

TOPGUARD®
Fungicide
Section 18 Exemption
For Use on Cotton to Control Cotton Root Rot

ACTIVE INGREDIENT:

*Flutriafol

11.8%

INERT 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.)

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

**FOR DISTRIBUTION AND USE ONLY IN THE STATE OF TEXAS UNDER SECTION 18
EXEMPTION**

This labeling must be in the possession of the user at the time of pesticide application. It is a violation of Federal law to use this product in a manner inconsistent with its labeling. Read entire Directions for Use and Warranty Disclaimer before using this product. Follow all applicable directions, restrictions, Worker Protection Standard requirements, and precautions on the product label for **TOPGUARD® Fungicide**.

Any adverse effects resulting from the use of **TOPGUARD® Fungicide** under this exemption must be immediately reported to the Texas State Department of Agriculture.

EXACT AUTHORIZED USE: This is an unregistered use. The U.S. Environmental Protection Agency has authorized the use of **TOPGUARD® Fungicide** under the provisions of Section 18 of the Federal Insecticide, Fungicide and Rodenticide act, as amended, on cotton in Texas to control cotton root rot.

EFFECTIVE PERIOD: This labeling becomes effective February 1, 2013 and expires on June 30, 2013

EPA SECTION 18 FILE SYMBOL: 12TX08

Manufactured For:
Cheminova Inc.
One Park Drive, Suite 150
Research Triangle Park, NC 27709

**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 frequent skin contact may cause allergic reactions in some individuals.

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.

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

Note to Physician: No specific antidote. Treat symptomatically.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Applicators and 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, 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 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) of 12 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, chemical resistant gloves, and shoes plus socks.

STORAGE AND DISPOSAL

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

Pesticide Storage: Store unused product in original container in a cool, dry 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: Crops treated with **TOPGUARD® Fungicide** may be rotated to cotton, soybean, field corn, sugarbeets, pome fruit, stone fruit, grapes or peanuts at any time or may be rotated to sweet corn 180 days after the last application. Rotation to any other crop is prohibited for 365 days after 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.

RECOMMENDED APPLICATIONS

For use in cotton to control cotton root rot (*Phymatotrichopsis omnivora*).

Rate per acre: 16-32 fluid ounces

Cotton Use Directions:

Apply **TOPGUARD® Fungicide** to the soil in a T-band or in-furrow.

T-band directions: Apply **TOPGUARD® Fungicide** concentrated in a 3-5 inch wide T-band at planting. A T-band wider than 5 inches will result in some of the band being too far from the plant to provide disease protection. Refer to the nozzle manufacturer for proper nozzle selection and placement to achieve a 3-5 inch T-band. A T-band is applied perpendicular to the row direction after furrow opening and seed placement, but before furrow closure. The application resembles a "T" in cross section, as part of the spray enters the furrow, while the rest forms a band on either side of the furrow. Some mixing of **TOPGUARD® Fungicide** with the soil is expected during furrow closing.

In-furrow directions: Apply **TOPGUARD® Fungicide** in-furrow at planting. In-furrow application equipment should be designed to minimize direct contact between the spray and seed.

Dry weather after application may reduce the effectiveness of this product.

Cotton Use Directions:

	16 fl oz/Ac Rate	32 fl oz/Ac Rate (Maximum allowed)
Row Spacing (inches)	fl oz of TOPGUARD/1000 ft of row	
30	0.92	1.84
32	0.98	1.96
36	1.10	2.20
38	1.16	2.32
40	1.22	2.44

Restrictions: Apply only as an at-planting T-band or in-furrow. Do not make more than one application of flutriafol containing products to cotton per season. Do not apply more than 0.26 pounds of the active ingredient flutriafol to cotton per acre per season.

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

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