



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

January 10, 2020

John J. Wrubel, Vice President
Nippon Soda Co., Ltd.
c/o Nisso America Inc.
379 Thornall Street, 5th Floor
Edison, NJ 08837

Subject: Notification per PRN 98-10 – Adding Storage and Disposal for a New Container
Product Name: Topsin M Technical Fungicide
EPA Registration Number: 8033-118
Application Date: 1/3/2020
Decision Number: 558764

Dear Mr. Wrubel:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 for the above referenced product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action requested falls within the scope of PRN 98-10.

The label submitted with the application has been stamped “Notification” and will be placed in our records.

Should you wish to add/retain a reference to the company’s website on your label, then please be aware that the website becomes labeling under the Federal Insecticide Fungicide and Rodenticide Act and is subject to review by the Agency. If the website is false or misleading, the product would be misbranded and unlawful to sell or distribute under FIFRA section 12(a)(1)(E). 40 CFR 156.10(a)(5) list examples of statements EPA may consider false or misleading. In addition, regardless of whether a website is referenced on your product’s label, claims made on the website may not substantially differ from those claims approved through the registration process. Therefore, should the Agency find or if it is brought to our attention that a website contains false or misleading statements or claims substantially differing from the EPA approved registration, the website will be referred to the EPA’s Office of Enforcement and Compliance.

If you have any questions, you may contact please contact Nathan Mellor at 703-347-8562 or by email at mellor.nathan@epa.gov.

A handwritten signature in black ink, reading "Shaja B. Joyner".

Shaja B. Joyner, Product Manager 20
Fungicide-Herbicide Branch
Registration Division 7505P

NOTIFICATION

8033-118

The applicant has certified that no changes, other than those reported to the Agency have been made to the labeling. The Agency acknowledges this notification by letter dated:

01/10/2020

TOPSIN[®] M TECHNICAL

FUNGICIDE

ACTIVE INGREDIENT: Thiophanate-methyl

Dimethyl[(1,2-phenylene)bis(iminocarbonothioyl)]-

bis[carbamate]* 97.0%**

OTHER INGREDIENTS: 3.0%**

TOTAL 100.0%

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

** Percent of TOPSIN M varies with each batch. Actual percent of TOPSIN M in this container is stenciled on the side of the container.

KEEP OUT OF REACH OF CHILDREN CAUTION

FIRST AID

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 INHALED:

- Move person to fresh air.
- If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible.
- Call a poison control center or doctor for further treatment advice.

Have the product container or label with you when calling a poison control center or doctor or going for treatment. Contact the Rocky Mountain Poison & Drug Center at 1-800-222-1222 for emergency medical treatment information. For hazardous materials emergencies call CHEMTREC at 1-800-424-9300 (or 703-741-5970 outside the United States).

EPA Registration No. 8033-118

EPA Establishment No. _____

NET WEIGHT ___ Lbs/ ___ Kg

Batch/Lot # _____

Registered by
Nippon Soda Co., Ltd.,
c/o Nisso America Inc.
379 Thornall St., 5th Fl.
Edison, NJ 08837

PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS (AND DOMESTIC ANIMALS)

CAUTION

Harmful if absorbed through skin or inhaled. Avoid contact with eyes, skin, or clothing. Avoid breathing dust. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet. Remove contaminated clothing and wash clothing before reuse.

FUNGICIDE FOR FORMULATING USE ONLY

DIRECTIONS FOR USE

IT IS A VIOLATION OF FEDERAL LAW TO USE THIS PRODUCT IN A MANNER INCONSISTENT WITH ITS LABELING.

Only for formulation into a fungicide for the following uses: almonds, apples, apricots, canola, cantaloupes, casaba, cherries, cucumbers, dry beans, garlic, grapes, green beans, melons, nectarines, onions, peaches, peanuts, pears, pecans, pistachios, plums, potatoes, pumpkins, soybeans, squash, strawberries, sugar beets, triticale, watermelons, wheat, ornamentals and turf. This product may also be used to formulate products for any additional use(s) not listed on this manufacturing use label if the formulator, user group, or grower has complied with U.S. EPA submission requirements regarding support of such use(s). Manufacturer disclaims liability for claims or damages resulting from any use of a formulated product in a manner or on a crop not specifically listed on this label.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer systems without previously notifying the local sewage treatment plant authority. For guidance, contact your State Water Board or Regional Office of the EPA. Do not contaminate water when disposing of equipment washwaters.

STORAGE AND DISPOSAL

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

Pesticide Storage: Store in a dry area. Do not store in a manner where cross-contamination with other pesticides, fertilizers, food or feed could occur. If spilled during storage or handling, sweep up spillage and dispose of in accordance with the Pesticide Disposal Instructions listed below.

Pesticide Disposal: 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 by use 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.

Container Handling: [[For Nonrefillable Fiber Drums with Liners] Nonrefillable container. Do not reuse or refill this container. Completely empty liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into application equipment. Then offer for recycling if available or dispose of liner in a sanitary landfill or by incineration or, if allowed by state and local authorities, by burning. If burned, stay out of smoke. If drum is contaminated and cannot be reused, dispose of it in the manner required for its liner.]

[[For Nonrefillable Paper and Plastic Bags] Nonrefillable container. Do not reuse or refill this container. Completely empty bag into application equipment, then offer for recycling if available or 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.]

**IMPORTANT INFORMATION
READ BEFORE USING PRODUCT**

CONDITIONS OF SALE AND LIMITATION OF WARRANTY AND LIABILITY

NOTICE: Read the entire Directions for Use and Conditions of Sale and Limitation of Warranty and Liability before buying or using this product. If the terms are not acceptable, return the product at once, unopened, and the purchase price will be refunded.

The Directions for Use of this product reflect the opinion of experts based on field use and tests, and must be followed carefully. It is impossible to eliminate all risks associated with the use of this product. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as manner of use or application, weather or crop conditions, presence of other materials or other influencing factors in the use of the product, which are beyond the control of Nippon Soda Co., Ltd. or Seller. Handling, storage, and use of the product by Buyer or User are beyond the control of Nippon Soda Co., Ltd. and Seller. All such risks shall be assumed by Buyer and User, and Buyer and User agree to hold Nippon Soda Co., Ltd. and Seller harmless for any claims relating to such factors.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, NIPPON SODA CO., LTD. AND SELLER MAKE NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY EXCEPT AS STATED ON THIS LABEL.

To the extent consistent with applicable law, Nippon Soda Co., Ltd. or Seller shall not be liable for any incidental, consequential or special damages resulting from the use or handling of this product and **THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE EXCLUSIVE LIABILITY OF NIPPON SODA CO., LTD. AND SELLER FOR ANY AND ALL CLAIMS, LOSSES, INJURIES OR DAMAGES (INCLUDING CLAIMS BASED ON BREACH OF WARRANTY, CONTRACT, NEGLIGENCE, TORT, STRICT LIABILITY OR OTHERWISE) RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, SHALL BE THE RETURN OF THE PURCHASE PRICE OF THE PRODUCT OR, AT THE ELECTION OF NIPPON SODA CO., LTD. OR SELLER, THE REPLACEMENT OF THE PRODUCT.**

Nippon Soda Co., Ltd. and Seller offer this product, and Buyer and User accept it, subject to the foregoing conditions of sale and limitations of warranty and of liability, which may not be modified except by written agreement signed by the duly authorized representative of Nippon Soda Co., Ltd.

TOPSIN is a registered trademark of Nippon Soda Company, Ltd.

[Container Handling Notification 01/03/20]