

73545-14

08/20/2008

1/6

U.S. ENVIRONMENTAL PROTECTION  
AGENCY

Office of Pesticide Programs  
Registration Division (7505P)  
Ariel Rios Building  
1200 Pennsylvania Ave., NW  
Washington, D.C. 20460

EPA Registration  
Number:

73545-14

Date of Issuance:

AUG 20 2008

## NOTICE OF PESTICIDE:

☐ Registration  
☒ Reregistration  
(under FIFRA, as amended)

Term of Issuance:

Unconditional

Name of Pesticide Product:

Topsin M 5G

## Name and Address of Registrant (include ZIP Code):

Nisso TM LLC d/b/a Cerexagri, Inc  
630 Freedom Business CTR, Suite 402  
King of Prussia, PA 19406

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.

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.

Based on your response to the Reregistration Eligibility Decision for Thiophanate Methyl, EPA has reregistered the product listed above provided the change listed below is made. 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.

Continued on Page 2

Signature of Approving Official:

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

Date:

8/20/2008

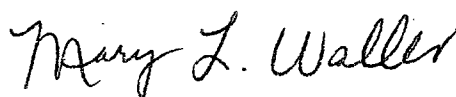
Please make the following change to the label:

Page 4 - Conditions of Sale and Limitation of Warranty and Liability:

Change the last sentence of the paragraph beginning "The Directions for Use of this product reflect . . . " from "All such risks shall be assumed by Buyer and User . . . " to "To the extent consistent with applicable law, all such risks shall be assumed by Buyer and User . . . "

A copy of your label stamped "Accepted with comments" is enclosed for your records. If you have any questions, contact Lisa Jones of my team at (703) 308-9424 or at [jones.lisa@epa.gov](mailto:jones.lisa@epa.gov).

Sincerely,



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

Enclosure: Stamped copy of label

3/6

**TOPSIN<sup>®</sup> M 5G**  
**THIOPHANATE-METHYL FUNGICIDE**

**ACTIVE INGREDIENT:**

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

**OTHER INGREDIENTS:** .....95.0%  
**TOTAL**.....100.0%

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

TOPSIN is a registered trademark of Nippon Soda Company, Ltd., and is licensed to NISSO TM LLC, and is covered by one or more of the following U.S. Patents: 3,769,308; 3,856,847; 4,020,095; and 4,029,813.

**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.

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 Control Center at 1-866-673-6671 for emergency medical treatment information.

**FOR CHEMICAL EMERGENCY:** Spill, leak, fire, explosion, or accident, call CHEMTREC at 1-800-424-9300.

EPA Registration No. 73545-14

EPA Establishment No. \_\_\_\_\_

**NET WEIGHT: 50 Pounds**

Sold by: United Phosphorus, Inc.  
630 Freedom Business Center, Suite 402  
King of Prussia, PA 19406

**ACCEPTED**  
**with COMMENTS**  
**In EPA Letter Dated:**

**AUG 20 2008**

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

**73545-14**

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

**HARMFUL IF ABSORBED THROUGH SKIN.** Avoid contact with eyes, skin, or clothing. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet. Remove and wash contaminated clothing before reuse.

**PERSONAL PROTECTIVE EQUIPMENT**

Some materials that are chemical-resistant to this product are made of any waterproof material. If you want more options, follow the instructions for category A on an EPA chemical-resistance category selection chart.

Loaders, applicators, and other handlers must wear:

- Long-sleeved shirt and long pants,
- Shoes plus socks, and
- Chemical-resistant gloves made out of any waterproof material.

**USER SAFETY 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.

**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 to 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.

**DIRECTIONS FOR USE**

It is a violation of Federal law to use this product in a 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 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 24 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 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.

**BEANS:** for use only for the suppression of damping-off of bean seedlings by Rhizoctonia spp. and Fusarium spp.

Apply at planting directly in the seed furrow before the seeds are covered.

Apply at the rate of 14 to 28 pounds product per acre (0.7 – 1.4 lbs a.i./A) or for example 10 to 20 ounces of product per 1,000 feet of row on 24" spacing, using a granular applicator. Use at the higher rate of 21-28 pounds product per acre (1.05 – 1.4 lbs a.i./A) if the field to be planted has a history of these damping-off diseases, has been mono-cropped (beans after beans), or if optimum disease conditions exist at planting, i.e. cool and wet soil.

When Pythium spp. is also a potential problem, this product should be used in combination with a fungicide that controls this pathogen.

### 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 disposed of according to label instructions, contact your State Pesticide or Environmental Control Agency,

6/6

or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.  
**CONTAINER DISPOSAL INSTRUCTIONS:** 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. warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated in the Directions for Use, subject to the inherent risks referred to above, when used in accordance with directions under normal use conditions. This warranty does not extend to the use of this product contrary to label instructions, or under abnormal conditions or under conditions not reasonably foreseeable to or beyond the control of Seller or United Phosphorus, Inc., and Buyer and User assume the risk of any such use. To the extent consistent with applicable law, UNITED PHOSPHORUS, INC. MAKES NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY EXCEPT AS STATED ABOVE.

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.