

100-1158

3/12/2010

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

MAR 12 2010

Ms. Betty Brame
Regulatory Specialist II
Syngenta Crop Protection, Inc.
P.O. Box 18300
Greensboro, NC 27419

RE: Notification of Addition of Disease to the label
EPA Registration Number: 100-1158
Date of Submission: February 8, 2010

Dear Ms. Brame:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated, February 8, 2010, for the above mentioned product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the actions 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 me directly at 703-305-6249 or Joyce Edwards of my staff at 703-308-5479.


Sincerely,

A handwritten signature in black ink, appearing to read "Linda Arrington".

Linda Arrington
Notifications & Minor Formulations Team Leader
Registration Division (7505P)
Office of Pesticide Programs

20913

Please read instructions on reverse before completing form.

 United States Environmental Protection Agency Washington, DC 20460	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number
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Application for Pesticide - Section I

1. Company/Product Number 100-1158	2. EPA Product Manager Ms. Mary Waller	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Maxim® MZ	PM# 21	
5. Name and Address of Applicant (Include ZIP Code) Syngenta Crop Protection, Inc. P. O. Box 18300 Greensboro, NC 27419 <input type="checkbox"/> Check if this is a new address		6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____	NOTIFICATION MAR 12 2010
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.	
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.	

Explanation: Use additional page(s) if necessary. (For Section I and Section II.).

Per PR Notice 98-10, Syngenta Crop Protection, Inc. is providing a Notification and three copies of the Maxim MZ label. The following addition was made:
 Maxim MZ also provides protection against seed-to-seed transmission of the potato late blight pathogen caused by *Phytophthora infestans*.
 In the three enclosed copies of the label we have highlighted this addition which is in the **General Information** section. This is the only change made to this label.


Section - III

1. Material This Product Will Be Packaged In:			
Child-Resistant Packaging <input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2. Type of Container <input type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____
*Certification must be submitted		If "Yes" Unit Packaging wgt. No. per Container	If "Yes" Unit Packaging wgt. No. per container
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 50 lbs., Bulk	
5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product		6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled <input checked="" type="checkbox"/> Other <u>Pressure Sensitive</u>	

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Betty Brame	Title Regulatory Specialist II	Telephone No. (Include Area Code) 336-632-2494

Certification

I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.		6. Date Application Received (Stamped)
2. Signature 	3. Title Regulatory Specialist II	
4. Typed Name Betty Brame	5. Date February 8, 2010	

40913

NOTIFICATION

MAR 12 2010

Maxim® MZ

Fungicide

A seed treatment product for suppression of certain diseases of potatoes.

Active Ingredients:

Fludioxonil (CAS No. 131341-86-1)..... 0.50%

Mancozeb (CAS No. 8018-01-7)..... 5.70%

Other Ingredients:..... 93.80%

Total:..... 100.00%

Maxim MZ contains 0.005 lb. fludioxonil and 0.057 lb. mancozeb per pound.

KEEP OUT OF REACH OF CHILDREN.

CAUTION

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle. (If you do not understand the label, find someone to explain it to you in detail.)

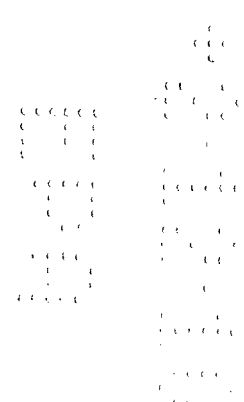
See additional precautionary statements and directions for use printed on bag.

EPA Reg. No. 100-1158

EPA Est.

SCP 1158A

50 pounds
Net Weight



5013

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.
If swallowed	<ul style="list-style-type: none"> • Call a poison control center or doctor immediately for treatment advice. • Have a person sip a glass of water if able to swallow. • Do not induce vomiting unless told to do so by a poison control center or doctor. • Do not give anything by mouth to an unconscious person.
If inhaled	<ul style="list-style-type: none"> • Move person to fresh air. • If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth, if possible. • 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

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 barrier laminate, butyl rubber, nitrile rubber, neoprene rubber, natural rubber, polyethylene, polyvinyl chloride (PVC), and Viton®. If you want more options, follow the instructions for category A on an EPA chemical-resistance category selection chart.

Loaders, Applicators, and other handlers must wear:

- Long-sleeved shirt
- Long pants
- Shoes plus socks
- Chemical-resistant gloves made from any waterproof material, and
- A NIOSH-approved respirator with a dust/mist filter with MSHA/NIOSH approval number prefix TC-21C or any N, R, P, or HE filter

In addition to the above PPE requirements, Mixers and Loaders must also wear:

- Protective eyewear
- Chemical-resistant apron

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry. Discard clothing or other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them.

Engineering Controls

Large scale seed piece treatment facilities that, on any given week in the current year or in the past year, treated $\geq 50,000$ cwt ($\geq 2,500$ tons) must use a dust collection system during the treatment of the seed pieces that prevents dust from contacting handlers or other persons.

Handlers using the dust collection system must wear:

- Long-sleeved shirt
- Long pants
- Shoes and socks
- Chemical-resistant gloves; and
- Must be provided with, have immediately available, and wear in an emergency, such as a broken package, spill, or equipment breakdown: a NIOSH-approved respirator with a dust/mist filter with MSHA/NIOSH approval number prefix TC-21C or any N, R, P, or HE filter.

User Safety Recommendations

Users should:

- Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.
- Remove clothing/PPE immediately if pesticide gets inside, then wash thoroughly and put on clean clothing.
- 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.

Environmental Hazards

This pesticide is toxic to aquatic organisms. Drift and runoff from treated areas may be hazardous to aquatic organisms in neighboring areas. 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 water or rinsate.

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 must 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 extent permitted by applicable 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. To the extent permitted by applicable law: (1) 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 (2) Buyer and User assume the risk of any such use. **TO THE EXTENT PERMITTED BY APPLICABLE LAW, SYNGENTA MAKES NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY EXCEPT AS WARRANTED BY THIS LABEL.**

To the extent permitted by applicable law, in no event shall SYNGENTA be liable for any incidental, consequential or special damages resulting from the use or handling of this product. **TO THE EXTENT PERMITTED BY APPLICABLE LAW, 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.

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 24 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
- Shoes plus socks
- 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 ILLEGAL RESIDUES.

Treatment of highly bruised or damaged seed pieces, or seed pieces 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. Conduct germination tests on a small portion of seed before committing the total seed lot to a selected seed treatment. Treat test samples using equipment similar to that planned for treating the total seed lot.

GENERAL INFORMATION

Maxim MZ is a dry seed protectant fungicide designed to suppress certain fungal diseases of seed potatoes. Maxim MZ effectively suppresses *Fusarium* dry rot seed decay, seed-borne *Rhizoctonia solani* that causes stem canker and tuber black scurf, and seed-borne *Helminthosporium solani*, the causal agent of silver scurf disease on potato tubers. It does not control bacterial disease nor diseases present within the seed. Maxim MZ also provides protection against seed-to-seed transmission of the potato late blight pathogen caused by *Phytophthora infestans*.

Maxim MZ is to be used as an integral part of a potato disease management strategy. This strategy includes the use of high quality certified seed and the incorporation of cultural practices such as: crop rotation, optimal harvest time for tubers to minimize disease development, and proper handling of tubers without bruising, etc. The practices should also include management and sanitation of equipment and storage areas to reduce disease inoculum. In addition, storage management practices that maintain appropriate temperature, ventilation, and relative humidity to avoid free moisture or condensation must be carried out. Consult your local agricultural extension agent for more detailed information on disease management practices.

Note: Fludioxonil is a fungicide with a specific mode of action that could be subject to development of less sensitive strains of fungi. Development of insensitivity cannot be predicted. Consult your State Agricultural Experiment Station or Extension Service Specialist for guidance on your particular disease control situation.

Mixing Procedures

Use Maxim MZ at the rate of 0.5 lb. of product per 100 lbs. of seed pieces. Apply using equipment that ensures uniform and thorough coverage of each seed piece. Periodically clean and sanitize all surfaces of cutting (e.g., cutting machines, knives, tables, etc.), as well as planting equipment and planters thoroughly before cutting and planting seed pieces. After cutting, treated seed pieces should be planted in soil above 45°F with adequate soil moisture required for planting. If seed pieces need to be stored or held for a few days, make sure that there is adequate cool air (60°F) movement through the pile of seed pieces at relative humidity of 85-90%. Seed pieces and treated seed should not be piled above 6 ft. in height. When transporting seed pieces and Maxim MZ-treated seed, make sure the seed is covered.

For best results, the seed must be completely and uniformly covered with fungicide. Do not use treated seed pieces for food or feed purposes.

Apply only in areas with adequate ventilation and/or dust collection and control equipment.

LABELING OF BAGGED TREATED SEED PIECES

Federal law requires that bags containing treated seed shall be labeled with the following information:

"This seed has been treated with fludioxonil and mancozeb fungicides. Do not use treated seed for food or feed. Store away from feed and foodstuffs."

Seeds/seed-pieces that have been treated with this product that are then packaged or bagged for future use must contain the following labeling on the outside of the seed/seed-piece package or bag:

When opening this bag or loading/pouring the treated seed/seed-pieces, wear long-sleeved shirt, long pants, shoes, socks, chemical-resistant gloves, and a NIOSH-approved respirator with a dust/mist filter with MSHA/NIOSH approval number prefix TC-21C or any N, R, P, or HE filter.

Treated Seed/Seed-Pieces - Do Not Use for Food, Feed, or Oil Purposes.

After the seeds/seed pieces have been planted, do not enter or allow worker entry into treated areas during the restricted-entry interval (REI) of 24 hours. Exception: Once the seeds/seed pieces are planted in soil or other planting media, the Worker Protection Standard allows workers to enter the treated area without restriction if there will be no worker contact with the soil/media subsurface.

STORAGE AND DISPOSAL

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

Pesticide Storage

Store in a cool, dry secure place.

Pesticide Disposal

Pesticide wastes are toxic. 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 Handling

Nonrefillable container. Do not reuse or refill this container. Completely empty bag into application equipment. Then offer for recycling if available or dispose of empty bag in a sanitary landfill or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay 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 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®, the Syngenta logo and the CP FRAME  are trademarks of a Syngenta Group Company

Viton® trademark of E. I. du Pont de Nemours and Company

U.S. Patent No. 4,705,800

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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 1158A

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