

U.S. ENVIRONMENTAL PROTECTION AGENCY

Office of Pesticide Programs

Biopesticides and Pollution Prevention Division (7511P) 1200 Pennsylvania Ave., N.W.

Washington, D.C. 20460

NOTICE OF PESTICIDE:

X Registration
Reregistration
(under FIFRA, as amended)

EPA Reg. 1	Number:
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Date of Issuance:

51517-10

9/14/2017

Term of Issuance:

Unconditional

Name of Pesticide Product:

BioLink Fungicide

Name and Address of Registrant (include ZIP Code):

Westbridge Agricultural Products 1260 Avenida Chelsea Vista, CA 92081

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Biopesticides and Pollution Prevention 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 registered under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA or the Act).

Registration is in no way to be construed as an endorsement or recommendation of this product by the U.S. Environmental Protection Agency (EPA). In order to protect health and the environment, the Administrator, on his or her 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 the 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.

This product is unconditionally registered in accordance with FIFRA section 3(c)(5) provided that you:

- 1. Submit and/or cite all data required for registration or registration review of your product when the EPA requires all registrants of similar products to submit such data.
- 2. Submit storage stability and corrosion characteristics (Guidelines 830.6317 and 830.6320) data as these data requirements are not satisfied. A one-year study is required to satisfy these data requirements. You have 18 months from the date of this registration to provide these data to the EPA.

Signature of Approving Official:

Date:

9/14/2017

Andrew Bryceland, Team Leader Biochemical Pesticides Branch

Biopesticides and Pollution Prevention Division (7511P)

Office of Pesticide Programs

- 3. Make the following labeling change before you release this product for shipment:
 - Revise the EPA Registration Number to read, "EPA Reg. No. 51517-10."
- 4. Submit one (1) copy of the final printed labeling for the record before you release this product for shipment.

Should you wish to add/retain a reference to your company's website on your label, then please be aware that the website becomes labeling under FIFRA and is subject to review by the EPA. If the website is false or misleading, the product will be considered to be misbranded and sale or distribution of the product is unlawful under FIFRA section 12(a)(1)(E). 40 CFR § 156.10(a)(5) lists examples of statements the EPA may consider false or misleading. In addition, regardless of whether a website is referenced on your product's label, claims made on the website may not substantially differ from those claims approved through the registration process. Therefore, should the EPA find or if it is brought to our attention that a website contains false or misleading statements or claims substantially differing from the EPA-approved registration, the website will be referred to the EPA's Office of Enforcement and Compliance Assurance.

Your release for shipment of this product constitutes acceptance of these terms. If these terms are not complied with, this registration will be subject to cancellation in accordance with FIFRA section 6. A stamped copy of the labeling is enclosed for your records. Please also note that the record for this product currently contains the following acceptable Confidential Statements of Formula (CSFs):

- Basic CSF dated 11/01/2016
- Alternate CSF #1 dated 11/01/2016

Any CSFs other than those listed above are superseded.

If you have any questions, please contact Cody Kendrick of my team by phone at (703) 347-0468 or via email at kendrick.cody@epa.gov.

Sincerely,

Andrew Bryceland, Team Leader Biochemical Pesticides Branch Biopesticides and Pollution

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Prevention Division (7511P)

Office of Pesticide Programs

Enclosure

BioLink® Fungicide

A Contact EC Fungicide/Bactericide

Active Ingredients:

Capric Acid	28.3%
Caprylic Acid	41.7%
Other Ingredients	30.0%
Total	100.0%





EPA Reg. No. 51517-RN

EPA Est. No. 51517-CA-1

KEEP OUT OF REACH OF CHILDREN CAUTION

ACCEPTED 09/14/2017

Under the Federal Insecticide, Fungicide and Rodenticide Act as amended, for the pesticide registered under EPA Reg. No. 51517-10

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 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. 		
If inhaled	 Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to mouth, if possible. Call a poison control center or doctor for treatment advice. 		
If on skin or clothing	 Remove contaminated clothing. Rinse skin immediately with plenty of water for 15 – 20 minutes. Wash exposed area with soap and water. If irritation persists, seek medical attention. Call a poison control center or doctor for treatment advice. 		
If swallowed	 Call 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 do so by a poison control center or doctor. Do not give anything by mouth to an unconscious person. 		
HOT LINE NUMBER			

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 the National Poison Control Hotline at 1-800-222-1222 for emergency medical treatment information 24 hours a day, 7 days a week.

Manufactured by:

Westbridge Agricultural Products 1260 Avenida Chelsea • Vista, California 92081 Tel. 760-599-8855

NET CONTENTS: 1 Quart, 1 Gallon, 2.5 Gallons, 30 Gallon Drum, 55 Gallon Drum, 275 Gallon Tote

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION. Causes moderate eye irritation. Avoid contact with skin, eyes or clothing. Wear protective eyewear such as goggles, face shield, or safety glasses. Harmful if swallowed, absorbed through skin, or inhaled. Avoid breathing spray mist. 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 (PPE)

Some materials that are chemical-resistant to this product are listed below.

Applicators and other handlers must wear.

- Long-sleeved shirt and long pants
- 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 items separately from other laundry.

USER SAFETY RECOMMENDATIONS:

Users should:

- Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.
- Remove clothing immediately if the product gets inside. Wash thoroughly and put on clean clothing.
- Remove PPE after handling this product.
- Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothes.

ENVIRONMENTAL HAZARDS

For terrestrial uses: 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.

Do not apply this product while honey bees are actively foraging in the treatment area. For maximum honey bee protection, avoid early morning and late afternoon applications.

PRODUCT INFORMATION

BioLink® Fungicide is a contact (non-systemic) fungicide/bactericide emulsifiable concentrate designed for the suppression and control of various diseases such as powdery mildew and downy mildew, as well as diseases caused by Phomopsis, Alternaria, Colletotrichum, and Botryosphaeria species.

BioLink® Fungicide provides effective disease control when applied before or at the onset of the disease through both prophylactic and curative means.

BioLink® Fungicide is composed of plant extracted fatty acids.

BioLink® Fungicide can be used throughout the growing season up to the day of harvest.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. Read all Directions for Use carefully before applying.

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, 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.

PPE required for early entry into treated areas that is permitted under the Worker Protection Standard and involves contact with anything that has been treated such as plants, soil, or water, is:

- · Long-sleeved shirt and long pants
- Shoes plus socks

Non-Agricultural Use Requirements

The requirements in this box apply to uses of this product that are NOT within the scope of the Worker Protection Standard for Agricultural Pesticides (40 CFR Part 170). The WPS applies when this product is used to produce agricultural plants on farms, forests, nurseries, or greenhouses. Keep unprotected persons out of treated areas until sprays have dried.

For early reentry to treated areas and that involves contact with anything that has been treated such as plants, soil, or water, wear: long-sleeved shirt and long pants, shoes, and socks.

PLEASE NOTE: Deviations (increases) from listed rates, in addition to being off-label, WILL result in unacceptable crop damage.

FOR USE ON ALL FOOD and NON-FOOD CROPS, INCLUDING, but not LIMITED to:

CROP	DISEASES	RATE (% W/W)	APPLICATION TIMINGS
Berries: Blackberries, Blueberries, Boysenberries, Cranberries, Dewberries, Loganberries, Raspberries	Botrytis Blight Botrytis cinerea Mummy Berry Monilinia vaccinii-corymbosi Anthracnose Fruit Rot and Leaf Spot Colletotrichum spp. Alternaria Fruit Rot Alternaria tenuissima Powdery Mildew Podosphaera macularis Downy Mildew Peronospora sparsa Leaf Spot Mycosphaerella rubi	0.2 - 0.25	Botrytis Blight: Begin application prior to disease development and continue applications at 5-8 day intervals as needed. Mummy Berry: Start applications at bud break and apply at 5-8 day intervals. Penetration of the spray into floral cup is advantageous. Anthracnose and Alternaria: Apply when conditions favorable to disease development are present and apply at 7-10 day intervals while conditions persist. Powdery and Downy Mildews: Apply when conditions favorable to disease development are present and apply at 7-10 day intervals while conditions persist. Cranberries: Make application to non-flooded field only.
Brassicas (Cole): Broccoli, Brussels Sprouts, Cabbage, Cauliflower, Collards, Kale, Mustard Greens	Downy Mildew Peronospora spp.	0.2 - 0.25	Downy Mildew: Spray with thorough coverage, both sides of leaves, when conditions are conducive for downy mildew development (cool and moist). Repeat at 7-10 day intervals.
Bulb Vegetables: Garlic, Leaks, Onions, Shallots	Downy Mildew Peronospora spp. Botrytis Blight Botrytis cinerea	0.2 - 0.25	Downy Mildew: Spray with thorough coverage, both sides of leaves, when conditions are conducive for downy mildew development (cool and moist). Repeat at 7-10 day intervals. Botrytis Blight: Apply to blooms and foliage when conditions are conducive to disease

			development. Repeat at 5-8 day intervals while disease conducive conditions persist.
Cereal Grains: Barley, Corn, Oats, Rye, Sorghum (Milo), Wheat	Botrytis Blight Botrytis cinerea Powdery Mildew Sphaerotheca fulginea	0.2 - 0.25	Botrytis Blight: Apply to blooms and foliage when conditions are conducive to disease development. Repeat at 5-8 day intervals while disease conducive conditions persist. Powdery Mildew: Monitor from vegetative stage through fruiting. Start applications at first sign of disease. Repeat on 7-10 day intervals while disease conducive conditions persist.
Citrus: Grapefruit, Lemons, Limes, Oranges, Mandarins	Anthracnose Fruit Rot and Leaf Spot Colletotrichum spp. Alternaria Fruit Rot Alternaria tenuissima Botrytis Blight Botrytis cinerea	0.2 - 0.25	Anthracnose and Alternaria: Apply when conditions favorable to disease development are present and apply at 7-10 day intervals while conditions persist. Botrytis Blight: Begin application prior to disease development and continue applications at 5-8 day intervals as needed.
Cucurbit Vegetables: Cantaloupes, Cucumbers, Gourds, Muskmelons, Pumpkins, Squash, Watermelons	Powdery Mildew Sphaerotheca fulginea Downy Mildew Pseudoperonspora cubensis	0.2 - 0.25	Powdery Mildew and Downy Mildew: Monitor from vegetative stage through fruiting. Start applications at first sign of disease. Repeat on 7-10 day intervals while disease conducive conditions persist.
Field Crops: Alfalfa, Canola, Cotton, Soybeans, Sweet Corn	Downy Mildew Pseudoperonspora cubensis	0.2 – 0.25	Downy Mildew: Monitor from vegetative stage through fruiting. Start applications at first sign of disease. Repeat on 7-10 day intervals while disease conducive conditions persist.
Fruiting Vegetables: Eggplant, Peppers (All Varieties), Tomatillos, Tomatoes	Powdery Mildew Oidium spp. and Sphaerotheca spp. Botrytis Blight Botrytis cinerea Early Blight Alternaria solani	0.2 – 0.25	Powdery Mildew: Monitor for disease presence during vegetative growth. If disease is detected apply on 7-10 day schedule. Botrytis Blight: Apply to blooms and foliage when conditions are conducive to disease development. Repeat at 5-8 day intervals while disease conducive conditions persist. Early Blight: Monitor for disease presence and start applications at first sign of disease. Repeat at 7-10 day intervals as needed.
Herbs and Spices: Anise, Basil, Chive, Dill, Fennel, Oregano	Downy Mildew Peronospora spp.	0.2 – 0.25	Monitor for disease and apply at first sign of disease presence. Repeat at 7-10 day (5-7 days for cool weather) intervals.
Grapes: Raisin, Table Grapes, Wine Grapes	Powdery Mildew Podosphaeria spp. Downy Mildew Plasmopara viticola Phomopsis Phomopsis viticola	0.2 – 0.25	Powdery Mildew and Downy Mildew: Monitor from vegetative stage through fruiting. Start applications at first sign of disease. Repeat on 7-10 day intervals while disease conducive conditions persist. Phomopsis and Black Rot: For plantings with a disease history and conducive conditions, apply starting at 5 inch and repeat through
	Black Rot Guignardia bidwellii		bloom until veraison on a 10-day rotation. Thorough coverage of foliage and stem is important.
Leafy Greens: Arugula, Celery, Lettuce, Spinach	Downy Mildew Powdery Mildew Leaf Spot	0.2 - 0.25	Powdery Mildew and Downy Mildew: Monitor from vegetative stage through fruiting. Start applications at first sign of disease. Repeat on 7-10 day intervals while disease conducive conditions persist.
Pome Fruit: Apples, Crabapples, Pears, Quince	Powdery Mildew Scab Venturia inequalis and V. pirina	0.2 – 0.25	Powdery Mildew: Monitor from vegetative stage through fruiting. Start applications at first sign of disease. Repeat on 7-10 day interval while disease conducive conditions persist.

	Fire Blight Erwinia amylovora Bot Rot Botryosphaeria dothidea	0.2 5 - 0.35 (Bot Rot)	Scab: If conditions are conducive to disease development, apply starting at green tip and repeat on a 5 day interval until 40% bloom. Fire Blight: If conditions are conducive to disease and history dictates, apply starting at 40% bloom and repeat on 5 day interval until petal fall. Follow 5 day interval for secondary blooms, if conditions persist. Use of CougarBlyte or Maryblight modeling programs can help to time applications. Bot Rot: Conducive conditions are warm, wet weather. Can be severe after fire blight outbreak. Apply at fruit enlargement on a 7 day interval while conditions persist. Symptoms are often not present until close to harvest so do not use symptom expression as the determinant for spraying.
Rice	Stem Rot Sheath Blast Spot	0.2 – 0.25	Start applications at first sign of disease. Repeat on 7-10 day interval while disease conducive conditions persist.
Stone Fruit: Apricots, Cherries, Nectarines, Peaches, Plums, Prunes	Brown Rot Monilinia fruticola and M. laxa	0.2 – 0.25	Brown Rot: Apply on 5-7 day interval during bloom. Applications during ripening may be warranted if history and weather so indicate.
Strawberries: June-bearing, Everbearing, and Day-neutral	Gray Mold Botrytis cinerea Phomopsis Leaf Blight Anthracnose	0.2 – 0.25	Apply when first signs of disease are detected or when conditions are conducive to infection in areas with a history. Repeat on a 5-7 schedule while conducive conditions exist.
Tree Nuts: Almonds, Cashews, Hazelnuts (Filberts), Pecans, Pistachios, Walnuts	Colletotrichum acutatum Botryosphaeria Blight Alternaria Late Blight Alternaria spp. and Stemphylium spp. Walnut Blight Xanthomonas spp. Almond Hull Rot Rhizopus spp. and Monilinia spp.	0.25 - 0.35	Botryosphaeria Blight: If conditions are conducive to disease development, treat panicles or inflorescenses at emergence and repeat on 7-day intervals. Apply one day before an anticipated rain event, if possible. Alternaria Late Blight: Starting in mid-summer, monitor for disease. If detected, apply 2–3 times at 7-10 day intervals. Walnut Blight: If conditions are conducive to disease development, begin applications at prayer stage (shoot emergence) of pistillate blooms. Repeat at 7-day intervals through bloom. IF history is bad and conditions for disease are conducive during staminate bloom, treat at that time also. Almond Hull Rot: For hull rot historically caused by Monilinia spp., apply through bloom until post petal fall at 5-7 day intervals. For Rhizopus induced hull rot, make two applications at hull split on a 7 day schedule.
Root & Tuber Crops: Potatoes, Potato Seed	Late Blight Phytophthora infestans Early Blight Alternaria solani	0.2 – 0.25	Late Blight: Monitor for disease presence and start applications at first sign of disease. Repeat at 7-10 day intervals as needed. Early Blight: Monitor for disease presence and start applications at first sign of disease. Repeat at 7-10 day intervals as needed.

Non-Food Crops

Turf, Flowers,	Powdery Mildew	0.25 - 0.35	Start applications at first sign of disease. Repeat
Bedding, and Landscape Production	Erysiphe ssp. and others		on 7-10 day interval while disease conducive conditions persist.
Ornamental Trees and Shrubs	Powdery Mildew Rust Botryosphaeria Blight	0.25 - 0.35	Start applications at first sign of disease. Repeat on 7-10 day interval while disease conducive conditions persist.
	Botryosphaeria Blight	0.25 - 0.35	Start applications at first sign of disease. Repeat
Greenhouse and Nurseries	Downey Mildew Powdery Mildew	0.20 0.00	on 7-10 day interval while disease conducive conditions persist.

MIXING INSTRUCTIONS

Shake well before use. Always read and follow all applicable precautions and restrictions on the label. **BioLink® Fungicide** is non-phytotoxic when used according to the label instructions. Always use care when applying this product to any crop for the first time and spraying on a small area first is always recommended.

When tank mixing **BioLink® Fungicide**, fill the spray tank with half of the recommended water. Ensure tank water pH is below 6.5 then add the appropriate amount of **BioLink® Fungicide**. Add the remaining amount of water. Always use adequate spray volume to ensure thorough plant coverage. Prior to application, thoroughly mix spray solution. Use continuous agitation until all spray solution has been applied.

Desired Volume of Spray Mixture	Amount	Amount of BioLink® Fungicide EC per Volume of Water		
(gallons of water)	0.2%	0.25%	0.3%	0.35%
1	0.25 fl. oz.	0.32 fl. oz.	0.38 fl. oz.	0.45 fl. oz.
25	6.4 fl. oz.	8 fl. oz.	9.6 fl. oz.	11.2 fl. oz.
50	12.8 fl. oz.	16 fl. oz.	19.2 fl. oz.	22.4 fl. oz.
75	19.2 fl. oz.	24 fl. oz.	28.8 fl. oz.	33.6 fl. oz.
100	25.6 fl. oz.	32 fl. oz.	38.4 fl. oz.	44.8 fl. oz.

Application Equipment: Apply BioLink® Fungicide using conventional ground equipment, including but not limited to, tractor pulled boom sprayers, misters, and foggers. For small area applications, hand-held pneumatic sprayers, such as backpack sprayers, can be used. DO NOT APPLY AERIALLY OR THROUGH ANY TYPE OF IRRIGATION OR CHEMIGATION SYSTEM.

COMPATIBILITY: Conduct a compatibility test when you plan to mix **BioLink® Fungicide** with other products. This material cannot be applied in alkaline tank mix solutions, use a pH indicator (such as litmus paper) if there is doubt about the specific pH in your tank. To determine the physical compatibility of **BioLink® Fungicide** with other products, use a jar test as follows. Using a quart jar, add the proportionate amounts of the products to approximately one quart of water with agitation. Add dry formulations first, then aqueous flowables, and then emulsifiable concentrates last. After thorough mixing, allow this mixture to stand for 5 minutes. If the combination does not form a precipitate and can be readily remixed, it is physically compatible. Once compatibility has been determined, use the same order of addition for adding products to the spray tank. Always follow the more restrictive labeling requirements of any tank mix partner. Do not tank mix with products which prohibit tank mixing. Treat a small test plot if new combinations of products are being used for the first time.

RECOMMENDATIONS TO AVOID SPRAY DRIFT

Do not make applications when conditions favor drift beyond the target application area. When drift may be a problem, take measures to reduce drift, including:

- Do not spray if wind speeds are or become excessive. Do not spray if wind speed is 15 mph or greater. If non-target crops are located downwind, use caution when spraying if wind is present. Do not spray if winds are gusty.
- Use care when conditions are favorable for drift (high temperatures, drought, low relative humidity).

• Do not apply when a temperature inversion exists. If inversion conditions are suspected, consult with local weather services before making an application.

RAINFASTNESS

BioLink® Fungicide is rainfast when dry, generally in 2 hours. This interval is dependent on local weather conditions, such as humidity and wind.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store BioLink® Fungicide in a cool place out of direct sunlight.

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

CONTAINER HANDLING [for containers less than 5 gallons]: Non-refillable container. Do not reuse or refill this container. Triple rinse (or equivalent) container promptly after emptying, then offer for recycling, if available; or reconditioning, if appropriate, or puncture and dispose of in a sanitary landfill, or, if allowed by state and local authorities, by incineration. 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 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, if available, or puncture or dispose of in a sanitary landfill, or by incineration. Do not burn unless allowed by state and local ordinances.

CONTAINER HANDLING [for containers greater than 5 gallons]: Non-refillable container. Do not reuse or refill this container. Triple rinse (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into the application equipment or a mix tank. Fill the container ¼ 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. 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, if available, or puncture or dispose of in a sanitary landfill, or by incineration. Do not burn unless allowed by state and local ordinances.

Batch Number:

(The batch number will appear on the container.)

NOTICE OF WARRANTY - Westbridge warrants that the product conforms to its chemical description and is reasonably fit for the purposes stated on the label when used in accordance with the directions under normal conditions of use. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials or the manner of use or application, all of which are beyond the control of Westbridge. To the fullest extent permitted by State law, Westbridge shall not be liable for consequential, special or indirect damages resulting from the use or handling of this product. Westbridge's liability is limited to replacement of product or refund of purchase price. Westbridge makes no warranties of merchantability or fitness for a particular purpose nor any other express or implied warranty except as stated above.