65268-1 11/20/2001 1/5

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

NOV 2 0 2001

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Mr. Jeffrey Stein
Director of Regulatory Affairs
Syngenta Seeds, Inc. -Vegetables- NAFTA
600 N. Armstrong Place
P.O. Box 4188
Boise, ID 83704

Dear Mr. Stein:

Subject: Amendment Request to Allow Use for Education and Demonstration Purposes
EPA Registration 65268-1

The amendment referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, is acceptable and the terms and conditions of your registration are hereby modified to add the language below and allow the use of sweet corn seed for educational and scientific demonstration purposes.

> Syngenta may allow the use of up to twenty (20) acres worth of sweet corn seed each year for educational and scientific demonstration purposes. Seed distributed for use in such programs must be accompanied by a product information sheet requiring the *Bt* sweet corn stalks be destroyed within one month following harvest and preferably within two weeks. The product information sheet must further specify that stalk destruction may be accomplished by rotary mowing, discing, or by plowdown or by chopping up the stalks using home garden tools such as a hoe. The product information sheet must also further specify that parties participating in such educational and demonstration programs must not resell the sweet corn seed. Other insect management terms and conditions doe not apply to the seed used in educational programs.

The revised product label is acceptable and a stamped copy is enclosed for your records. Should you have any questions with regard to this letter, please contact Mike Mendelsohn of Phil Hutton's staff at (703) 308-8715.

Sincerely,

for Janet L. Andersen, Ph.D.
Director
Biopesticides and Pollution
Prevention Division (7511C)

Enclosure

ATTRIBUTE® INSECT PROTECTED SWEET CORN

Bt Protein
Plant-Incorporated Protectant Active Ingredient
For the Control of European Corn Borer and Corn Earworm
In Sweet Corn

(Pure form of the plant-incorporated protectant *Bacillus thuringiensis* Cry1Ab delta-endotoxin protein as expressed in corn cells)

Active Ingredient:

Bacillus thuringiensis CryIA(b) delta endotoxin and the genetic material (plasmid vector pZO1502) necessary for its production in corn	0.0002-0.0006% by seed weight

Inert Ingredient:

Substance produced by a marker gene and its controlling sequences in corn	<0.0000001% by seed weight

Keep out of the Reach of Children

CAUTION

EPA Reg. No. 65268-1
EPA Estab. No.

Syngenta Seeds, Inc. – Vegetables - NAFTA
600 N. Armstrong Place
Boise, ID 83704

ACCEPTED
with COMMENTS
In EPA Letter Dated
NOV 2 0 2001

65268-1

11/15/01

Directions for Use:

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. The subject registration will automatically expire at midnight October 15, 2008.

Corn has been genetically modified to produce a *Bacillus thuringiensis* Cry1Ab delta-endotoxin protein for control of certain lepidopteran pests. In sweet corn, this insecticidal protein can provide significant control of:

European corn borer	(*Ostrinia nubilalis*)
Corn earworm	(*Helicoverpa zea*)

In addition, some control or suppression of the following corn pest can be provided:

Fall armyworm	(*Spodoptera frugiperda*)

All corn seed that contains the plant-pesticide that is sold or distributed by Syngenta Seeds, Inc. - Vegetables - NAFTA or its distributors (except for very limited amounts of seed used for educational and demonstration purposes), must be accompanied by informational material indicating the registration number (65268-1) and the active ingredient [Bacillus thuringiensis Cry1Ab delta-endotoxin and the genetic material (plasmid vector pZO1502) necessary for its production in corn], and stipulating that growers read the Grower Guide prior to plant the seed. This informational material will also include the following statements (to be modified as warranted by changes in the regulatory status of glufosinate ammonium herbicide use on tolerant sweet corn): "Attribute® Insect Protected Sweet Corn hybrids produce a protein that increases tolerance to glufosinate ammonium herbicides. Glufosinate ammonium is not registered or recommended for use on this hybrid. If you plant glufosinate resistant crop in the next growing season, please note that volunteer plants from this sweet corn hybrid may not be controlled by a glufosinate ammonium herbicide."

A Grower Guide must be distributed to all customers using seed containing the plant-incorporated protectant (except for the limited amounts of seed distributed used for educational and demonstration purposes), that will include instructions and recommendations regarding product use, insect resistance management, and integrated pest management. The following information regarding commercial production must be included in the Grower Guide:

- Crop destruction must occur no later than 30 days following harvest, but preferably within 14 days.

- The allowed crop destruction methods are: rotary mowing, discing, or plow-down. Crop destruction methods should destroy any surviving resistant insects.

A Product Information Sheet must accompany all seed distributed for educational and demonstration purposes (maximum of 20 acres of Bt sweet corn seed each year) that will include instructions and recommendations regarding product use, insect resistance management, and integrated pest management. The following information regarding use of the product for educational and demonstration purposes must be included in the Product Information Sheet:

- ATTRIBUTE sweet corn stalks must be destroyed within one month of harvest, and preferably within two weeks.

- Crop destruction may be accomplished by rotary mowing, discing, or plow-down or by chopping up the stalks using home garden tools such as a hoe.