



73545-12

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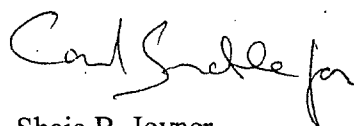
	<b>U.S. ENVIRONMENTAL PROTECTION AGENCY</b> <b>Office of Pesticide Programs</b> <b>Registration Division (7505P)</b> <b>Ariel Rios Building</b> <b>1200 Pennsylvania Ave., NW</b> <b>Washington, D.C. 20460</b>	<b>EPA Registration Number:</b>  73545-12	<b>Date of Issuance:</b>  SEP 26 2008
	<b>NOTICE OF PESTICIDE:</b> <input type="checkbox"/> Registration <input checked="" type="checkbox"/> Reregistration (under FIFRA, as amended)	<b>Term of Issuance:</b> Unconditional	
		<b>Name of Pesticide Product:</b> TOPSIN M 5D	
<b>Name and Address of Registrant (include ZIP Code):</b>  Timothy Formella NISSO TM LLC d/b/a/ Cerexagri Inc. 630 Freedom Business Center, Suite 402 King of Prussia, PA 19406			
<small>Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.</small>			
<p>On the basis of information furnished by the registrant, the above named pesticide is hereby reregistered under the Federal Insecticide, Fungicide and Rodenticide Act. Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.</p> <p>Based on your response to the Reregistration Eligibility Decision for Thiophanate Methyl, EPA has reregistered the product listed above. This action is taken under the authority of section 4(g)(2)(c) of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended. Reregistration under this section does not eliminate the need for continual reassessment of pesticides. EPA may require submission of data at any time to maintain the registration of your product.</p> <p>Continued on Page 2</p>			
<b>Signature of Approving Official:</b>   Shaja B. Joyner, Product Manager Team 20 Fungicide Branch Registration Division (7505P)		<b>Date:</b>  SEP 26 2008	

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EPA Registration. Number 73545-12

A copy of your label stamped "Accepted" is enclosed for your records. If you have any questions, please contact Shaunta Hill of my team at (703) 347-8961 or at [hill.shaunta@epa.gov](mailto:hill.shaunta@epa.gov).

Sincerely,



Shaja B. Joyner  
Product Manager (20)  
Fungicide Branch  
Registration Division (7505P)

Enclosure: Stamped copy of label

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ACCEPTED

SEP 26 2008

Under the Federal Insecticide,  
Fungicide, and Rodenticide Act,  
as amended, for the pesticide  
registered under  
EPA Reg. No. 73545-12

ACCEPTED

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Under the Federal Insecticide,  
Fungicide, and Rodenticide Act,  
as amended, for the pesticide

73545-12

**PRECAUTIONARY STATEMENTS  
HAZARDS TO HUMANS AND DOMESTIC ANIMALS**

**CAUTION**

May be harmful if inhaled or absorbed through skin. Avoid contact with skin, eyes, or clothing. Avoid breathing of dust. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.

**PERSONAL PROTECTIVE EQUIPMENT (PPE)**

Loaders, applicators, and other handlers must wear:

- Long-sleeved shirt and long pants,
- Shoes plus socks,
- Chemical-resistant gloves

See engineering controls for additional requirements.

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**

Planters/operators planting potato seed that has been treated with dust must be in an enclosed cab.

When handlers use closed systems or enclosed cabs 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.

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

Users should 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 areas where surface water is present or to intertidal areas below the mean high water mark. Runoff from treated areas may be hazardous to aquatic organisms in neighboring areas. Do not contaminate water when disposing of equipment wash water.

If treated seed pieces are spilled outdoors or in areas accessible to birds or endangered species, promptly clean up and dispose of properly to prevent ingestion. Dispose of all excess treated seed by burying seed pieces away from bodies of water.

## 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 the 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 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) of 48 hours.

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 over long-sleeved shirt and long pants,
- Chemical-resistant gloves made of any waterproof material,
- Chemical-resistant footwear plus socks,
- Chemical-resistant headgear for overhead exposures.

### GENERAL INFORMATION

For the suppression of potato seed piece decay caused by *Fusarium* and *Rhizoctonia* spp., use ½ pound of Topsin M 5D 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.

Use with an EPA-approved dye that imparts an unnatural color to the seed. Treated seed must be labeled as follows: These seed pieces have been treated with Topsin M 5D

potato seed piece treatment fungicide containing thiophanate-methyl. Do not use treated seed pieces for food or fodder.

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

**NOTE:** Topsin M 5D is a systemic fungicide having a specific mode of action. Topsin M 5D has been subject to development of resistant strains of fungi. Development of resistance cannot be predicted. Therefore, United Phosphorus, 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 that may occur.

#### 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.

#### STORAGE AND DISPOSAL

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

**PESTICIDE STORAGE:** Store in the original container 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 used 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 DISPOSAL:** After bag has been emptied, 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 United Phosphorus, Inc. or Seller. Handling, storage, and use of the product by Buyer or User are beyond the control of United Phosphorus, Inc. and Seller. All such risks shall be assumed by Buyer and User, and Buyer and User agree to hold United Phosphorus, Inc. and Seller harmless for any claims relating to such factors.

**TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, UNITED PHOSPHORUS, INC. 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, United Phosphorus, Inc. 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 UNITED PHOSPHORUS, INC. 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 UNITED PHOSPHORUS, INC. OR SELLER, THE REPLACEMENT OF THE PRODUCT.**

United Phosphorus, Inc. 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 United Phosphorus, Inc.