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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

DEC - 9 2003

OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

John L. Hott, Ph.D. Syngenta Crop Protection, Inc. P.O. Box 18300 Greensboro, NC 27419-8300

Subject: Label Amendment to Update First Aid Statements (PR Notice 2001-1)

EPA Reg. No. 100-1065 SCIMITAR® WP Insecticide in Water Soluble Packs Your Submission Dated September 18, 2003

Dear Dr. Hott:

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, is acceptable subject to the comments listed below. Two (2) copies of the finished labeling must be submitted prior to releasing the product for shipment. A stamped copy of the label is enclosed for your records.

- 1. Under Environmental Hazards add: "and other aquatic organisms" to the end of the first sentence.
- 2. The part of the warranty statement "In no event shall Syngenta or seller be...etc." negates from labeling requirements as set forth by the Agency in 40 CFR Part 156. Therefore either delete or revise as follows: "To the extent permitted by law Syngenta or seller shall not be liable for any....etc.".
- 3. As per Agency letter dated July 21, 2000 (copy enclosed) please submit or cite (with MRID numbers) efficacy data supporting your fire ant label claim.
- 4. Change "Causes eye irritation" to "Causes substantial but temporary eye injury".
- 5. Under Application delete "to the point of runoff" in the second sentence.

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OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

July 21, 2000

Mr. S. K. Theodorakis Zeneca Agricultural Products P.O. Box 15458 Wilmington. DE 19850-5458

Subject: Amendment of Label to Add Outside Surfaces and Perimeter Areas of Residential, Commercial, Public, Institutional and Industrial Structures Scimitar[‡] WP Insecticide in Water-Soluble Packs EPA Reg. No. 10182-360 Your Letter Dated April 18, 2000

Dear Mr. Theodorakis:

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, is not acceptable for the reasons given below.

- We do not have any record of submission of CRP certification for EPA Reg. No. 10182-360. Based on the acute toxicity of your product and use around residential areas this product should be in child resistant packaging, as should EPA Reg. No. 10182-282, EPA Reg. No. 10182-300 and 10182-342. Alternatively, you may classify your product as a Restricted Use Pesticide or package it in sizes 50 lbs or greater.
- 2) Under your "Hazards to Humans and Domestic Animals" statement please add "Remove contaminated clothing and wash clothing before reuse".



We could not find in your file any efficacy data to support your fire ant claim. Please submit or cite (with MRID numbers) this data. 4) Please revise your Statement of Practical Treatment in accordance with PR Notice 2000-3:

IF SWALLOWED: Your present "IF SWALLOWED" statement is fine. Thank you.

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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.

IF IN EYES: Hold eye open and rinse slowly and gently with water for 15 to 20 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eyes. Call a poison control center 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 mouth to mouth if possible. Call a poison control center or doctor for further treatment advice.

Your product is also required to have a "Note to Physicians and Veterinarians". This should be located directly below your First Aid Statement and should contain the following information. In addition to your emergency telephone number, please include the following:

- Technical information on symptomatology;
- Use of supportive treatments to maintain life functions;
- Medicine that will counteract the specific physiological effects of the pesticide;

If you have any questions regarding this action, please contact Tracy Keigwin of my team at (703) 305-6605.

Sincerely, Loca Karla 10:00:00

George T. LaRocca Product Manager (13) Insecticide Branch Registration Division (7505C)

Scimitar® WP Insecticide in Water-Soluble Packs

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For Use by Individuals/Firms Licensed or Registered by the State to Apply Pesticide Products. States May Have More Restrictive Requirements Regarding Qualifications of Persons Using This Product. Consult the Pest Control Regulatory Agency of Your State Prior to Use of This Product.

For Use to Control Insect Pests On Ornamentals and Lawns in Landscaped Areas Around Residential, Institutional, Public, Commercial and Industrial Buildings, Parks, Recreational Areas and Athletic Fields

ACTIVE INGREDIENT:

Lambda-cyhalothrin ¹	
$[1\alpha(S^*), 3\alpha(Z)]$ -(±)-cyano(3-phenoxyphenyl)methyl-3-	
(2-chloro-3,3,3-trifluoro-1-propenyl)-2,2-	
dimethylcyclopropanecarboxylate	
INERT INGREDIENTS ²	90.0%
TOTAL	100.0%

¹Synthetic pyrethroid ²Contains aromatic petroleum distillates.

KEEP OUT OF REACH OF CHILDREN

WARNING - AVISO

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.)

DO NOT REMOVE PACKAGES FROM CONTAINER EXCEPT FOR IMMEDIATE USE

See additional precautionary statements and directions for use inside booklet.

EPA Reg. No. 100-1065 EPA Est. No.

Product of XXX

ACCEPTED with COMMENTS In EPA Letter Dated DEC - 9 2003 Under the Federal Insecticide. Fungicide, and Rodenticide Act, as amended, for the posticide registered under EPA Res. No.

SCP 1065A-M(draft first aid)

Net Contents

	FIRST AID				
If swallowed	Call a poison control center or doctor immediately for treatment advice.				
	Do not give any liquid to the person.				
	 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.				
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 eye.				
	Call a poison control center or doctor for treatment advice				
If on skin or	Take off contaminated clothing.				
clothing	• Rinse skin immediately with plenty of water for 15-20 minutes.				
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				
	NOTE TO PHYSICIAN				
Contains petrole	um distillate – vomiting may cause aspiration pneumonia.				
Have the produc	t container or label with you when calling a poison control center or				
doctor, or going	for treatment.				
	HOT LINE NUMBER				
	4 Hour Medical Emergency Assistance (Human or Animal) or				
Che	mical Emergency Assistance (Spill, Leak, Fire, or Accident),				
	Call				
	1-800-888-8372				

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

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WARNING

MAY BE FATAL IF SWALLOWED. HARMFUL IF ABSORBED THROUGH SKIN OK INHALED. CAUSES EYE IRRITATION. PROLONGED OR FREQUENTLY REPEATED SKIN CONTACT MAY CAUSE ALLERGIC SKIN REACTION IN SCME INDIVIDUALS. Do not get in eyes, on skin or clothing. Avoid breathing vapor or spray mist. Wash thoroughly with soap and water after handling and before eating, drinking or using tobacco.

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Wear goggles and rubber gloves when handling or mixing wettable powder.

Skin exposure may also result in a sensation described as a tingling, itching, burning or prickly feeling. Onset may occur immediately to 4 hours after exposure and may last 2 to 30 hours, without damage. Wash exposed areas once with soap and water. Relief from the skin sensation may be obtained by applying an oil-based cream.

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Environmental Hazards

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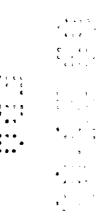
This product is extremely toxic to fish. Do not contaminate water when disposing of equipment washwaters. Do not apply directly to water or to areas where surface water is present or to intertidal areas below the mean high water mark. Drift and runoff from treated areas may be hazardous to aquatic organisms in neighboring areas. Apply this product only as specified on this label. Care should be used when making applications to avoid household pets, particularly fish and reptile pets.

This product is highly toxic to bees exposed to direct treatment or residues on blooming crops or weeds. Do not apply this product or allow it to drift to blooming crops or weeds if bees are visiting the treatment area.

Use of this pesticide adjacent to water may affect aquatic organisms. To protect these organisms, do not apply this pesticide within 25 feet of lakes, reservoirs, rivers, permanent streams, marshes or natural ponds, estuaries and commercial fish farm ponds. In the state of New York, do not apply within 100 feet of coastal marshes or streams that drain into coastal marshes.

Do not make applications when wind speed is 15 miles per hour or greater.

Notify State and/or Federal authorities and Syngenta immediately if you observe any adverse environmental effects due to the use of this 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.

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The Directions for Use of this product should be followed carefully. It is impossible to eliminate all risks inherently 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 Syngenta Crop Protection, Inc. or Seller. All such risks shall be assumed by Buyer and User, and Buyer and User agree to hold Syngenta and Seller harmless for any claims relating to such factors.

Syngenta 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 Syngenta, and Buyer and User assume the risk of any such use. SYNGENTA MAKES NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY EXCEPT AS STATED ABOVE.

In no event shall Syngenta or Seller be liable for any incidental, consequential or special damages resulting from the use or handling of this product. THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE EXCLUSIVE LIABILITY OF SYNGENTA 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 SYNGENTA OR SELLER, THE REPLACEMENT OF THE PRODUCT.

Syngenta 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 a duly authorized representative of Syngenta.

DIRECTIONS FOR USE

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It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

IMPORTANT: 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 climatic modification and being grown in interior plantscapes, ornamental gardens or parks or lawns or grounds.

Scimitar WP Insecticide in Water Soluble Packs may be used for applications to maintain indoor or outdoor areas where turf and ornamentals are grown such as residential landscaped areas and non-residential landscapes around institutional, public, commercial and industrial buildings, parks, recreational areas and athletic fields.

IMPORTANT: Time application to flowering plants during periods when pollinating insects are not present, such as early morning or late evening.

This product is restricted for use in New York state. Only for sale to, use and storage by certified applicators.

DO NOT APPLY THIS PRODUCT THROUGH ANY TYPE OF IRRIGATION SYSTEM.

DO NOT APPLY THIS PRODUCT TO EDIBLE CROPS.

DO NOT APPLY THIS PRODUCT BY AERIAL APPLICATION.

STORAGE AND DISPOSAL

PROHIBITIONS: Do not contaminate water, food, or feed by storage or disposal. Do not reuse empty container.

STORAGE: Mix as needed. Do not store diluted material. Do not store near food or feed. In case of spill on floor or paved surfaces, sweep up and remove to chemical waste storage area until proper disposal can be made. Keep water-soluble packs in original foil package and store in cool dry place. Do not store below 32°F. Handle carefully when stored at temperatures less than 50°F to avoid breakage of packs.

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

CONTAINER DISPOSAL: When all packs are used, dispose of foil package in a sanitary landfill, by incineration, or, if allowed by State and local authorities, by burning. If burned, stay out of smoke.

MIXING: Do not allow packs to become wet before adding to the application tank. Wear dry gloves when handling water-soluble packs. Minimize handling of packs since excessive handling may cause rupture. Scimitar WP Insecticide is intended for dilution with water for application and may be used in all types of application equipment. Fill application tank with ¹/₂ volume of water and add water-soluble pack(s) of Scimitar WP Insecticide in Water Soluble Packs and then fill to desired volume. Wait 2 minutes for pack(s) to dissolve. Close and agitate before use in order to ensure proper suspension of the wettable powder. Shake or reagitate application equipment before use if application is interrupted. Make up only amount of application volume as required.

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COMPATIBILITY: Scimitar WP Insecticide in Water Soluble Packs has been found to be compatible with all commonly used fungicides, miticides, liquid fertilizers, and other insecticides. Check physical compatibility using the correct proportion of products in a small jar if local experience is unavailable.

APPLICATION: Scimitar WP Insecticide in Water Soluble Packs mixes readily with water and may be used in all types of application equipment. Mix product with the required amount of water and apply as a dilute application to the point of runoff. When applying to hard-to-wet foliage such as holly, pine, or ivy, the addition of a spreader sticker may enhance knockdown and residual activity. If concentrate or mist-type application equipment is used, an equivalent amount of product should be used on the area treated as would be used in a dilute application. Phytotoxicity testing has been carried out on a wide range of ornamental plants under various environmental conditions, and no phytotoxicity has been observed. It is advised to pretreat a selection of ornamentals if local use experience is unavailable.

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USE	PEST	AMOUNT OF SCIMITAR WP
ORNAMENTALS IN RESIDENTIAL LANDSCAPED AREAS AND LANDSCAPED AREAS AROUND INSTITUTIONAL, PUBLIC, COMMERCIAL AND INDUSTRIAL BUILDINGS, PARKS, RECREATIONAL AREAS, AND ATHLETIC FIELDS (Including Trees, Shrubs, Flowers, Evergreens, Foliage Plants and Groundcovers)	Ants (including Imported fire ants) Armyworms Azalea caterpillar Aphids Bagworms Black vine weevil (adult) Boxelder bugs Budworms California oakworm Cankerworms California oakworm Cankerworms California oakworm Cankerworms Cackroaches Crickets Cutworms Eastern Tent caterpillar Elm leaf beetles European sawfly Fall webworm Flea beetles Forest tent caterpillar Gypsy moth larvae Japanese beetles (adults) Lace bugs Leaf-feeding caterpillars Leafnoppers Leafminers (adults) Leaf rollers Leaf skeletonizers Midges Mosquitoes Oleander moth larvae Pillbug Pine shoot beetles Pinetip moths Plant bugs Root weevil Sawfly Scale insects (crawlers) Spiders Spittlebugs Striped oakworm Thrips Tip moth Tussock moth larvae	1.2 to 4.8 oz/ 100 gals. or 1 to 4 soluble packs/100 gals.
	Wasps Broadmite Brown softscale California redscale (crawler) Clover mites Mealybugs Pineneedlescale (crawler) Spider mites Whiteflies	2.4 to 4.8 oz/ 100 gais or 2 to 4 solubia packets/100 gals.

Application to ornamentals should be started prior to the establishment of high insect pest populations. Make reapplications as necessary to keep pest populations under control, using higher rates as pest pressure increases.

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Apply at 7-day intervals if treatment is necessary.

Do not apply more than 0.36 pounds of the active ingredient (57.6 oz. of wettable powder) per acre per year.

Good spray coverage is necessary to provide the most effective level of control. Addition of a spreader-sticker at recommended rates may enhance the control of insects on certain species of ornamentals having waxy, hard to wet foliage.

For spot treatments use one (1.2 oz.) Scimitar WP Insecticide water soluble pack per 3 to 6 gallons of water.

Consult your state university or local Cooperative Extension Service office for specific pest control application timing in your area.

NOTE: While phytotoxicity testing has been carried out on a wide range of ornamental plants under various environmental conditions, and no phytotoxicity has been observed, certain cultivars may be sensitive to the final spray solution.

It is advised to prespray a selection of ornamental plants and observe them for 7 to 10 days prior to treating large areas if local use experience is unavailable.

Scale. Thoroughly cover the plant with Scimitar WP Insecticide in Water Soluble Packs spray, including trunks, stems, twigs and foliage for control of scale insects.

Bagworm. Apply Scimitar WP Insecticide in Water Soluble Packs when bagworm larvae begin to hatch. Spray directly on the larvae. Application is the most effective when the larvae are young.

SCIMITAR WP INSECTICIDE IN WATER SOLUBLE PACKS MIXING CHART	
FOR ORNAMENTAL INSECT PEST CONTROL	
(Scimitar WP to add per spray tank)	

Rate of	25	50	100	200	300
Scimitar WP	Gallons	Gallons	Gallons	Gallons	Gallons
1.2 oz	0.3 oz.	0.6 oz.	1.2 oz.	2.4 oz.	3.6 oz.
2.4 oz.	0.6 oz.	1.2 oz.	2.4 oz.	4.8 oz.	7.2 uz.
4.8 oz.	1.2 oz.	2.4 oz.	4.8 oz.	9.6 oz.	14.4 oz.

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USE	PEST	AMOUNT OF SCIMITAR WP
LAWNS AROUND RESIDENTIAL, INSTITUTIONAL, PUBLIC, COMMERCIAL AND INDUSTRIAL BUILDINGS, PARKS, RECREATIONAL AREAS AND ATHLETIC FIELDS	Ants (including Imported fire ants) Armyworms Centipede Crickets Cutworms Earwigs Fleas (adult) Grasshopper Japanese beetle (adult) Millipedes Mites Pillbugs Sod webworms Sow bugs Spittlebugs Ticks (including species which transmit Lyme disease)	3 to 6 grams/1000 sq. ft. or 4.8 to 9.6 oz/Acre or 4 to 8 soluble packets/Acre
	Bluegrass billbug (adult) Black turfgrass ataenius (adult) Chiggers Fleas (adult) Grubs (suppression) Hyperodes weevil (adult) Mole crickets (nymphs and young adults)	6 grams/1000 sq. ft. or 9.6 oz/Acre or 8 soluble packets/Acre
	Mole Crickets (mature adults) Chinch bugs (Not for use on mature adult mole crickets and chinch bugs in New York state.)	12 grams/1000 sq. ft. or 19.2 oz/Acre or 16 soluble packets/Acre
One (1) water-soluble pack o	ontains 1.2 oz (34 grams) Scimitar W	P.

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Application to turf should be started prior to the establishment of high insect pest populations and significant turf damage. Make reapplications as necessary to keep pest populations under control, using higher rates as pest pressure increases.

Apply at 7-day intervals if treatment is necessary.

Do not apply more than 0.36 pounds of active ingredient (57.6 oz. of wettable powder) per acre per year.

For spot treatments use one (1.2 oz.) Scimitar WP Insecticide water soluble pack per 3 to 6 gallons of water.

Do not apply when turfgrass are waterlogged or when soils are saturated with water (i.e. will not accept irrigation).

Keep children and pets off treated areas until spray has dried following the application.

Surface Insect Control (armyworm, cutworms, fleas, etc.): For best results apply Scimitar WP Insecticide in Water Soluble Packs at recommended rates in 2 to 5 gallons of water per 1,000 sq. ft. The use of a spreader-sticker may be useful if high rainfall amounts are forecast, otherwise the addition of adjuvants is not necessary under normal conditions for surface insect control in turf. Delay watering or mowing for 12 to 24 hours for optimum control of surface-feeding insect pests.

Thatch Inhabiting Insect Control (chinch bugs, billbugs, etc.): For best results apply Scimitar WP Insecticide in Water Soluble Packs at recommended rates in 2 to 10 gallons of water per 1,000 sq. ft. The use of a nonionic wetting agent, penetrant or similar adjuvant is recommended at label rates. Lightly irrigate after application with up to 1/2 inch of water to move the Scimitar WP Insecticide in Water Soluble Packs into the thatch layer. If irrigation is not available, then use high water application rates for optimum results.

Subsurface Insect Control (mole crickets, grubs, etc.): For best results apply Scimitar WP Insecticide in Water Soluble Packs at recommended rates in 4 to 10 gallons of water per 1,000 sq. ft. The use of a non-ionic wetting agent, penetrant or similar adjuvant is strongly recommended following label rates. Use the highest water application rates possible with your sprayer. Apply Scimitar WP Insecticide in Water Soluble Packs to turf wet with dew, rain or irrigation. Water-in immediately after application with 1/4 to 1/2 inch of water for optimum results.

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Fire Ant Control: Treat individual mounds with a drench application using a watering can. Use one (1.2 oz.) Scimitar WP Insecticide water soluble pack per 6 gallons of water. Thoroughly soak each mound and a 3 foot diameter circle around each mound. Gently apply the mixture to avoid disturbing the mound. Disturbing the mound may cause the ants to migrate and reduce the effectiveness of the treatment. For best results, apply in early morning or late evening hours. Make additional treatments as needed.

Mosquito Control: Apply as a general spray around landscape plantings, turf, and building foundations to control mosquitoes. For best results apply Scimitar WP Insecticide in Water Soluble Packs at recommended rates in 2 to 5 gallons of water per 1,000 sq. ft.

Scimitar WP Insecticide in Water Soluble Packs Mixing Chart for Turf Insect Pest Control (Scimitar WP to add per 100 gallon spray tank)

	Application Rate Per 1,000 Square Feet of Turf				
Rate of Scimitar WP	2 gal.	4 gal.	6 gal.	8 gal.	10 gal.
4.8 oz./acre	5.7 oz.	2.9 oz.	1.9 oz.	1.4 oz.	1.2 oz.
9.6 oz./acre	11.5 oz.	5.7 oz.	3.8 oz.	2.9 oz.	2.3 oz.
19.2 oz./acre	23.0 oz.	11.5 oz.	7.7 oz.	5.7 oz.	4.6 oz.

Conversion Rate: 1 ounce equals 28.35 grams.

AMOUNT OF SCIMITAR WP PACKETS/GALLON(S) OF WATER BASED ON GRAMS OF ACTIVE INGREDIENT PER 1000 SQ. FT.				
RATE SPRAY VOLUME/GALLONS/1000 SQ. FT.				
	2.0 gals/1000 sq. ft.	3.0 gals/1000 sq. ft.	4.0 gals/1000 sq. ft.	
3 grams	4 packs/91 gals	2 packs/68 gals	2 packs/91 gals	
6 grams	8 packs/91 gals	5 packs/85 gals	4 packs/91 gals	
12 grams	16 packs/91 gals	10 packs/85 gals	& pecks/91 gais	

NOTE: To calculate amount needed per 1000 sq. ft., multiply 0.006 (for 6 gram rate) or 0.003 (for 3 gram rate) by the number of square feet to be sprayed. Div:de that figure by 34 (grams per packet) to determine the number of packets needed.

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Syngenta Crop Protection, Inc. Greensboro, North Carolina 27409 www.syngenta-us.com

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9/18/03 – Draft – Revised First Aid per PR Notice 2001-1, revised Spanish precautionary statement.

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