

67760-75

8/8/2012

3 sheets 1/29



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF
CHEMICAL SAFETY AND
POLLUTION PREVENTION

Paula Bodey
Director, Regulatory Affairs
Cheminova, Inc.
1600 Wilson Blvd., Suite 700
Arlington, VA 22209

AUG - 8 2012

Subject: TopGuard Fungicide
EPA Registration No. 67760-75
PRIA Amendment dated August 13 2010, adding new uses on corn,
grapes, peanut, pome fruit (crop group 11), stone fruit (crop group 12),
and sugar beets
PRIA Decision No. 438685

The amended master label referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act as amended is acceptable provided the following label revisions are made:

1. On page 5, revise the "Crop Rotation" text to read "Crop Rotation: Crops treated with TOPGUARD Fungicide may be rotated to a labeled crop at any time or may be rotated to cotton or sweet corn 180 days after application. Rotation to any other crop not listed on this label is prohibited."
2. On page 6, revise the "Preharvest Interval" text to read "Preharvest Interval: Do not apply within 80 days of harvest for forage, stover and grain of field corn and popcorn."
3. On page 7, revise the "Minimum Retreatment Interval" for grapes (Black Rot) to read " 14 days for Black Rot"

The supplemental labels referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act as amended are acceptable provided the following label revisions are made:

Supplemental Label for use on corn (field corn, field corn grown for seed, and popcorn), Sugar Beets, and Peanuts

1. On page 2, revise the "Crop Rotation" text to read "Crop Rotation: Crops treated with TOPGUARD Fungicide may be rotated to a labeled crop at any time or may be rotated to cotton or sweet corn 180 days after application. Rotation to any other crop not listed on this label is prohibited."

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TOPGUARD Fungicide
EPA Registration No. 67760-75
Decision No. 438685
Page 2 of 2

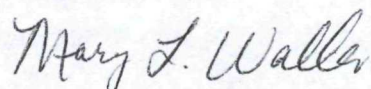
2. On page 3, revise the "Preharvest Interval" text to read "Preharvest Interval: Do not apply within 80 days of harvest for forage, stover and grain of field corn and popcorn."

Supplemental Label for use on Stone Fruit (Sweet Cherries, Tart Cherries, Apricot, Nectarine, Peach, Plum, Chicksaw Plum, Damson Plum, Japanese Plum, Plumcot and Prune), Grapes and Pome Fruit (Apple, Crabapple, Loquat, Mayhaw, Pear, Oriental Pear, and Quince)

1. On page 2, revise the "Crop Rotation" text to read "Crop Rotation: Crops treated with TOPGUARD Fungicide may be rotated to a labeled crop at any time or may be rotated to cotton or sweet corn 180 days after application. Rotation to any other crop not listed on this label is prohibited."
2. On page 3, revise the "Minimum Retreatment Interval" for grapes (Black Rot) to read "14 days for Black Rot"

One copy of the master and supplemental labels stamped "Accepted with Comments" are enclosed for your records. Please submit one copy of the final printed labels that incorporates the required changes before the product is released for shipment. If you have any questions, please contact Tamue L. Gibson by phone at (703) 305-9096 or via email at gibson.tamue@epa.gov.

Sincerely,



Mary L. Waller
Product Manager (21)
Fungicide Branch
Registration Division (7504P)

Enclosure

3/29
ACCEPTED
with COMMENTS
In EPA Letter Dated:

8/8/2012

Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
as amended, for the pesticide
registered under EPA Reg. No. 67760-75

Group 3 Fungicide

**TOPGUARD®
Fungicide**

ACTIVE INGREDIENT:

*Flutriafol

11.8%

OTHER INGREDIENTS:

88.2%

TOTAL:

100.0%

*Contains 1.04 pounds per gallon of the active ingredient flutriafol.

**KEEP OUT OF REACH OF CHILDREN
CAUTION**

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle.

(If you do not understand the label, find someone to explain it to you in detail.)

FIRST AID

If on skin:

- 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 swallowed:

- Call a poison control center or doctor immediately for treatment advice.
- Have person sip a glass of water if able to swallow.
- Do not induce vomiting unless told to by a poison control center or doctor.
- Do not give anything to an unconscious person.

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.
- Call a poison control center or doctor for treatment advice.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-866-303-6950 for emergency medical treatment information.

Note to Physician: No specific antidote. Treat symptomatically.

**IN CASE OF A MEDICAL EMERGENCY INVOLVING THIS PRODUCT, CALL TOLL
FREE, DAY OR NIGHT, 1-866-303-6950**

(optional statement, for use if a booklet label design is used): See additional precautionary statements and directions for use in booklet.

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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.

EPA Reg. No. 67760-75
EPA Est. No. 39578-TX-1
Net weight: ____ gal.

Manufactured For:
CHEMINOVA INC.
One Park Drive
Suite 150
Research Triangle Park, NC 27709

TOPGUARD® is a registered trademark of Cheminova

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION. Harmful if absorbed through skin. Harmful if swallowed. Causes moderate eye irritation. Avoid contact with skin, eyes or clothing. Prolonged or frequently skin contact may cause allergic reactions in some individuals.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Applicators and all other handlers must wear: long-sleeved shirt and long pants, chemical-resistant gloves, and shoes plus socks.

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry.

ENGINEERING CONTROLS STATEMENT

When handlers use closed systems, enclosed cabs, or aircraft in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.240(d)(4-6)], the handler PPE requirements may be reduced or modified as specified in the WPS.

USER SAFETY RECOMMENDATIONS

Users should: Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.

Remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. 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

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 washwater or rinsate.

Ground Water Advisory: Flutriafol has properties and characteristics associated with chemicals detected in ground water. This chemical may leach into ground water if used in areas where soils are permeable, particularly where the water table is shallow.

Surface Water Advisory: This product may impact surface water quality due to runoff of rain water. This is especially true for poorly draining soils and soils with shallow ground water. This product is classified as having a high potential for reaching surface water via runoff for several months or more after application.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in any manner inconsistent with its labeling. 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 Workers 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 assistance. 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). The REI for each crop is located in the application directions for each crop.

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, chemical resistant gloves, and shoes plus socks.

STORAGE AND DISPOSAL

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

Pesticide Storage: Store unused product in original container in a cool, dry, secure area.

Pesticide Disposal: Pesticide waste may be hazardous. 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 Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container $\frac{1}{4}$ full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure 2 more times.

PRODUCT DIRECTIONS

READ ENTIRE LABEL. USE STRICTLY IN ACCORDANCE WITH PRECAUTIONARY STATEMENTS AND DIRECTIONS, AND WITH APPLICABLE STATE AND FEDERAL REGULATIONS.

CHEMIGATION: Do not apply this product through any type of irrigation system.

Crop Rotation: Treated fields may be rotated to a labeled crop at any time, or (except for peanuts) may be rotated to cotton, sweet corn, field corn, field corn grown for seed, and popcorn 180 days after the last application. Following application to peanuts, treated fields may only be rotated to a labeled crop. Rotation to any other crop is prohibited.

Rainfastness: TOPGUARD fungicide is rainfast 2 hours after application. Disease control will be reduced if rainfall occurs within 2 hours of application.

Compatibility Jar Test: Using a quart jar, add the proportionate amounts of the products to approximately one quarter of water with agitation. Add wettable powders and water dispersible granular products first, next liquid flowables, then emulsifiable concentrates, and last liquid soluble products. After thorough mixing, allow this mixture to stand for 5 minutes. If the combination remains mixed or can be readily remixed, it is physically compatible. Once compatibility has been proven, use the same procedure for adding products to the spray tank. Use tank-mix combinations on a small number of plants before treating larger areas. When tank mixing, follow more restrictive labeling of any tank mix partner. Do not tank mix with any product that contains a prohibition on tank mixing.

CROP USE DIRECTIONS

Use Directions for Corn (field corn, field corn grown for seed, and popcorn)

Diseases	TOPGUARD® Fungicide	Application Directions	Minimum Retreatment Interval
	Use Rate Per Acre (fl oz)		
Gray Leaf Spot (<i>Cercospora zeae-maydis</i>) Southern leaf blight (<i>Helminthosporium maydis</i>) Northern leaf blight (<i>Helminthosporium turcicum</i>) Rust (<i>Puccinia sp</i>) Eyespot (<i>Kabatiella zeae</i>) Anthracnose (<i>Colletotrichum graminicola</i>)	7 - 14	Apply TOPGUARD® Fungicide as a broadcast foliar spray. Use the high rate when disease pressure is high and conditions are favorable for disease development. TOPGUARD® Fungicide may be tank-mixed with other approved corn fungicides, herbicides or insecticides unless prohibited on the label. Because of the wide variety of possible combinations which can be encountered, observe all cautions and limitations on the label of all products used in mixtures. Spray to provide thorough coverage of all existing foliage using the appropriate application equipment.	7 days
<p>Restriction: Apply TOPGUARD® Fungicide in a minimum of 10 gallons of spray solution per acre by ground sprayer or in a minimum of 5 gallons of spray solution per acre by aircraft spray equipment. Do not apply more than 28 fluid ounces of product per acre per season. Do not apply more than 2 applications of TOPGUARD® Fungicide per growing season. No single application of product may exceed 14 fl. oz/A. A surfactant may be used but use of a crop oil concentrate or methylated seed oil is prohibited.</p> <p>Restricted Entry Interval (REI): The REI for detasselling field corn and popcorn grown for seed is 5 days. The REI for all other activities is 12 hours.</p> <p>Preharvest Interval: Do not apply within 80 days of harvest for field corn and popcorn forage, stover, and grain.</p>			

Use Directions for Grapes

Diseases	TOPGUARD® Fungicide	Application Directions	Minimum Retreatment Interval
	Use Rate Per Acre (fl oz)		
Powdery Mildew (<i>Uncinula necator</i>) Black Rot (<i>Guignardia bidwellii</i>)	8 – 10	Apply TOPGUARD® Fungicide as a foliar spray beginning at 6 to 10-inch shoots. Use the higher rate and/or shorter intervals when disease pressure is high. Apply TOPGUARD® Fungicide in sufficient water for thorough coverage of vines and fruit.	14 days Apply up to 21 days for Powdery Mildew Apply up to 14 days for Black Rot

Restriction: Apply TOPGUARD® Fungicide in a minimum of 10 gallons of spray solution per acre by ground spray or by aircraft spray equipment. Do not apply more than 60 fluid ounces of product per acre per season. Do not apply more than 6 applications of TOPGUARD® Fungicide per growing season. No single application of product may exceed 10 fl. oz/A.

Do not add adjuvants to the spray solution.

Restricted Entry Interval (REI): The REI is 12 hours.

Preharvest Interval: **Do not apply within 14 days of harvest.**

Use Directions for Peanuts

Diseases	TOPGUARD® Fungicide	Application Directions	Minimum Retreatment Interval
	Use Rate Per Acre (fl oz)		
<p>Early leaf spot (<i>Cercospora arachidicola</i>)</p> <p>Late leaf spot (<i>Cercosporidium personatum</i>)</p> <p>Leaf rust (<i>Puccinia arachidicola</i>)</p> <p>Leaf scorch/pepperspot (<i>Leptosphaerulina crassiasca</i>)</p> <p>Web blotch (<i>Phoma arachidicola</i>)</p>	7 - 14	<p>Apply TOPGUARD® Fungicide on a preventive spray schedule for effective disease control in peanuts. TOPGUARD® Fungicide applied on a regular schedule will provide effective control of early leaf spot late leaf spot, leaf rust, leaf scorch/pepperspot and web blotch</p> <p>When applied on a regular schedule for control of the labeled diseases, TOPGUARD® Fungicide will also provide suppression of soil-borne disease southern stem rot/white mold (<i>Sclerotium rolfsii</i>). For soil-borne disease suppression, rainfall or irrigation will optimize activity of TOPGUARD® Fungicide. TOPGUARD® Fungicide can be tank-mixed with other fungicides for improved activity of soil-borne diseases.</p> <p>TOPGUARD® Fungicide can be applied in an integrated spray schedule with other fungicides such as chlorothalonil. In this type of application schedule, apply TOPGUARD® Fungicide as the mid block of treatments (for example, in a 7 application program, apply TOPGUARD® Fungicide at applications 3-6).</p>	14 days

		<p>Apply Chlorothalonil before and following applications of TOPGUARD® Fungicide.</p> <p>Use higher rates when disease pressure is high or there is a field history of disease.</p> <p>TOPGUARD® Fungicide can be tank mixed with chlorothalonil for resistance management purposes.</p>	
<p>Restriction: Apply TOPGUARD® Fungicide in a minimum of 10 gallons of spray solution per acre by ground sprayer or in a minimum of 5 gallons of spray solution per acre by aircraft spray equipment. Do not apply more than 4 applications of TOPGUARD® Fungicide per growing season. No single application of product may exceed 14 fl. oz/A. Feeding of peanut hay to livestock is prohibited.</p> <p>Do not add adjuvants to the spray solution.</p> <p>Restricted Entry Interval (REI): The REI is 12 hours.</p> <p>Preharvest Interval: Do not apply within 7 days of harvest.</p>			

Use Directions for Pome Fruit (Apple, Crabapple, Loquat, Mayhaw, Pear, Oriental Pear, and Quince)

Diseases	TOPGUARD ¹ ® Fungicide		Application Directions	Minimum Retreatment Interval
	Use Rate Per Acre (fl oz)	Use Rate Per 100 Gallons of Water Dilute ² (fl oz)		
Scab (<i>Venturia inaequalis</i>) (Green tip - cover sprays) TOPGUARD® Fungicide & protectant ³	13	3.2	Initiate applications at green tip or when environmental conditions are favorable for primary scab development. Continue applications through the duration of primary scab.	10 days
Powdery Mildew (<i>Podosphaera leucotricha</i>) Quince Rust (<i>Gymnosporangium- clavipes</i>) Cedar Apple Rust (<i>Gymnosporangium juniperi-virginianae</i>)	8 to 12	2 to 3	Initiate applications at green tip and continue through cover sprays.	10 days
Pear Scab (<i>Venturia pirina</i>)	13	3.2	Apply TOPGUARD® Fungicide with a protectant fungicide starting at Pink Bud and continue through the duration of the Primary Scab Period.	10 days Apply up to 14 days.

Restriction: Apply TOPGUARD® Fungicide in a minimum of 10 gallons of spray solution per acre by ground spray or by aircraft spray equipment. Do not apply more than 52 fluid ounces of product per acre per season. Do not apply more than 4 applications of TOPGUARD® Fungicide per growing season. No single application of product may exceed 13 fl. oz/A.

Do not add adjuvants to spray solution.

Restricted entry Interval (REI): The REI is 12 hours.

Preharvest Interval: **Do not apply within 14 days of harvest.**

¹ TOPGUARD® Fungicide is a systemic fungicide and does not redistribute with rainfall. Adjust application equipment to apply a uniform spray to the entire tree canopy.

² Based on dilute sprays with a 400-gallon per acres basis. Dilute sprays are applied until the point of runoff. Gallonage of dilute sprays will vary depending on tree size, density of canopy and stage of growth of the trees and the tree spacing in the orchard. Regardless of the spray volume applied, do not exceed the labeled rate of TOPGUARD® Fungicide per acre.

³ It is recommended that TOPGUARD® Fungicide be tank-mixed with a protectant fungicide at labeled rates for scab resistant management. If compatibility is in question, use the compatibility jar test before mixing a whole tank. Because of the wide variety of possible combinations which can be encountered, observe all precautions and any more restrictive limitations on the label of all products used in mixtures. Do not tank mix with any product that contains a prohibition on tank mixing.

Use Directions for Soybeans

Diseases	TOPGUARD® Fungicide	Application Directions	Minimum Retreatment Interval
	Use Rate Per Acre (fl oz)		
Soybean Rust (<i>Phakospora pachyrizi</i>)	7 – 14	<p>Apply TOPGUARD® Fungicide as a broadcast foliar spray when conditions are favorable for development of soybean rust. Repeat after first application if environmental conditions are favorable for continued disease development.</p> <p>Apply in a minimum of 10 gallons of spray solution per acre by ground sprayer or in a minimum of 5 gallons of spray solution per acre by aircraft spray equipment.</p> <p>TOPGUARD® Fungicide may be tank mixed with other approved fungicides, herbicides, or insecticides unless prohibited on the label of the tank mix partner. Follow more restrictive labeling of any tank mix partner. If compatibility is in question, use the compatibility jar test before mixing the entire tank as described below.</p>	<p>21 days</p> <p>Apply up to 35 days for Soybean Rust.</p>

<p>Frogeye Leaf Spot (<i>Cercospora soja</i>)</p> <p>Cercospora Blight and Leaf Spot (<i>Cercospora kikuchii</i>)</p> <p>Brown Spot (<i>Septoria glycines</i>)</p> <p>Powdery Mildew (<i>Microsphaera diffusa</i>)</p> <p>White Mold/Stem Rot (<i>Sclerotinia sclerotiorum</i>)</p>	<p>7 – 14</p>	<p>Apply TOPGUARD® Fungicide as a broadcast foliar spray to soybean plants in R1-R3 growth stage or when environmental conditions are favorable for disease development. Apply second application if conditions are conducive for heavy disease development.</p> <p>Use the higher rate and shorter spray interval under severe sustained disease pressure.</p>	<p>14 days</p> <p>Apply up to 35 days.</p>
<p>Restrictions: Apply TOPGUARD® Fungicide in a minimum of 10 gallons of spray solution per acre by ground sprayer or in a minimum of 5 gallons of spray solution per acre by aircraft spray equipment. Do not apply more than 28 fluid ounces of product per acre per season. Do not apply more than 3 applications of TOPGUARD® Fungicide per growing season. No single application of product may exceed 14 fl. oz/A; only one application of product at 14 fl. oz/A may be made to any one field during a single growing season. Do not add adjuvants to the spray solution.</p> <p>Do not feed forage or hay to animals or permit animals to graze.</p> <p>Restricted Entry Interval (REI): The REI is 12 hours.</p> <p>Preharvest Interval: Do not apply within 21 days of harvest.</p>			

Use Directions for Stone Fruit (Sweet Cherries, Tart Cherries, Apricot, Nectarine, Peach, Plum, Chicksaw Plum, Damson Plum, Japanese Plum, Plumcot, and Prune)

Diseases	TOPGUARD® Fungicide	Application Directions	Minimum Retreatment Interval
	Use Rate Per Acre (fl oz)		
Brown Rot Blossom Blight and Fruit Rot (<i>Monilina sp.</i>)	14	Apply TOPGUARD® Fungicide at 14.0 fl oz/A for Blossom Blight. Start applications at 5-10 % Bloom followed by an application at 50-100 % Bloom. Reapply TOPGUARD® Fungicide 7-14 days after an application. If conditions are favorable for heavy disease pressure, reduce the spray interval to 7-10 days	7 days Apply up to 14 days
Powdery Mildew (<i>Sphaerotheca pannosa</i> , <i>Podosphaera sp.</i>)	14	Apply TOPGUARD® Fungicide at 14.0 fl oz/A at 100 % Bloom to Petal Fall followed by two more applications on a 2-3 week interval if disease conditions are favorable.	7 days Apply up to 14 days.
Cherry Leaf Spot (<i>Blumeriella jaapii</i>)	14	Apply TOPGUARD® Fungicide at 14.0 fl oz/A with a protectant fungicide. Start applications at White Bud, followed by a 50-100% Bloom, Petal Fall and then every 2 weeks if conditions exist for leaf spot. Reapply TOPGUARD® Fungicide 7-14 days after an application. If conditions are favorable for heavy disease pressure reduce the spray interval to 7-10 days.	7 days Apply up to 14 days

Restriction: Apply TOPGUARD® Fungicide in a minimum of 10 gallons of spray solution per acre by ground equipment or by aircraft spray equipment. Do not apply more than 56 fluid ounces of product per acre per season. Do not apply more than 4 applications of TOPGUARD® Fungicide per growing season. No single application of product may exceed 14 fl. oz/A.

Do not add adjuvants to spray solution.

Restricted entry Interval (REI): the REI is 12 hours.

Preharvest Interval: **Do not apply within 7 days of harvest.**

Use Directions for Sugarbeets

Diseases	TOPGUARD® Fungicide	Application Directions	Minimum Retreatment Interval
	Use Rate Per Acre (fl oz)		
Cercospora Leafspot (<i>Cercospora beticola</i>) Powdery Mildew (<i>Erysiphe betae</i>)	10 - 14	Apply TOPGUARD® Fungicide as a foliar spray when conditions are favorable for disease development. Use the higher rate when disease pressure is high. Apply TOPGUARD® Fungicide as the first application in a disease management program.	21 days
<p>Restriction: Apply TOPGUARD® Fungicide in a minimum of 10 gallons of spray solution per acre when applied by ground or in a minimum of 5 gallons of spray solution when applied by aircraft spray equipment. Do not apply more than 28 fluid ounces of product per acre per season. Do not apply more than 2 applications of TOPGUARD® Fungicide per growing season. No single application of product may exceed 14 fl. oz/A. Do not add adjuvants to spray solution.</p> <p>Restricted Entry Interval (REI): The REI is 12 hours.</p> <p>Preharvest Interval: Do not apply within 21 days of harvest.</p>			

For product information, call toll free, 1-800-548-6113.

WARRANTY DISCLAIMER

Cheminova warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated on the label when used in strict accordance with the directions, subject to the inherent risks set forth below. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, CHEMINOVA MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR ANY OTHER EXPRESS OR IMPLIED WARRANTY.

INHERENT RISKS OF USE

It is impossible to eliminate all risks associated with use of this product. Crop injury, lack of performance, or other unintended consequences may result because of such factors as use of the product contrary to label instructions (including conditions noted on the label, such as unfavorable temperatures, soil conditions, etc.), abnormal conditions (such as excessive rainfall, drought, tornadoes, hurricanes), presence of other materials, the manner of application, or other factors, all of which are beyond the control of Cheminova or the Seller. All such risks shall be assumed by Buyer and User. Buyer and User agree to hold Cheminova and the Seller harmless for any claims related to such factors.

LIMITATION OF REMEDIES

To the extent consistent with applicable law, the exclusive remedy for losses or damages resulting from this product (including claims based on contract, negligence, strict liability, or other legal theories), shall be limited to one of the following, at Cheminova's election,:

- (1) Refund of purchase price paid by buyer or user for product bought, or
- (2) Replacement of amount of product used.

To the extent consistent with applicable law, Cheminova shall not be liable for consequential, incidental, or special damages or losses.

The terms of the Warranty Disclaimer above and this Limitation of Remedies cannot be varied by any written or verbal statements or agreements. No employee or sales agent of Cheminova or the Seller is authorized to vary or exceed the terms of the Warranty Disclaimer or this Limitation of Remedies in any manner.

TOPGUARD® is a registered trademark of Cheminova

7-30-12

ACCEPTED
with COMMENTS
In EPA Letter Dated:

8/8/2012

Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
as amended, for the pesticide
registered under EPA Reg. No. 67760-75

19/29
SUPPLEMENTAL LABELING

Group 3 Fungicide

**TOPGUARD®
Fungicide**

EPA Reg. No. 67760-75

For disease control on CORN (field corn, field corn grown for seed, and popcorn),
SUGAR BEETS, and PEANUTS

THIS SUPPLEMENTAL LABEL EXPIRES ON August 1, 2015 AND MUST NOT BE USED
OR DISTRIBUTED AFTER THIS DATE

KEEP OUT OF REACH OF CHILDREN

CAUTION

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en
detalle.

(If you do not understand the label, find someone to explain it to you in detail.)

FIRST AID

If on skin:

- 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 swallowed:

- Call a poison control center or doctor immediately for treatment advice.
- Have person sip a glass of water if able to swallow.
- Do not induce vomiting unless told to by a poison control center or doctor.
- Do not give anything to an unconscious person.

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.
- Call a poison control center or doctor for treatment advice.

Have the product container or label with you when calling a poison control center or
doctor, or going for treatment. You may also contact 1-866-303-6950 for emergency
medical treatment information.

Note to Physician: No specific antidote. Treat symptomatically.

**IN CASE OF A MEDICAL EMERGENCY INVOLVING THIS PRODUCT, CALL TOLL
FREE, DAY OR NIGHT, 1-866-303-6950**

Manufactured For:
CHEMINOVA INC.
One Park Drive
Suite 150
Research Triangle Park, NC 27709

DIRECTIONS FOR USE

It is a violation of Federal Law to use this product in a manner inconsistent with its labeling.

Read the entire label. This label must be in the possession of the user at the time of application. Please refer to the TOPGUARD® Fungicide container label for additional PRECAUTIONARY STATEMENTS. In addition to the restrictions listed here, the user must follow all application directions, restrictions, and precautions otherwise listed on the TOPGUARD® Fungicide container label.

RESTRICTIONS AND LIMITATIONS

Crop Rotation: Treated fields may be rotated to a labeled crop at any time, or (except for peanuts) may be rotated to cotton, sweet corn, field corn, field corn grown for seed, and popcorn 180 days after the last application. Following application to peanuts, treated fields may only be rotated to a labeled crop. Rotation to any other crop is prohibited.

CROP USE DIRECTIONS

Use Directions for CORN (field corn, field corn grown for seed, and popcorn)

Diseases	TOPGUARD® Fungicide	Application Directions	Minimum Retreatment Interval
	Use Rate Per Acre (fl oz)		
Gray Leaf Spot (<i>Cercospora zeae-maydis</i>)	7 – 14	Apply TOPGUARD® Fungicide as a broadcast foliar spray. Use the high rate when disease pressure is high and conditions are favorable for disease development.	7 days
Southern leaf blight (<i>Helminthosporium maydis</i>)			
Northern leaf blight (<i>Helminthosporium turcicum</i>)			
Rust (<i>Puccinia</i> sp)		TOPGUARD® Fungicide may be tank-mixed with other approved corn fungicides, herbicides or insecticides unless prohibited on the label.	
Eyespot (<i>Kabatiella zeae</i>)		Because of the wide variety of possible combinations which can be encountered, observe all cautions and limitations on the label of all products used in mixtures. Spray to provide thorough coverage of all existing foliage using the appropriate application equipment.	
Anthrachnose (<i>Colletotrichum graminicola</i>)			
Restriction: Apply TOPGUARD® Fungicide in a minimum of 10 gallons of spray solution per acre by ground sprayer or in a minimum of 5 gallons of spray solution per acre by aircraft spray equipment. Do not apply more than 28 fluid ounces of product per acre per season. Do not apply more than 2 applications of TOPGUARD® Fungicide per			

growing season. No single application of product may exceed 14 fl. oz/A. A surfactant may be used but use of a crop oil concentrate or methylated seed oil is prohibited.

Restricted Entry Interval (REI): The REI for detasselling field corn and popcorn grown for seed is 5 days. The REI for all other activities is 12 hours.

Preharvest Interval: **Do not apply within 80 days of harvest for field corn and popcorn forage, stover, and grain.**

Use Directions for Sugarbeets

Diseases	TOPGUARD® Fungicide	Application Directions	Minimum Retreatment Interval
	Use Rate Per Acre (fl oz)		
Cercospora Leafspot (<i>Cercospora beticola</i>) Powdery Mildew (<i>Erysiphe betae</i>)	10 - 14	Apply TOPGUARD® Fungicide as a foliar spray when conditions are favorable for disease development. Use the higher rate when disease pressure is high. Apply TOPGUARD® Fungicide as the first application in a disease management program.	21 days

Restriction: Apply TOPGUARD® Fungicide in a minimum of 10 gallons of spray solution per acre when applied by ground or in a minimum of 5 gallons of spray solution when applied by air. Do not apply more than 28 fluid ounces of product per acre per season. Do not apply more than 2 applications of TOPGUARD® Fungicide per growing season. No single application of product may exceed 14 fl. oz/A. Do not add adjuvants to spray solution.

Restricted Entry Interval (REI): The REI is 12 hours.

Preharvest Interval: **Do not apply within 21 days of harvest.**

Use Directions for Peanuts

Diseases	TOPGUARD® Fungicide	Application Directions	Minimum Retreatment Interval
	Use Rate Per Acre (fl oz)		
<p>Early leaf spot (<i>Cercospora arachidicola</i>)</p> <p>Late leaf spot (<i>Cercosporidium personatum</i>)</p> <p>Leaf rust (<i>Puccinia arachidicola</i>)</p> <p>Leaf scorch/pepperspot (<i>Leptosphaerulina crassiasca</i>)</p> <p>Web blotch (<i>Phoma arachidicola</i>)</p>	7 - 14	<p>Apply TOPGUARD® Fungicide on a preventive spray schedule for effective disease control in peanuts. TOPGUARD® Fungicide applied on a regular schedule will provide effective control of early leaf spot late leaf spot, leaf rust, leaf scorch/pepperspot and web blotch</p> <p>When applied on a regular schedule for control of the labeled diseases, TOPGUARD® Fungicide will also provide suppression of soil-borne disease southern stem rot/white mold (<i>Sclerotium rolfsii</i>). For soil-borne disease suppression, rainfall or irrigation will optimize activity of TOPGUARD® Fungicide. TOPGUARD® Fungicide can be tank-mixed with other fungicides for improved activity of soil-borne diseases.</p> <p>TOPGUARD® Fungicide can be applied in an integrated spray schedule with other fungicides such as chlorothalonil. In this type of application schedule, apply TOPGUARD® Fungicide as the mid block of treatments (for example, in a 7 application program, apply TOPGUARD® Fungicide at applications 3-6).</p> <p>Apply Chlorothalonil before and following applications of TOPGUARD® Fungicide.</p>	14 days

		<p>Use higher rates when disease pressure is high or there is a field history of disease.</p> <p>TOPGUARD® Fungicide can be tank mixed with chlorothalonil for resistance management purposes.</p>	
<p>Restriction: Apply TOPGUARD® Fungicide in a minimum of 10 gallons of spray solution per acre by ground sprayer or in a minimum of 5 gallons of spray solution per acre by aircraft spray equipment. Do not apply more than 4 applications of TOPGUARD® Fungicide per growing season. No single application of product may exceed 14 fl. oz/A. Feeding of peanut hay to livestock is prohibited.</p> <p>Do not add adjuvants to the spray solution.</p> <p>Restricted Entry Interval (REI): The REI is 12 hours.</p> <p>Preharvest Interval: Do not apply within 7 days of harvest.</p>			

WARRANTY DISCLAIMER

Cheminova warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated on the label when used in strict accordance with the directions, subject to the inherent risks set forth below. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, CHEMINOVA MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR ANY OTHER EXPRESS OR IMPLIED WARRANTY.

INHERENT RISKS OF USE

It is impossible to eliminate all risks associated with use of this product. Crop injury, lack of performance, or other unintended consequences may result because of such factors as use of the product contrary to label instructions (including conditions noted on the label, such as unfavorable temperatures, soil conditions, etc.), abnormal conditions (such as excessive rainfall, drought, tornadoes, hurricanes), presence of other materials, the manner of application, or other factors, all of which are beyond the control of Cheminova or the Seller. All such risks shall be assumed by Buyer and User. Buyer and User agree to hold Cheminova and the Seller harmless for any claims related to such factors.

LIMITATION OF REMEDIES

To the extent consistent with applicable law, the exclusive remedy for losses or damages resulting from this product (including claims based on contract, negligence, strict liability, or other legal theories), shall be limited to one of the following, at Cheminova's election,:

- (1) Refund of purchase price paid by buyer or user for product bought, or
- (2) Replacement of amount of product used.

To the extent consistent with applicable law, Cheminova shall not be liable for consequential, incidental, or special damages or losses.

The terms of the Warranty Disclaimer above and this Limitation of Remedies cannot be varied by any written or verbal statements or agreements. No employee or sales agent of Cheminova or the Seller is authorized to vary or exceed the terms of the Warranty Disclaimer or this Limitation of Remedies in any manner.

TOPGUARD® is a registered trademark of Cheminova

7-30-12
Supplemental Label Corn Sugar beets, Peanuts

ACCEPTED
with COMMENTS
In EPA Letter Dated:

8/8/2012

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

67760-75 TOPGUARD®

Fungicide

EPA Reg. No. 67760-75

25/29
SUPPLEMENTAL LABELING

Group 3 Fungicide

For disease control on STONE FRUIT (Sweet Cherries, Tart Cherries, Apricot, Nectarine, Peach, Plum, Chicksaw Plum, Damson Plum, Japanese Plum, Plumcot, and Prune), GRAPES, AND POME FRUIT (Apple, Crabapple, Loquat, Mayhaw, Pear, Oriental Pear, and Quince)

THIS SUPPLEMENTAL LABEL EXPIRES ON August 1, 2015 AND MUST NOT BE USED
OR DISTRIBUTED AFTER THIS DATE

KEEP OUT OF REACH OF CHILDREN

CAUTION

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en
detalle.

(If you do not understand the label, find someone to explain it to you in detail.)

FIRST AID

If on skin:

- 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 swallowed:

- Call a poison control center or doctor immediately for treatment advice.
- Have person sip a glass of water if able to swallow.
- Do not induce vomiting unless told to by a poison control center or doctor.
- Do not give anything to an unconscious person.

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.
- Call a poison control center or doctor for treatment advice.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-866-303-6950 for emergency medical treatment information.

Note to Physician: No specific antidote. Treat symptomatically.

IN CASE OF A MEDICAL EMERGENCY INVOLVING THIS PRODUCT, CALL TOLL
FREE, DAY OR NIGHT, 1-866-303-6950

Manufactured For:
CHEMINOVA INC.
One Park Drive Suite 150
Research Triangle Park, NC 27709

DIRECTIONS FOR USE

It is a violation of Federal Law to use this product in a manner inconsistent with its labeling.

Read the entire label. This label must be in the possession of the user at the time of application. Please refer to the TOPGUARD® Fungicide container label for additional PRECAUTIONARY STATEMENTS. In addition to the restrictions listed here, the user must follow all application directions, restrictions, and precautions otherwise listed on the TOPGUARD® Fungicide container label.

RESTRICTIONS AND LIMITATIONS

Crop Rotation: Treated fields may be rotated to a labeled crop at any time, or (except for peanuts) may be rotated to cotton, sweet corn, field corn, field corn grown for seed, and popcorn 180 days after the last application. Following application to peanuts, treated fields may only be rotated to a labeled crop. Rotation to any other crop is prohibited.

CROP USE DIRECTIONS

Use Directions for Stone Fruit (Sweet Cherries, Tart Cherries, Apricot, Nectarine, Peach, Plum, Chicksaw Plum, Damson Plum, Japanese Plum, Plumcot, and Prune)

Diseases	TOPGUARD® Fungicide	Application Directions	Minimum Retreatment Interval
	Use Rate Per Acre (fl oz)		
Brown Rot Blossom Blight and Fruit Rot (<i>Monilina</i> <i>sp.</i>)	14	Apply TOPGUARD® Fungicide at 14.0 fl oz/A for Blossom Blight. Start applications at 5-10 % Bloom followed by an application at 50-100 % Bloom. Reapply TOPGUARD® Fungicide 7- 14 days after an application. If conditions are favorable for heavy disease pressure, reduce the spray interval to 7-10 days	7 days Apply up to 14 days
Powdery Mildew (<i>Sphaerotheca pannosa</i> , <i>Podosphaera sp.</i>)	14	Apply TOPGUARD® Fungicide at 14.0 fl oz/A at 100 % Bloom to Petal Fall followed by two more applications on a 2-3 week interval if disease conditions are favorable.	7 days Apply up to 14 days.
Cherry Leaf Spot (<i>Blumeriella jaapii</i>)	14	Apply TOPGUARD® Fungicide at 14.0 fl oz/A with a protectant fungicide. Start applications at White Bud, followed by a 50-	7 days Apply up to 14 days

		100% Bloom, Petal Fall and then every 2 weeks if conditions exist for leaf spot. Reapply TOPGUARD® Fungicide 7- 14 days after an application. If conditions are favorable for heavy disease pressure reduce the spray interval to 7-10 days.	
<p>Restriction: Apply TOPGUARD® Fungicide in a minimum of 10 gallons of spray solution per acre by ground equipment or by aircraft spray equipment. Do not apply more than 56 fluid ounces of product per acre per season. Do not apply more than 4 applications of TOPGUARD® Fungicide per growing season. No single application of product may exceed 14 fl. oz/A.</p> <p>Do not add adjuvants to spray solution.</p> <p>Restricted entry Interval (REI): the REI is 12 hours.</p> <p>Preharvest Interval: Do not apply within 7 days of harvest.</p>			

Use Directions for Grapes

Diseases	TOPGUARD® Fungicide	Application Directions	Minimum Retreatment Interval
	Use Rate Per Acre (fl oz)		
Powdery Mildew (<i>Uncinula necator</i>) Black Rot (<i>Guignardia bidwellii</i>)	8 – 10	Apply TOPGUARD® Fungicide as a foliar spray beginning at 6 to 10-inch shoots. Use the higher rate and/or shorter intervals when disease pressure is high. Apply TOPGUARD® Fungicide in sufficient water for thorough coverage of vines and fruit.	14 days Apply up to 21 days for Powdery Mildew Apply up to 14 days for Black Rot
<p>Restriction: Apply TOPGUARD® Fungicide in a minimum of 10 gallons of spray solution per acre by ground spray or by aircraft spray equipment. Do not apply more than 60 fluid ounces of product per acre per season. Do not apply more than 6 applications of TOPGUARD® Fungicide per growing season. No single application of product may exceed 10 fl. oz/A.</p> <p>Do not add adjuvants to the spray solution.</p> <p>Restricted Entry Interval (REI): The REI is 12 hours.</p> <p>Preharvest Interval: Do not apply within 14 days of harvest.</p>			

Use Directions for Pome Fruit (Apple, Crabapple, Loquat, Mayhaw, Pear, Oriental Pear, and Quince)

Diseases	TOPGUARD ¹ ® Fungicide		Application Directions	Minimum Retreatment Interval
	Use Rate Per Acre (fl oz)	Use Rate Per 100 Gallons of Water Dilute ² (fl oz)		
Scab (<i>Venturia inaequalis</i>) (Green tip - cover sprays) TOPGUARD® Fungicide & protectant ³	13	3.2	Initiate applications at green tip or when environmental conditions are favorable for primary scab development. Continue applications through the duration of primary scab.	10 days
Powdery Mildew (<i>Podosphaera leucotricha</i>) Quince Rust (<i>Gymnosporangium- clavipes</i>) Cedar Apple Rust (<i>Gymnosporangium juniperi-virginianae</i>)	8 to 12	2 to 3	Initiate applications at green tip and continue through cover sprays.	10 days
Pear Scab (<i>Venturia pirina</i>)	13	3.2	Apply TOPGUARD® Fungicide with a protectant fungicide starting at Pink Bud and continue through the duration of the Primary Scab Period.	10 days Apply up to 14 days.

Restriction: Apply TOPGUARD® Fungicide in a minimum of 10 gallons of spray solution per acre by ground spray or by aircraft spray equipment. Do not apply more than 52 fluid ounces of product per acre per season. Do not apply more than 4 applications of TOPGUARD® Fungicide per growing season. No single application of product may exceed 13 fl. oz/A.
Do not add adjuvants to spray solution.

Restricted entry Interval (REI): The REI is 12 hours.
Preharvest Interval: **Do not apply within 14 days of harvest.**

¹ TOPGUARD® Fungicide is a systemic fungicide and does not redistribute with rainfall. Adjust application equipment to apply a uniform spray to the entire tree canopy.

² Based on dilute sprays with a 400-gallon per acres basis. Dilute sprays are applied until the point of runoff. Gallonage of dilute sprays will vary depending on tree size, density of canopy and stage of growth of the trees and the tree spacing in the orchard. Regardless of the spray volume applied, do not exceed the labeled rate of TOPGUARD® Fungicide per acre.

³ It is recommended that TOPGUARD® Fungicide be tank-mixed with a protectant fungicide at labeled rates for scab resistant management. If compatibility is in question, use the compatibility jar test before mixing a whole tank. Because of the wide variety of possible combinations which can be encountered, observe all precautions and any more restrictive limitations on the label of all products used in mixtures. Do not tank mix with any product that contains a prohibition on tank mixing.

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INHERENT RISKS OF USE

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