

100-1335

5/21/2009

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U.S. ENVIRONMENTAL PROTECTION AGENCY
Office of Pesticide Programs
Registration Division (7505P)
Ariel Rios Building
1200 Pennsylvania Ave., NW
Washington, D.C. 20460

EPA Reg. Number:
 100-1335

Date of Issuance:
MAY 21 2009

NOTICE OF PESTICIDE:
 Registration
 Reregistration
 (under FIFRA, as amended)

Term of Issuance: **Conditional**

Name of Pesticide Product:
Difenoconazole/Mefenoxam FS

Name and Address of Registrant (include ZIP Code):
Syngenta Crop Protection, Inc.
P.O. Box 18300
Greensboro, NC 27419 **Attn.: Patrick McCain**

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.

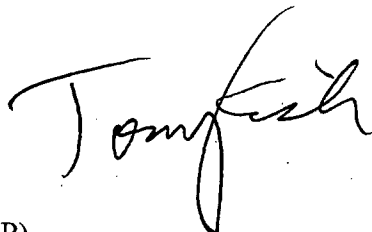
On the basis of information furnished by the registrant, the above named pesticide is hereby registered under the Federal Insecticide, Fungicide and Rodenticide Act. Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health 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. Submit and/or cite all data required for registration of your product under FIFRA Section 3(c)(5) when the Agency requires all registrants of similar products to submit such data; and submit acceptable responses required for re-registration of your product under FIFRA Section 4.
2. You must submit the following conditional data listed below, before the due date of 07/1/2010:
 - A. One year GLP storage stability (830.6317) and corrosion characteristics (830.6320) study on the product. It is required that the observations be made at 0, 3, 6, 9, and 12 month intervals. The results must be submitted to the Agency in electronic and hard copy format.
3. You must submit two copies of a final printed label within 30 days from the date of this notice which makes the following changes:
 - A. On page 3 in the PPE section, change "for washables" to "for washables exists."

Signature of Approving Official:

 Tony Kish
 Product Manager, Team 22
 Fungicide Branch
 Registration Division (7505P)



Date:
MAY 21 2009

- B. On page 5, delete the Ag Use Requirements box because it is only needed for “at plant” applications of seed treatment products (i.e. where grower applies product to seed in planter box, hopper box or similar). “On-farm” treatment is considered different than “at plant” treatment.

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.

A copy of the label stamped “Accepted with comments” is enclosed for your records.

[MASTER - BOOKLET]

Difenoconazole/Mefenoxam FS™

Fungicide

A seed treatment for control of diseases of wheat and barley.

Active Ingredients:

Difenoconazole* 3.37%

Mefenoxam** 0.27%

Other Ingredients: 96.36%

Total: 100.00%

*CAS No. 119446-68-3

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

Difenoconazole/Mefenoxam FS contains 0.31 lbs. difenoconazole and 0.025 lb. mefenoxam per gallon.

KEEP OUT OF REACH OF CHILDREN.

CAUTION

See additional precautionary statements and directions for use inside booklet.

EPA Reg. No. 100-XXXX

EPA Est.

_____ gallons

Net Contents

**ACCEPTED
with COMMENTS
In EPA Letter Dated
MAY 21 2009
Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.**

100-1335

FIRST AID	
If swallowed	<ul style="list-style-type: none"> • Call poison control center or doctor immediately for treatment advice. • Have person sip a glass of water if able to swallow. • Do not induce vomiting unless told to do so by the poison control center or doctor. • Do not give anything by mouth to an unconscious person.
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 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 by mouth-to-mouth, if possible. • Call a poison control center or doctor for treatment advice.
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.
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 swallowed, absorbed through skin or inhaled. Avoid contact with skin, eyes, or clothing. Causes moderate eye irritation. Avoid breathing vapor or spray mist. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Remove and wash contaminated clothing before reuse.

Personal Protective Equipment (PPE)

Applicators and other handlers must wear:

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

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/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.

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.

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 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
- 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.

GENERAL INFORMATION

Difenoconazole/Mefenoxam FS is a systemic seed dressing that controls or suppresses certain seed-borne, soil-borne, and early season foliar diseases of wheat and barley. It is a mixture of Dividend® and Apron XL®. Apron XL 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: Mefenoxam is a systemic fungicide having a specific mode of action and 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 mefenoxam insensitive strains of fungi which may occur.

MIXING PROCEDURES

Difenoconazole/Mefenoxam FS is especially formulated for on-farm treatment using standard mechanical slurry- or mist-type seed treatment equipment which accurately meters and mixes a flowable seed treatment. The equipment must provide uniform coverage of Difenoconazole/Mefenoxam FS on the seed. Uneven seed coverage may not give the desired level of disease control. This 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.

Tank Mixtures

Confirm physical compatibility, seed safety, seed safety in stored seed, and biological efficacy before tank mixing with other seed treatment products.

Follow the label directions for the most restrictive of label precautions and limitations. This product cannot be mixed with any product containing a label prohibition against such mixing.

RESTRICTIONS

- Do not use for feed, food, or oil purposes. Store away from feeds and foodstuffs.
- Green wheat forage may not be grazed until 55 days after planting.
- Green barley forage may not be grazed until 30 days after planting.
- Do not plant any crop other than those on this label within 30 days to fields in which treated seeds were planted.

SEED BAG LABEL REQUIREMENT

Federal law requires that bags containing treated seeds shall be labeled with the following information: "This seed has been treated with the fungicides difenoconazole (CAS No. 119446-68-3) and mefenoxam (CAS Nos. 70630-17-0 and 69516-34-3). Do not use for feed, food, or oil purposes. Store away from feeds and foodstuffs. Green wheat forage may not be grazed until 55 days after planting. Green barley forage may not be grazed until 30 days after planting. Do not plant any crop other than those on this label within 30 days to fields in which treated seeds were planted."

BARLEY

Apply Difenoconazole/Mefenoxam FS to barley seed at the rates given in the following table:

Rate/CWT	Diseases Controlled	Diseases Partially Controlled ¹
5 fl. oz.	Barley Stripe General Seed Rots ² Covered Smut Pythium Damping Off	Common Root Rot (<i>Cochliobolus</i> spp.) Fusarium Seed Scab Rhizoctonia Root Rot
10 fl. oz.	Barley Stripe General Seed Rots ² Fusarium Seed Scab Covered Smut Pythium Damping Off	Take-all Common Root Rot (<i>Cochilobolus</i> spp.) Fusarium Root Rot Fusarium Crown Rot Rhizoctonia Root Rot

¹Partial control can either mean erratic control from good to poor, or consistent control at a level below that is generally considered acceptable for commercial disease control.

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

WHEAT

Apply Difenoconazole/Mefenoxam FS to wheat seed at the rates given in the following table:

Winter Wheat

Rate/CWT	Diseases Controlled	Fall Season Foliar Diseases Controlled¹	Diseases Partially Controlled²
2.5 fl. oz. ⁵	Common Bunt Loose Smut		
5 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.) Rhizoctonia Root Rot
10 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 Rhizoctonia Root Rot

¹Difenoconazole/Mefenoxam FS 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.

³Difenoconazole/Mefenoxam FS controls both seed-borne and soil-borne common bunt.

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

⁵The 2.5 fl. oz. rate should only be used in the following states: CA, CO, KS, MN, MO, MT, OK, ND, NE, SD, and TX.

Spring Wheat

Rate/CWT	Diseases Controlled	Diseases Partially Controlled ⁴
2.5 fl. oz. ³	Common Bunt Loose Smut Fusarium Seed Scab	
5 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
10 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 (<i>Cochliobolus</i> spp.) Rhizoctonia Root Rot

¹Difenoconazole/Mefenoxam FS controls both seed-borne and soil-borne common bunt.

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

³The 2.5 fl. oz. rate should only be used in the following states: CA, CO, KS, MO, ND, NE, OK, SD, MN, MT, and TX.

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.

STORAGE AND DISPOSAL

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

Pesticide Storage

Keep container tightly closed when not in use. Store out of the reach of children.

Spill Response

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.

Pesticide Disposal

Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

Container Disposal

Non-refillable container. Do not reuse or refill this container. Offer for recycling if available.

Residue Removal [capacities equal to or less than 5 gallons]

Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container ¼ full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times.

For Bulk and Minibulk Containers:

Residue Removal [capacities greater than 5 gallons]

Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container ¼ full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times.

Container Disposal


Refillable container. Refill this container with Difenoconazole/Mefenoxam FS only. Do not reuse this container for any other purpose.

Residue Removal

Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller.

After filling and before transporting, check for leaks. Do not refill or transport damaged or leaking container.

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

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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

Difenoconazole-Mefenoxam FS - bb - 10-23-08

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