



United States
Environmental Protection Agency
Washington, DC 20460

☐ Registration
☐ Amendment
☒ Other

OPP Identifier Number
224114

Application for Pesticide - Section I

1. Company/Product Number 7501-149	2. EPA Product Manager C. Welch	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) TOPS 5	PM# 21	
5. Name and Address of Applicant (Include ZIP Code) Gustafson, Inc. PO Box 660065 Dallas, TX 75266 0065 <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 _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.
<input type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.

Explanation: (Use additional sheets if necessary. For Section I only, include U.S. Patent number 5007953".
Notification of additional statement on label, covered under U.S. Patent number 5007953".
"This notification is consistent with the provisions of PR Notice 95-2 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 USC Sec. 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 95-2 and 40 CFR 152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA."

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child Resistant Packaging <input type="checkbox"/> Yes* <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Metal <input 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" Package wgt. No. per container			
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions <input 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 type="checkbox"/> Other					

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)					
Name D. L. McFadden		Title Mgr., Tox & Reg Affairs		Telephone No. (Include Area Code) 214 985 8877	
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 <i>Dennis McFadden</i>		3. Title Mgr., Tox & Reg Affairs			
4. Typed Name D. L. McFadden		5. Date 8/29/95			

TOPS® 5

Potato Seed-Piece Treatment Fungicide

ACTIVE INGREDIENT:

Thiophanate-methyl (dimethyl[(1,2-phenylene)
bis (iminocarbonothioyl)]bis(carbamate))* 5.0%

INERT INGREDIENTS: 95.0%

TOTAL 100.0%

*Also known as dimethyl 4,4'-0-phenylenebis[3-thioallophanate].

KEEP OUT OF REACH OF CHILDREN CAUTION

STATEMENT OF PRACTICAL TREATMENT

If swallowed, induce vomiting with a mixture of soap or mustard in warm water. Call a physician immediately. If on skin, wash immediately with soap and water. If inhaled, get medical attention if irritation develops.

See Side Panel for additional Precautionary Statements.

EPA Reg. No. 7501-149

Covered under U.S. Patent Number 5007953

PRECAUTIONARY STATEMENTS HAZARD TO HUMANS AND DOMESTIC ANIMALS CAUTION

May be harmful if swallowed or inhaled. Avoid contact with eyes, skin, or clothing. Avoid inhaling dust. Do not contaminate feed or food.

PERSONAL PROTECTIVE EQUIPMENT:

Applicators and other handlers must wear: long-sleeved shirt and long pants, waterproof gloves, shoes plus socks and dust/mist filtering respirator (MSHA/NIOSH approval number prefix TC-21C). 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.

USER SAFETY RECOMMENDATIONS:

Users should wash hands before eating, drinking, chewing, using tobacco or using the toilet. 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

For terrestrial uses, do not apply directly to water, or 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 washwaters.

STORAGE AND DISPOSAL

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

STORAGE: Store in cool, dry location. Do not store in direct, hot sunlight.

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

CONTAINER DISPOSAL: Completely empty bag into application equipment. Then 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.

DIRECTIONS FOR USE

It is a violation of Federal Law to use this product in a manner inconsistent with its labeling. Do not use this product at higher than recommended rate.

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 assistances. 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

Gustafson



product 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, waterproof gloves, and shoes plus socks.

GENERAL INFORMATION

Note: TOPS 5 is a systemic fungicide having a specific mode of action. TOPS 5 could be subject to development of resistant strains of fungi. Development of resistance cannot be predicted. Therefore, Gustafson, Inc. cannot assume liability for crop damage resulting from resistant strains of fungi. Consult with your State Agricultural Experiment Station or Extension Service Specialist for guidance and ways to control any possible resistant strains of fungi which may occur.

TOPS 5 is a fungicide formulated for the dry treatment of potato seed pieces to suppress *Fusarium* and *Rhizoctonia*. This pesticide will not control bacterial diseases or other diseases not claimed on this label for varieties known to be susceptible to bacterial soft rot. Companion fungicides known to be active against this organism should be used. Consult your extension potato pathologist for variety and treatment information.

For the suppression of potato seed piece decay caused by *Fusarium* and *Rhizoctonia spp.*, use 1/2 pound TOPS 5 per 100 pounds of cut seed pieces. Apply so that the cut seed pieces are thoroughly covered with dust by the use of a convenient container or dust attachment over the belt. Thoroughly clean and sanitize cutting machines, knives, trays, tables, barrels, equipment, trucks and planters before cutting and planting seed pieces.

Do not use treated seed pieces for food, feed or fodder. Apply only in areas with adequate ventilation or dust collection and control equipment installed. Do not substitute fans for ventilation in areas where application is made to cut potatoes.

NOTE: This pesticide is to be sold ONLY in this original, unbroken package.

NOTICE - READ CAREFULLY CONDITIONS OF SALE AND LIMITED WARRANTY STATEMENT

Treatment of highly mechanically damaged seed pieces, or seed pieces of known low vigor and poor quality, may result in reduced germination and/or reduction of seed and seedling vigor.

As its sole express warranty, Gustafson, Inc. warrants that this product conforms to the chemical description on the label and is reasonably fit for purposes stated on the label only when used in accordance with directions and instructions specified on the label, subject to the inherent risks set forth above. ONLY AS PERMITTED BY APPLICABLE LAW, IN THE EVENT OF A BREACH OF THIS LIMITED WARRANTY, GUSTAFSON, INC. SHALL NOT BE LIABLE FOR CONSEQUENTIAL DAMAGES. SUBJECT TO APPLICABLE LAW, GUSTAFSON, INC. NEITHER MAKES NOR AUTHORIZES ANY OF ITS AGENTS OR REPRESENTATIVES TO MAKE ANY WARRANTY OF FITNESS OR MERCHANTABILITY, GUARANTY OR REPRESENTATION, EXPRESS OR IMPLIED, CONCERNING THIS MATERIAL. Buyer assumes the responsibility to handle, use and store this product in accordance with the safety instructions and use directions contained on the label.

Buyer/User purchases this product subject to the foregoing Conditions of Sale and Limited Warranty, which, subject to applicable law, may be varied only by a written agreement signed by a duly authorized representative of Gustafson, Inc. If these

terms are not acceptable, return all products to the place of purchase, unopened for a full refund.

A quality product manufactured by:
Gustafson, Inc.
1400 Preston Road, Suite 400
Plano, Texas 75093
(214) 985-8877

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TOPS5(S)-598280