rubber or neoprene rubber or polyvinyl chloride (PVC) or viton
- 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 used 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.

Environmental Hazards

This product is toxic to fish and aquatic invertebrates. Do not apply directly to water, or 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; 4705,800

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Novartis Crop Protection, Inc.
Seed Treatment Products
Greensboro, North Carolina 27419
www.cp.us.novartis.com

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Pressure Sensitive Label

Maxim® XL

FUNGICIDE

A seed treatment chemical for the control of certain seed and seedling diseases of crop plants

Active Ingredient:

Fludioxonil (CAS No.131341-86-1)	21.0%
(R)-[2,6-dimethylphenyl)-methoxyacetyl-amino]- propionic acid methyl ester (CAS No. 70630-17-0)	8.4%
Other Ingredients:	70.6%
<hr/> Total:	<hr/> 100.0%

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.

See additional precautionary statements and directions for use inside booklet.

2.5 GALLONS
U.S. Standard Measure

KEEP OUT OF REACH OF CHILDREN.

CAUTION

Precautionary Statements

Harmful if swallowed or absorbed through skin. Avoid contact with eyes, skin, or clothing.

Statement of Practical Treatment

If in eyes: Hold eyelids open and flush with a steady gentle stream of water for 15 minutes. Get medical attention if irritation persists.

If swallowed: Immediately call a physician or Poison Control Center. 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.

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

If inhaled: Move to fresh air.

Note to Physician

If ingested, induce emesis or lavage stomach. Treat symptomatically.

Environmental Hazards

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

Container Disposal

Do not reuse empty container. Triple rinse (or equivalent), 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 from burning containers.

Do not use, pour, spill, or store near heat or open flame.

For minor spills, leaks, etc., follow 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.

Maxim® trademark of Novartis

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EPA Est. 5905-GA-1

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Novartis Crop Protection, Inc.
Seed Treatment Products
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