



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

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

December 26, 2013



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FEDERAL EXPRESS

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Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
2777 South Crystal Drive
Room S-4900, One Potomac Yard
Arlington, VA 22202-4501

Attention: Mr. Tony Kish / Ms. Rosemary Kearns, Team 22

Subject: Petition Proposing Tolerance for Difenoconazole in or on legumes subgroup 6C and Bushberry subgroup 13-07B
Difenoconazole Technical (EPA Reg. No. 100-739)
Inspire (EPA Reg. No. 100-1262)
Inspire XT (EPA Reg. No. 100-1312)
Inspire Super (EPA Reg. No. 100-1317)
Quadris Top (EPA reg. No. 100-1313)

Dear Mr. Kish / Ms. Kearns:

Syngenta Crop Protection LLC is submitting a new petition for use of difenoconazole, (Inspire) on legume subgroup 6C and bushberry subgroup 13-07B. Difenoconazole is registered for foliar uses on other crops including chickpeas, Inspire Fungicide (EPA reg. No. 100-1262).

In addition to adding these new uses to Inspire (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 the followings:

- 1) Inspire XT (EPA Reg. No. 100-1312), mixture of difenoconazole and propiconazole. The requested new uses are registered for propiconazole and are on 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 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 on registered for cyprodinil and are on Vanguard WG label (EPA Reg. No. 100-828).

Minor Use Exclusive Use Qualification

"Under FIFRA § 3 (c)(1)(F)(vi), Syngenta respectfully requests EPA that the data submitted in support of the minor use registrations contained in this application are entitled to exclusive use protection for the period of 10 years from the date of submission. The exclusive use period for the pesticide difenoconazole was expired on 8/4/2004 and the data pertaining to the minor use registration is eligible under FIFRA § 3 (c)(1)(F)(vi).



Under the provisions of FIFRA § 3 (c)(1)(F)(vi), Syngenta states, to the best of our knowledge that the exclusive use period for difenoconazole has expired. The original registration of difenoconazole was on August 4, 1994, which is more than 10 years ago.”

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

- Magnitude of the Residues in or on Dry Beans and Dry Peas as Representative Commodities of Crop Group 6C (Except Soybeans) Following Foliar Application, (Study No. TK0044531)
- Magnitude of the Residue in or on blueberry (Study No. TK0095740)

Fees for Services

In compliance with the Pesticide Registration Improvement Act III, Syngenta will pay the required pesticide registration fees for this action. Syngenta believes that this submission fits the following registration fee categories: R170 (additional food use, \$ 62,975 x 2); and M008 (request to grant exclusive use of data) with the applicable fees of \$125,950 and \$1,500.00, respectively.

Enclosed are the following documents to support the application which is being filed as an electronic submission:

- Cover letter
- Transmittal Document
- PRIA Prepayment Receipt
- Tolerance Petition for the active ingredient difenoconazole
- Notice of Filing for difenoconazole
- Two (2) Residue Chemistry Data Volumes: TK0044531 and TK0095740
- EPA Form 8570-1: Application for Pesticide Registration
- Eight (9) Form 8570-34: Certification with respect to Data Citation
- Eight (9) sets of EPA Form 8570-35: Data Matrices Private and Public
 - Four (4) technical active ingredients (difenoconazole, propiconazole, azoxystrobin (2) and cyprodinil) and four (4) for the proposed End-Use Products
- PDF version of the label for Inspire, Inspire XT, Inspire Super, Quadris Top, and Technical difenoconazole

If you have any questions or comments regarding this submission, please contact me at 336-632-7381 or by e-mail or Stephanie Rutledge at 336-632-5970.

Sincerely,

Federal Team Lead, Fungicide
Regulatory Affairs Department
Syngenta Crop Protection, LLC

Enclosures