



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

OFFICE OF CHEMICAL SAFETY  
AND POLLUTION PREVENTION

NuFarm Americas, Inc.  
c/o Ms. Georgia Anastasiou  
Lewis & Harrison  
122 C Street, N.W. Suite 740  
Washington, DC 20001

OCT 21 2010

Dear Ms. Anastasiou:

Subject: Amendment: Add restrictions per Agency pyrethroid labeling letter dated June 4, 2009,  
Update per PR Notices 2000-5, 2007-1 and 2008-1, and Revise Warranty section  
Bifenthrin PL Granular Insecticide  
EPA Reg. No. 228-439  
Your submission dated September 3, 2010.

The amendment referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) section 3(c)(7)(a), is acceptable provided the following revisions are made prior to release for shipment under the amended labeling:

- 1) On page 4, in footnote #7 for Imported Fire Ants, in the food utensils restriction, delete "spoons and" since the directions are given only in cups. Also, delete the "Note" about use in spray rigs. This product is a non-dilutable granular solid, so directions referring to ounces in gallons of water or teaspoons per gallon equivalents are not appropriate.
- 2) On page 5, in the Fire Ant Mound Treatment directions, delete "spoons and" since directions are only given in cups.
- 3) Since this is a ready-to-use non-dilutable granular product, there is no requirement for residue removal when packaged in nonrefillable containers (see PR Notice 2007-4 page 4, item III B ii). Therefore, replace the nonrefillable plastic container section (including the "5 gallons or less" and the "larger than 5 gallons" triple rinse directions sections) with the following :  
"CONTAINER DISPOSAL: Nonrefillable container. Do not reuse or refill this container. Completely empty container into application equipment, then offer for recycling, if available, or dispose of empty container in a sanitary landfill or by incineration. Do not burn unless permitted by state and local ordinance. If burned, stay out of smoke." The remainder of the new Container Disposal directions may appear as proposed.

A stamped copy of the label is enclosed for your records. Please submit two copies of the revised amended labeling prior to release for shipment.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying the batch of the pesticide distributed and sold be placed on nonrefillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.

If you have any questions regarding this letter, please contact Dana Pilitt, PhD of my staff at (703) 305-7071 or via e-mail at [pilitt.dana@epa.gov](mailto:pilitt.dana@epa.gov).

Sincerely,



Richard Gebken  
Product Manager 10  
Insecticide Branch  
Registration Division (7505P)

3/10

# BIFENTHRIN PL GRANULAR INSECTICIDE

ONLY FOR SALE TO, USE, AND STORAGE BY COMMERCIAL APPLICATORS FOR USE TO CONTROL ANTS (INCLUDING IMPORTED FIRE ANTS), MOLE CRICKETS AND OTHER INSECT PESTS ON LAWNS IN LANDSCAPED AREAS AND PERIMETERS AROUND RESIDENTIAL, INSTITUTIONAL, PUBLIC, COMMERCIAL AND INDUSTRIAL BUILDINGS, PARKS, RECREATIONAL AREAS AND ATHLETIC FIELDS.

**ACTIVE INGREDIENT: By Weight**

Bifenthrin* .....	0.2%
<b>OTHER INGREDIENTS:</b> .....	<b>99.8%</b>
<b>TOTAL:</b> .....	<b>100.0%</b>

\*Cis isomers 97% minimum, trans isomers 3% maximum. U.S. Patent No. 4,238,505

**KEEP OUT OF REACH OF CHILDREN  
CAUTION - PRECAUCION**

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.)

**SEE SIDE PANELS FOR FIRST AID AND ADDITIONAL PRECAUTIONARY STATEMENTS**

For Chemical Spill, Leak, Fire, or Exposure, Call CHEMTREC (800) 424-9300  
For Medical Emergencies Only, Call (877) 325-1840

NOTE: Spanish language is optional

EPA REG. NO. 228-439  
EPA EST. NO. \_\_\_\_\_

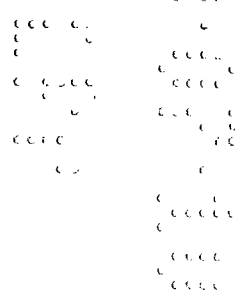
MANUFACTURED BY  
NUFARM AMERICAS INC.  
BURR RIDGE, IL 60527-0866



NET CONTENTS \_\_\_\_\_ LBS. (      Kg)

**ACCEPTED  
with COMMENTS  
In EPA Letter Dated:  
OCT 21 2010**

**Under the Federal Insecticide,  
Fungicide, and Rodenticide Act,  
as amended, for the pesticide  
registered under EPA Reg. No.  
228-439**



9/10

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

Harmful if absorbed through skin. Avoid contact with skin, eyes, or clothing.

**FIRST AID**

**IF ON SKIN OR CLOTHING**

- Take off contaminated clothing.
- Rinse skin immediately with plenty of water for 15 to 20 minutes.
- Call a poison control center or doctor for treatment advice.

**HOT LINE NUMBER**

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-877-325-1840 for emergency medical treatment information.

**NOTE TO PHYSICIAN**

This product is a pyrethroid. If large amounts have been ingested, milk, cream and other digestible fats and oils may increase absorption and should be avoided.

**ENVIRONMENTAL HAZARDS**

This pesticide is extremely toxic to fish and aquatic invertebrates. To protect the environment, **DO NOT** allow pesticide to enter or run off into storm drains, drainage ditches, gutters or surface waters. Applying this product in calm weather when rain is not predicted for the next 24 hours will help to ensure that wind or rain does not blow or wash pesticide off the treatment area. Sweeping any product that lands on a driveway, sidewalk, or street, back onto the treated area of the lawn or garden will help to prevent run off to water bodies or drainage systems. Drift and run-off from treated areas may be hazardous to aquatic organisms in neighboring areas.

**DIRECTIONS FOR USE**

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. Not for use on plants being grown for sale or other commercial use, or for commercial seed production, or for research purposes. For use on plants intended for aesthetic purposes or climate modification and being grown in interior plantscapes, ornamental gardens or parks, or lawns or grounds.

**DO NOT** broadcast apply more than 0.4 pounds a.i. (200 pounds of this product) per acre per year. However, for residential lawn use, **DO NOT** apply more than 0.2 pounds a.i. per acre per application.

Not for use on golf courses, sod farms, nurseries, in commercial greenhouses, or on grass grown for seed.

Apply this product directly to the lawn or garden area. Water treated area as directed on label. Apply this product directly to the lawn or garden area. Water treated area as directed on this label. Do not water to the point of run-off.

Do not make application during the rain.

Application is prohibited directly into sewers or drains, or to any area like a gutter where drainage into sewers, storm drains, water bodies, or aquatic habitat can occur. **DO NOT** allow the product to enter any drain during or after application.

**LAWN AND PERIMETER APPLICATIONS**

**Lawn Application:** Broadcast this product with suitable application equipment to ensure uniform coverage over the treatment area. **DO NOT** apply more than 0.2 pound active ingredient (a.i.) per acre per application on residential use sites (i.e., around private homes, apartment buildings, condominiums, non-agricultural outbuildings, non-commercial greenhouses, pre-schools or day care facilities). Apply at up to 0.4 pound a.i. per acre per application on non-residential use sites (i.e., around institutional, public, commercial or industrial buildings; parks; recreational areas or athletic fields).

### APPLICATION RATES

The application rates listed in the following table will provide control of the respective pests under typical conditions. However, at the discretion of the applicator, this product may be applied at up to 0.4 pounds a.i./acre on non-residential use sites to control each of the pests listed in the table.

PEST	ACTIVE INGREDIENT POUNDS PER ACRE	APPLICATION RATE OF THIS PRODUCT	
Armyworms <sup>1</sup> Cutworms <sup>1</sup> Sod Webworm <sup>1</sup>	0.1 pound a.i./acre	50 pounds per acre	1.15 pounds per 1,000 square feet
Annual Bluegrass Weevils ( <i>Hyperodes</i> ) (Adult) <sup>2</sup> Billbugs (Adult) <sup>3</sup> Black Turfgrass Ataenius (Adult) <sup>4</sup> Leafhoppers Mealybugs	0.1 to 0.2 pound a.i./acre	50 to 100 pounds per acre	1.15 to 2.3 pounds per 1,000 square feet

PEST	ACTIVE INGREDIENT POUNDS PER ACRE	APPLICATION RATE OF THIS PRODUCT	
Ants Centipedes Chinch Bugs <sup>5</sup> Fleas (Larvae) <sup>6</sup> Fleas (Adult) Imported Fire Ants (Adult) <sup>7</sup> Imported Fire Ants (Mounds) <sup>7</sup> Millipedes Mole Cricket (Adult) <sup>8</sup> Mole Cricket (Nymph) <sup>9</sup> Ticks <sup>10</sup>	0.2 to 0.4 pound	100 to 200 pounds per acre	2.3 to 4.6 pounds per 1,000 square feet
Pillbugs Sowbugs European Crane Flies	0.4 pound a.i./acre	200 pounds per acre	4.6 pounds per 1,000 square feet

**In New York State, DO NOT apply this product to any grass, or turf area within 100 feet of a water body (lake, pond, river, stream, wetland, or drainage ditch).**

**In New York State, make a single repeat application of this product if there are signs of renewed insect activity, but not sooner than two weeks after the first application.**

<sup>1</sup>**Armyworms, Cutworms, and Sod Webworms:** Irrigate the treated area with up to 0.1 inches of water immediately after application to activate (release from the granule) the insecticide.

<sup>2</sup>**Annual Bluegrass Weevil (*Hyperodes*) adults:** Time applications to control adult weevils as they leave their over-wintering sites and move into grass areas. This movement generally begins when *Forsythia* is in full bloom and concludes when Flowering Dogwood is in full bloom. Consult your State Cooperative Extension Service for more specific information regarding application timing.

<sup>3</sup>**Billbug Adults:** Make applications when adult Billbugs are first observed during April and May. Degree day models have been developed to optimize application timing. Consult your State Cooperative Extension Service for information specific to your region. In temperate regions, spring applications targeting Billbug adults will also provide control of over-wintered Chinch Bugs.

**4Black Turfgrass Ataenius Adults:** d Make applications during June and July to control the first and second generation of Black Turfgrass Ataenius adults, respectively. Time May applications to coincide with the full bloom stage of Vanhoutte spiraea (*Spiraea vanhouttei*) and Horse Chestnut (*Aesculus hippocastanum*). Time the July application to coincide with the blooming of Rose of Sharon (*Hibiscus synacus*).

**5Chinch Bugs:** Chinch Bugs infest the base of grass plants and are often found in the thatch layer. Irrigate the treated area with up to 0.25 inches of water immediately after application to activate (release from the granule) the insecticide. Chinch Bugs can be one of the most difficult pests to control in grasses and the higher application rates may be required to control populations that contain both nymphs and adults during the summer.

**6Flea Larvae:** Flea larvae develop in the soil of shaded areas that are accessible to pets or other animals. Irrigate the treated area with up to 0.5 inches of water immediately after application to activate (release from the granule) the insecticide.

**7Imported Fire Ants:** Control will be optimized by combining broadcast applications that will control foraging workers and newly mated fly-in queens with mound treatments that will eliminate existing colonies. If the soil is not moist, then irrigate before application. For broadcast treatments, apply 0.4 pound a.i./acre. Treat mounds by applying 1/2 cup of this product per mound and then drenching the mound with 1 to 2 gallons of water. Treat mounds with sufficient force to break their apex and allow the insecticide solution to flow into the Ant tunnels. Treat a 4 foot circle around the mound. Apply in cool weather (65-80°F) or in early morning or late evening hours. **DO NOT** use food utensils such as spoons and measuring cups for food purposes after use in measuring pesticides. **Note:** a spray rig that is calibrated to apply 0.1 pound a.i./acre (20 ounces) of this product in 2.5 gallons per 1,000 square feet contains the approximate dilution (1 teaspoon per gallon) that is required for Fire Ant mound drenches in the spray tank.

**8Mole Cricket Adults:** Achieving acceptable control of adult Mole Crickets is difficult because preferred grass areas are subject to continuous invasion during the early spring by this extremely active stage. Make applications as late in the day as possible and water in with up to 0.5 inches of water immediately after treatment. If the soil is not moist, irrigate before application to bring the Mole Crickets closer to the soil surface where contact with the insecticide will be maximized. Treat grass areas that receive pressure from adult Mole Crickets at peak egg hatch to ensure control of subsequent nymph populations (see below).

**9Mole Cricket Nymphs:** Treat grass areas that receive intense adult Mole Cricket pressure in the spring immediately prior to peak egg hatch. Control is achieved at this time because young nymphs are more susceptible to insecticides and they are located near the soil surface where the insecticide is most concentrated. Control of larger, more damaging, nymphs later in the year may require both higher application rates and more frequent applications to maintain acceptable control. Make applications as late in the day as possible and water in with up to 0.5 inches of water immediately after treatment. If the soil is not moist, irrigate before application to bring the Mole Crickets closer to the soil surface where contact with the insecticide will be maximized.

**10TICKS: (Including ticks that transmit Lyme Disease and Rocky Mountain Spotted fever):** **DO NOT** make spot applications. Treat the entire area where exposure to ticks occurs. Use higher application rates when treating areas with dense ground cover or heavy leaf litter. Ticks may be reintroduced from surrounding areas on host animals. **DO NOT** allow public use of treated areas during application.

**Deer Ticks (*Ixodes sp.*)** have a complicated life cycle that ranges over a two-year period and involves four life stages. Make applications in mid-to-late spring to control larvae and nymphs that reside in the soil and under leaf litter.

**American Dog Ticks** may be a considerable nuisance in suburban settings, particularly where homes are built on land that was previously field or forest. These ticks commonly congregate along paths or roadways where humans are likely to be encountered. Make applications from mid-spring to early fall to control American Dog Ticks larvae, nymphs and adults.

**Perimeter Application:** Apply to ground area 5 to 10 feet wide around and adjacent to the structure.

**Boundary Applications:** Apply to soil areas, ornamental gardens, pavement crevices, fence lines, planter areas, vegetation areas and mulch areas.

APPLICATION RATE POUNDS PER 1,000 SQ.FT.	BAND WIDTH	POUNDS OF THIS PRODUCT FOR PERIMETER LINEAR DISTANCE (FEET) AROUND STRUCTURE							
		100	150	200	250	300	400	500	1,000
2.3	5 feet	1.3	1.9	2.5	3.0	3.6	4.8	5.9	11.7
2.3	10 feet	3.0	4.2	5.3	6.5	7.6	9.9	12.2	23.7
3.0	5 feet	1.7	2.5	3.3	3.9	4.7	6.3	7.7	15.2
3.0	10 feet	3.9	5.4	6.9	8.5	9.9	12.9	15.9	30.9
3.5	5 feet	2.0	2.9	3.8	4.5	5.4	7.2	8.9	17.5
3.5	10 feet	4.5	6.3	8.0	9.8	11.4	14.9	18.3	35.5
4.6	5 feet	2.6	3.8	5.0	6.0	7.2	9.6	11.8	23.4
4.6	10 feet	6.0	8.4	10.6	13.0	15.2	19.8	24.4	47.4

**Note:** The amounts of this product listed in the above table are based on the total area being treated. This area is determined by multiplying the linear distance by the band width and then adding to that value the area of a circle whose radius is equal to the band width (to account for the area treated at the four corners of a rectangular structure).

**Fire Ant Mound Treatment:** Apply 1/2 cup of this product per mound and then drench the mound with 1 to 2 gallons of water. Drench the mound with sufficient force to break its apex and allow the insecticide to flow into the ant tunnels. Apply in cool weather (65 to 80°F) or in early morning or late evening hours. Treat new mounds as they appear. **DO NOT** use food utensils such as teaspoons and measuring cups for food purposes after use with insecticide.

### INDUSTRIAL NON-AGRICULTURAL APPLICATIONS

**(Including Industrial Sites, Parks, Ball Fields and Cemeteries)**

**Broadcast Spot Applications:** For the control of actively foraging ants (including Imported Fire Ants) broadcast uniformly 2.3 to 4.6 pounds of this product per 1,000 square feet (0.2 to 0.4 pounds a.i./acre). See section under **Lawn Applications** for additional rate recommendations.

**Pad Mounted Electrical Sites:** To reduce or prevent ant mound building activity on electrical pads, uniformly distribute 1.0 to 1.5 tablespoons (0.06 to 0.09 pounds) of this product per 4 square feet of mounting pad. Where existing transformers are completely or partially filled with soil excavated by resident ants, remove any excess fill and level the remaining soil prior to application. **Food utensils such as tablespoons must not be used for food purposes after use in measuring pesticides.**

**Note:** Electrical transformers appear to be more attractive to ants during the cooler months. For best results treat in the fall or early spring.

### SPREADER SETTINGS FOR BROADCAST APPLICATIONS

		SPREADER SETTING			
		100 POUNDS PER ACRE		200 POUNDS PER ACRE	
Equipment Hand-Pushed	GROUND SPEED (MPH)	Once Over	Twice Over	Once Over	Twice Over
LESCO Rotary	3	B + 1/4	A + 1/2	C + 1/2	B + 1/4
Scotts R-8A-1 Rotary	3	G	E	Not Rec.	G
Gandy Models (42, 36, 30, 24")	3	12	10.5	16	12
Spyker (All Models)	3	2.6	2	3.1	2.6

		SPREADER SETTING			
		100 POUNDS PER		200 POUNDS PER ACRE	
Equipment Drawn (PTO=540 RPM)	GROUND SPEED (MPH)	Once Over	Twice Over	Once Over	Twice Over
Gandy Models (42, 36, 30, 24")	4.5	14	11.5	19	14
Gandy 6500 Series	4.5	15	11	20	15
Gandy 10T Series	5.0	165	12	24	165
Herd GT-77	4.0	--	--	8H	--
Herd GT-77	8.0	8H	--	--	8H
Lely 2.3202.000.1	4.5	2	1	3.5	2
Lely Model L-400	4.5	Not Rec.	Not Rec.	2	Not Rec.
Vicon PS402	4.5	10	7	16	10
Vicon PS1002T	4.5	13	9	21	13

**Note:** Use these settings as starting points when calibrating a spreader to achieve the desired application rate of this product. After calibration, regularly monitor the amount of this product applied to a known area and make further setting adjustments, as necessary, to maintain the application rate. Calibrate spreaders periodically to ensure that equipment wear or other factors have not altered the flow rate of this product. Calibration instructions are included in the Owner's Manual that was provided by the equipment manufacturer at the time of purchase.

**Resistance:** Some insects are known to develop resistance to products used repeatedly for control. Because the development of resistance cannot be predicted, use this product in accordance with resistance management strategies established for the use area. Consult your local or state pest management authorities for details.

If resistance to this product develops in your area, this product, or other products with a similar mode of action, may not provide adequate control. If poor performance cannot be attributed to improper application or extreme weather conditions, a resistant strain of insect may be present. If you experience difficulty with control and suspect that resistance is a reasonable cause, immediately consult your local company representative or pest management advisor for the best alternative method of control for your area.



## SELL IN ORIGINAL PACKAGES ONLY

### STORAGE AND DISPOSAL

**DO NOT** contaminate water, food or feed by storage or disposal.

**PESTICIDE STORAGE:** Keep out of reach of children and animals. Store in original containers only. Store in a cool, dry place and avoid excess heat. Carefully open containers. After partial use close tightly.

In case of spill, avoid contact, isolate area and keep out animals and unprotected persons. Confine spills.

To confine spill: Cover to prevent dispersal. Place damaged package in a holding container. Identify contents.

**PESTICIDE DISPOSAL:** Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

#### [Nonrefillable plastic containers]

**CONTAINER DISPOSAL: Nonrefillable container.** Do not reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying.

#### **[Nonrefillable Containers 5 Gallons or Less:]**

**Triple rinse as follows:** Empty the remaining contents into application equipment or a mix tank. Fill the container 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 two more times. Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by State and local authorities. Plastic containers are also disposable by incineration. Do not burn unless permitted by state and local ordinance If burned stay out of smoke.

#### **[Nonrefillable containers larger than 5 Gallons:]**

**Triple rinse as follows:** Empty the remaining contents into application equipment or a mix tank. Fill the container 1/4 full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times. Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by State and local authorities. Plastic containers are also disposable by incineration. Do not burn unless permitted by state and local ordinance If burned stay out of smoke.

#### [Nonrefillable bags]

**CONTAINER DISPOSAL: 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. Do not burn unless permitted by state and local ordinance. If burned, stay out of smoke.

#### **[Refillable drum with a Nonrefillable liner]**

**CONTAINER HANDLING:** Refill this container with pesticide only. Do not use this container for any other purpose. Completely empty liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into application equipment. Then dispose of liner in a sanitary landfill or by incineration 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 in the same manner required for its liner. To recycle, contact Nufarm's Customer Service Department at 1-800-345-3330 to arrange for return of the empty refillable container.

**WARRANTY**

The directions for use of this product must be followed carefully. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, (1) THE GOODS DELIVERED TO YOU ARE FURNISHED "AS IS" BY MANUFACTURER OR SELLER AND (2) MANUFACTURER AND SELLER MAKE NO WARRANTIES, GUARANTEES, OR REPRESENTATIONS OF ANY KIND TO BUYER OR USER, EITHER EXPRESS OR IMPLIED, OR BY USAGE OF TRADE, STATUTORY OR OTHERWISE, WITH REGARD TO THE PRODUCT SOLD, INCLUDING, BUT NOT LIMITED TO MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, USE, OR ELIGIBILITY OF THE PRODUCT FOR ANY PARTICULAR TRADE USAGE. UNINTENDED CONSEQUENCES, INCLUDING BUT NOT LIMITED TO INEFFECTIVENESS, MAY RESULT BECAUSE OF SUCH FACTORS AS THE PRESENCE OR ABSENCE OF OTHER MATERIALS USED IN COMBINATION WITH THE GOODS, OR THE MANNER OF USE OR APPLICATION, INCLUDING WEATHER, ALL OF WHICH ARE BEYOND THE CONTROL OF MANUFACTURER OR SELLER AND ASSUMED BY BUYER OR USER. THIS WRITING CONTAINS ALL OF THE REPRESENTATIONS AND AGREEMENTS BETWEEN BUYER, MANUFACTURER AND SELLER, AND NO PERSON OR AGENT OF MANUFACTURER OR SELLER HAS ANY AUTHORITY TO MAKE ANY REPRESENTATION OR WARRANTY OR AGREEMENT RELATING IN ANY WAY TO THESE GOODS.

**LIMITATION OF LIABILITY**

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, MANUFACTURER OR SELLER SHALL NOT BE LIABLE FOR SPECIAL, INCIDENTAL, OR CONSEQUENTIAL DAMAGES, OR FOR DAMAGES IN THEIR NATURE OF PENALTIES RELATING TO THE GOODS SOLD, INCLUDING USE, APPLICATION, HANDLING, AND DISPOSAL. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, MANUFACTURER OR SELLER SHALL NOT BE LIABLE TO BUYER OR USER BY WAY OF INDEMNIFICATION TO BUYER OR TO CUSTOMERS OF BUYER, IF ANY, OR FOR ANY DAMAGES OR SUMS OF MONEY, CLAIMS OR DEMANDS WHATSOEVER, RESULTING FROM OR BY REASON OF, OR ARISING OUT OF THE MISUSE, OR FAILURE TO FOLLOW LABEL WARNINGS OR INSTRUCTIONS FOR USE, OF THE GOODS SOLD BY MANUFACTURER OR SELLER TO BUYER. ALL SUCH RISKS SHALL BE ASSUMED BY THE BUYER, USER, OR ITS CUSTOMERS. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BUYER'S OR USER'S EXCLUSIVE REMEDY, AND MANUFACTURER'S OR SELLER'S TOTAL LIABILITY SHALL BE FOR DAMAGES NOT EXCEEDING THE COST OF THE PRODUCT.

**If you do not agree with or do not accept any of the directions for use, the warranty disclaimers, or limitations on liability, do not use the product, and return it unopened to the Seller, and the purchase price will be refunded.**

**(RV090310)**