

7501-149

07/15/2003

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## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Dennis McFadden  
 Manager, Toxicology and Regulatory Affairs  
 Gustafson LLC  
 PO Box 660065  
 Dallas, TX, 75266 - 0065

JUL 15 2003

Dear Mr. McFadden:

SUBJECT: TOPS5 Potato Seed-Piece Treatment Fungicide  
 EPA Registration Number 7501-149  
 Your Submission dated February 19, 2003

The amendment referred to above, submitted in connection with registration under section (3) of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended, is acceptable provided you make the following changes:

## First Aid:

Change "poison control cneter" to "poison control center"

## Storage and Disposal:

- Replace the subheading "Storage" with "Pesticide Storage".
- Replace the Pesticide Disposal statement text with the following: "Pesticide wastes are toxic. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal Law. If these wastes cannot be disposed of according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance."

If you have any questions, please contact Lisa Jones of my staff by phone at (703) 308-9424 or by e-mail at jones.lisa@epa.gov.

Sincerely,



Mary L. Waller  
 Product Manager (21)  
 Fungicide Branch  
 Registration Division (7505C)

Enclosure: Stamped label

CONCURRENCES							
SYMBOL ▶	7505C						
SURNAME ▶	Lisa Jones						
DATE ▶	May 23, 2003						

ACCEPTED  
with COMMENTS  
In EPA Letter Dated:

JUL 15 2003

Under the Federal Insecticide,  
Fungicide, and Rodenticide Act,  
as amended, for the pesticide  
registered under EPA Reg. No.

7501-  
149

# 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'-O-phenylenebis[3-thioallophosphate].

### KEEP OUT OF REACH OF CHILDREN

### CAUTION

#### FIRST AID

Have the product container or label with you when calling a poison control center or doctor, or going for treatment.

#### If on skin or clothing:

- 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 in eyes:

- 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.

See Side Panel for additional Precautionary Statements.

EPA Reg. No. 7501-149 EPA Est.  
Covered under U.S. Patent Number 5007953

### PRECAUTIONARY STATEMENTS

### HAZARD TO HUMANS AND

### DOMESTIC ANIMALS

### CAUTION

Harmful if absorbed through skin. Causes moderate eye irritation. Avoid contact with eyes, skin or clothing. Wash thoroughly with soap and water after handling.

#### PERSONAL PROTECTIVE EQUIPMENT:

Applicators and other handlers must wear: long-sleeved shirt and long pants, waterproof gloves, shoes plus socks and a NIOSH approved respirator with any N, P, or HE filter. 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 gum, 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.

(Continued on page 2)



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 12 hours. Exception: if the 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 has been 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 local extension potato specialist for guidance and ways to control any possible resistant strains of fungi which may occur.

**APPLICATION**

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**

**This pesticide will not control bacterial diseases or other diseases not claimed on this label.** Consult your local extension potato specialist for variety and treatment information, and for recommendations specific to your area on how to minimize the potential expression of seed-piece decay and potato diseases.

**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 LLC**  
1400 Preston Road, Suite 400  
Plano, Texas 75093  
(972) 985-8877

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