



**US Environmental Protection Agency
Office of Pesticide Programs**

**Exclusive Use Request
New Petition for Use of Difenoconazole**

December 18, 2009



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ELECTRONIC SUBMISSION CD SENT VIA FEDERAL EXPRESS

December 18, 2009

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Registration Division (7505P)
Office of Pesticide Programs
U.S. Environmental Protection Agency
One Potomac Yard
2777 South Crystal Drive – Room S-4900
Arlington, VA 22202

Attention: Mr. Tony Kish – PM Team 22

**Subject: Submission of Tolerance Petition for Certain Diseases in Strawberry, Carrot, Chickpeas, Soybean and Fruits, Stone, Group 12
Inspire (EPA Reg. No. 100-1262)
Difenoconazole Technical (EPA Reg. No.100-739)
Inspire XT (EPA Reg. No. 100- 1312)
Inspire Super (EPA Reg. No. 100-1317)
Quadris Top (EPA reg. No. 100-1313)**

Dear Mr. Kish:

Syngenta Crop Protection, Inc. is submitting a new petition for use of difenoconazole, (Inspire) on strawberry, carrot, chickpeas, soybean and stone fruit, group 12. Difenoconazole is registered for foliar uses for several crops, Inspire Fungicide (EPA reg. No. 100-1262).

In addition to adding these new uses to Inspire Fungicide (difenoconazole solo), Syngenta is requesting that several of these new uses to be added to the label of other mixture products containing difenoconazole. These products are as follow:

- 1) Inspire XT (EPA Reg. No. 100-1312), mixture of difenoconazole and propiconazole. The requested new uses are registered for propiconazole and are on the Tilt label (EPA Reg. No. 100-617)
- 2) Quadris Top (EPA Reg. No. 100-1313), mixture of difenoconazole and azoxystrobin. The requested new uses are registered for azoxystrobin and are on the Abound Flowable label (EPA Reg. No. 100-1098).
- 3) Inspire Super (EPA Reg. No. 100-1317), mixture of difenoconazole and cyprodinil. The requested new uses are registered for cyprodinil and are on the Vanguard WG label (EPA Reg. No. 100-828).



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Minor Use Exclusive Use Qualification

“Under FIFRA § 3 (c)(1)(F)(vi), Syngenta respectfully requests EPA to allow exclusive use protection of the data submitted in support of the minor use registrations contained in this application for the period of 10 years from the date of submission. The exclusive use period for the pesticide difenoconazole has expired and the data pertaining to the minor use registration is eligible under FIFRA § 3 (c)(1)(F)(vi). Specifically, Syngenta considers the following minor use crops to qualify under this Section: Apricot, Cherries, sweet; Cherries, tart; Nectarine, Peach, Plum, Plumcot, Prune, Strawberry, Chickpea and Carrot.

Under the provisions of this paragraph, Syngenta certifies, to the best of our knowledge that the exclusive use period for difenoconazole has expired. The original registration of difenoconazole was August 4, 1994, which is more than 10 years ago.

The following representative crop data pertaining solely to the above minor uses are eligible for the provisions of this paragraph:

- Magnitude of the Residue in or on Cherry (sweet and tart), Plum and Peach; Fruit, Stone, Group 12 (Study No. T002402-07)
- Magnitude of the Residue in or on Carrot (Study No. T002431-07)
- Magnitude of Residue in or on Chickpeas (Study No. T004254-07)
- Magnitude of Residue on Strawberry (Study No. T0002401-07)
- Magnitude of Residue on Soybeans (Study No. T002400-07)

Syngenta has taken the following extra measures to facilitate the review and registration of these new uses for difenoconazole:

- The accompanying data is being submitted using the current EPA guidance for full electronic data submission.

Fees for Services:

In compliance with the Pesticide Registration Improvement Act (PRIA), Syngenta will pay the required pesticide registration fee for this action. Syngenta believes that this submission fits the following registration fee category: R170/21 (Additional food use), \$57,120 for each of the (5) crops. A copy of the check in the amount of \$285,600 and the prepayment letter are also included on the CD. Please e-mail REGFEE to ruhi.rezaaiyan@syngenta.com.

Enclosed in support of this submission are the following electronic documents:

- Transmittal Document (Volume 1 of 6)
- Data volumes (Volumes 2 thru 6)
- Electronic copies of Inspire, Inspire XT, Inspire Super, Quadris Top, and Technical difenoconazole labels



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- Signed Certification with Respect to Label Integrity Forms, 8570-34, for all products
- Completed EPA Application for Pesticide Registration Forms 8570-1 for all products
- Data Matrices for difenoconazole, propiconazole, cyprodinil and azoxystrobin
- Tolerance Petition
- Notice of Filing

If you have any questions regarding this submission, please contact me at (336) 632-7381, fax: (336) 292-6374 and e-mail: ruhi.rezaaiyan@syngenta.com. Thank you for your review of this petition.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ruhi Rezaaiyan". The signature is fluid and cursive.

Ruhi Rezaaiyan, Ph.D.
Senior Regulatory Product Manager

Enclosures: 1 CD containing electronic submission documents