

100-945

09/26/2006

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Patrick McCain
Regulatory Product Manager
Syngenta Crop Protection, Inc.
P.O. Box 18300
Greensboro, NC 27419

SEP 26 2006

Subject: Apron[®] MAXX[®] RTA[®] + Moly
EPA Reg. No. 100-945
Your amendment dated January 23, 2006
EPA Decision Number 370191

Dear Mr. McCain:

The amended label referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act as amended is acceptable provided the following changes are made:

1. In the first paragraph of the section "CONDITIONS OF SALE AND LIMITATION OF WARRANTY AND LIABILITY", change "All such risks shall be assumed by Buyer and User, and Buyer and User agree...." to "To the extent consistent with applicable law, Buyer and User agree...."
2. In the second paragraph of the section "CONDITIONS OF SALE AND LIMITATION OF WARRANTY AND LIABILITY", delete the words "or under abnormal conditions".
3. Change the last sentence of the second paragraph of the section "CONDITIONS OF SALE AND LIMITATION OF WARRANTY AND LIABILITY" from "SYNGENTA MAKES NO...EXCEPT AS STATED ABOVE." to "SYNGENTA MAKES NO EXCEPT AS WARRANTED BY THIS LABEL."
4. In the third paragraph of the section "CONDITIONS OF SALE AND LIMITATION OF WARRANTY AND LIABILITY", change "THE EXCLUSIVE REMEDY OF THE USER OR...." to "TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE EXCLUSIVE REMEDY OF THE USER OR...."

One copy of the label stamped "Accepted with comments" is enclosed for your records. Please submit one copy of the final printed label that incorporates the required changes before the product is released for shipment.

If you have any questions, please contact Robert Westin by phone at (703) 305-5721 or via email at westin.robert@epa.gov.

Sincerely,

A handwritten signature in cursive script that reads "Mary L. Waller".

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

Enclosure

2/9

**Apron[®] MAXX[®] RTA[®] + Moly
Fungicide**

Apron MAXX RTA + Moly is a ready-to-apply seed treatment fungicide for control of certain seed-borne, soil-borne, and seedling diseases of soybeans

Active Ingredients:

Mefenoxam*	1.02%
Fludioxonil**	0.68%
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Other Ingredients:	98.30%
Total:	100.00%

*CAS Nos. 70630-17-0 and 69516-34-3

**CAS No. 131341-86-1

Apron MAXX RTA + Moly contains molybdenum (4.67%) for treating soybean seed.

KEEP OUT OF REACH OF CHILDREN.

CAUTION

See additional precautionary statements and directions for use inside booklet.

Product ID.:

EPA Reg. No. 100-945
EPA Est.

SCP 945A-L1
SCP 945A-L3 (___ gal./bulk booklet)

2.5 gallons
Net Contents

_____ gallons
Net Contents

**ACCEPTED
with COMMENTS
In EPA Letter Dated
SEP 26 2006
Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.**

100-945

FIRST AID	
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.
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.
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

Harmful if absorbed through skin. Causes moderate eye irritation. Avoid contact with eyes, skin, or clothing.

Personal Protective Equipment (PPE)

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

Applicators and other handlers must wear:

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

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions exist for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

4/9

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 PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.
- Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.

Environmental Hazards

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 cleaning equipment or disposing of equipment wash water.

Physical and Chemical Hazards

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

Groundwater Advisory

This chemical is known to leach through soil into groundwater under certain conditions as a result of agricultural use. Use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination.

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.

IT IS SYNGENTA'S AND SELLER'S INTENTION THAT 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.

6/9

DIRECTIONS FOR USE

It is a violation of federal law to use this product in a manner inconsistent with its labeling.

Apron MAXX RTA + Moly should be used only in accordance with recommendations on this label or in separately published Syngenta supplemental labeling recommendations for this product.

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 made of any waterproof material
- Shoes plus socks

7/9

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

STORAGE AND DISPOSAL

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

Pesticide Storage

Store in original containers only. Store in a cool place. Protect from excessive heat. Keep container closed when not in use. Do not store near food or feed. In case of spill on floor or paved surfaces, mop and remove to chemical waste storage area until proper disposal can be made if product cannot be used according to the label.

Pesticide Disposal

Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of federal law. If these wastes cannot be disposed of by use 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.

Container Disposal

Plastic Containers

Triple rinse (or equivalent); then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill or by alternative methods allowed by state and local authorities.

Returnable Refillable Container

If Apron MAXX RTA + Moly is packaged in a returnable refillable container, then, after use, do not rinse container. The contents of this container cannot be completely removed by cleaning. Return container intact to point of purchase.

This container must only be refilled with Apron MAXX RTA + Moly. Refilling with materials other than Apron MAXX RTA + Moly will result in contamination and may weaken container. **DO NOT REUSE THE CONTAINER FOR ANY OTHER PURPOSE.** Before refilling, inspect thoroughly for damage such as cracks, punctures, abrasions, and damaged or worn threads on closure devices. Check for leaks after refilling and before transport. Do not refill or transport a damaged or leaking container.

Bulk and Minibulk Containers

Reseal container and offer for reconditioning, or triple rinse (or equivalent) and offer for recycling or reconditioning, or clean in accordance with manufacturer's instructions.

CONTAINER IS NOT SAFE FOR FOOD, FEED OR DRINKING WATER.

8/9

GENERAL INFORMATION

Apron MAXX RTA + Moly is a seed treatment fungicide that protects against damping-off and seed rots due to *Pythium*, *Phytophthora*, *Fusarium*, *Rhizoctonia* spp., and early season *Phytophthora* root rot. Apron MAXX RTA + Moly also suppresses seed-borne *Sclerotinia* and *Phomopsis* spp. Apron MAXX RTA + Moly contains the active ingredient mefenoxam found in Apron XL[®] LS that provides protection against *Pythium* and early season *Phytophthora* root rot. Apron MAXX RTA + Moly also contains the active ingredient fludioxonil found in Maxim[®] that provides protection against the remaining diseases mentioned in this label.

Note: Apron MAXX RTA + Moly is a systemic fungicide having a specific mode of action against fungal pathogens. Apron MAXX RTA + Moly 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 Apron MAXX RTA + Moly insensitive strains of fungi which may occur.

Mixing Instructions

Apron MAXX RTA + Moly is especially formulated for on-farm treatment, using standard mechanical slurry or mist-type seed treatment equipment which accurately measures and mixes a flowable seed treatment. The equipment must provide uniform coverage of Apron MAXX RTA + Moly on the seed. Uneven seed coverage may not give the desired level of disease control. The 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. Do not mix Apron MAXX RTA + Moly fungicide with other pesticides unless sufficient compatibility, loading rates, and crop safety factors are determined.

For Soybean Seed Treatment

Apron MAXX RTA + Moly provides protection against damping-off and seed rots due to *Pythium*, *Phytophthora*, *Fusarium*, *Rhizoctonia* spp., and early season *Phytophthora* root rot. Apron MAXX RTA + Moly also suppresses seed-borne *Sclerotinia* and *Phomopsis* spp. For these soybean diseases, Apron MAXX RTA + Moly is applied at the rate of 5.0 fl. oz. per 100 lbs. of seed. The suggested Apron MAXX RTA + Moly rates will deliver 3.75 grams active ingredient of Apron XL LS (mefenoxam) and 2.5 grams active ingredient of Maxim (fludioxonil) per 100 kilograms of seed. If the target fields have a history of high *Phytophthora* pressure, then use 5.0 fl. oz. of Apron MAXX RTA + Moly with 0.16-0.48 fl. oz. of Apron XL LS per 100 lbs. of seed. Read and follow all label directions for Apron XL LS use.

9/9

Apron MAXX RTA + Moly has been found to be compatible with some liquid inoculant products. Apron MAXX RTA + Moly may be mixed or applied sequentially with approved liquid inoculants. Consult the manufacturer of the liquid inoculants and a Syngenta Crop Protection seed treatment representative for directions before applying Apron MAXX RTA + Moly with liquid inoculants.

Note: Federal law requires that bags containing treated seeds shall be labeled with the following information: "This seed has been treated with mefenoxam and fludioxonil fungicides. Do not use for feed, food, or oil purposes. Store away from feeds and foodstuffs."

Apron[®] MAXX[®] RTA[®], Apron XL[®], Maxim[®] and the Syngenta logo are trademarks of a Syngenta Group Company

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

SCP 945A-L1 (2.5 gal. booklet)
SCP 945A-L3 (___ gal./bulk booklet)

APR MAX RTA MOL 945 DEC05 AMEND CLEAN - df - 12/14/05
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