
 <p>U.S. ENVIRONMENTAL PROTECTION AGENCY Office of Pesticide Programs Registration Division (7505P) 1200 Pennsylvania Ave., N.W. Washington, D.C. 20460</p> <p>NOTICE OF PESTICIDE: <input type="checkbox"/> Registration <input checked="" type="checkbox"/> Reregistration</p> <p>(under FIFRA, as amended)</p>	EPA Reg. Number: 228-199	Date of Issuance: 1-30-08
	Term of Issuance:	
Name of Pesticide Product:  SODIUM SALT OF MCPA  HERBICIDE		
Name and Address of Registrant (include ZIP Code):  Ms. Jeannie Smith Nufarm Americas, Inc. 150 Harvester Drive, Suite 200 Burr Ridge, IL 60527		
<p>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.</p> <p>On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act.</p> <p>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.</p> <p>This product is reregistered in accordance with FIFRA section 4(g)(2)(C) provided you agree in writing to:</p> <ol style="list-style-type: none"> <li>To revise the label as follows: <ul style="list-style-type: none"> <li>Under product name revise "FOR THE SELECTIVE CONTROL OF BROADLEAF WEEDS IN SMALL GRAINS....." to "FOR THE SELECTIVE CONTROL OF BROADLEAF WEEDS IN BARLEY, OATS, RYE, WHEAT, ...."</li> </ul> </li> </ol> <p>Also remove "RICE" from the crop heading. This crop is not supported, and there are no use directions for it.</p>		
Signature of Approving Official:  	Date:  1-30-08	
Erik Kraft, Acting Product Manager (23) Herbicide Branch, Registration Division (7505P)		

B. Under "PRECAUTIONARY STATEMENTS" and "DANGER – PELIGRO", replace the entire paragraph starting with the sentence "Harmful if swallowed or, etc." with "CORROSIVE". CAUSESES IRREVERSIBLE EYE DAMAGE. Harmful if swallowed. Harmful if absorbed through skin. Do not get in eyes or on clothing. Avoid contact with skin.

C. Under "PRECAUTIONARY STATEMENTS" and "PERSONAL PROTECTIVE EQUIPMENT (PPE)", second bullet will be " – Protective eyewear (goggles or face shield)". Replace the bullet "Chemical – resistant gloves when mixing, loading, or, etc." with "Chemical – resistant gloves (such as or made of any water-proof material)". After the last bullet, add "Additional PPE requirements for mixers and loaders supporting aerial application to rangelands, pasture lands, or non-crop lands. These mixers/loaders also must wear:

- A chemical – resistant apron, and
- A NIOSH – approved respirator with a dust/mist filter with a NIOSH approval number prefix TC-23C or any N, R, P, or HE filter.

It is recommended that you require respirator wearers be fit tested, and trained in the proper use, maintenance, and limitations of the respirator.

See ENGINEERING CONTROLS for additional requirements."

D. Under "ENGINEERING CONTROLS" add as the first sentence, "Pilots must use an enclosed cockpit that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40CFR170.240(d)(6)]."

E. Under "USER SAFETY RECOMMENDATIONS", revise "Remove clothing...." to "Remove clothing/PPE....".

F. In the "FIRST AID" box, above the paragraph title "HOT LINE NUMBER", add "NOTE TO PHYSICAN: Probable mucosal damage may contraindicate the use of gastric lavage."

Registrant – The proposed label should contain a Note to Physician which addresses the primary eye irritation Toxicity Category I. The following statements are some suggested types of information that could be included, if applicable, in the Note to Physicians:

- technical information on symptomatology
- use of supportive treatments to maintain life functions
- medicine that will counteract the specific physiological effects of the pesticide
- company telephone number to specific medical personnel who can provide specialized medical advice.

G. Under the "ENVIRONMENTAL HAZARDS" statement, the first sentence "This pesticide may be toxic, etc." is not required, and can be deleted.

H. In the "NON-AGRICULTURAL USE REQUIREMENTS" box change the last two sentences to "Do not enter or allow people (other than applicator) or pets on treatment area during application. Do not enter or allow others to enter the treated area until sprays have dried."

I. In the "SPRAY DRIFT MANAGEMENT" section, after "Apply only when the wind speed is 2-10 mph at the application site.", add

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**"ADDITIONAL REQUIREMENTS FOR AERIAL APPLICATIONS:**

The boom length must not exceed 75% of the wingspan or 90% of the rotor blade diameter. Release spray at the lowest height consistent with efficacy and flight safety. Do not release spray at a height greater than 10 feet above the crop canopy.

When applications are made with a crosswind, the swath will be displaced downwind. The applicator must compensate for this displacement at the downwind edge of the application area by adjusting the path of the aircraft upwind.

Do not make applications into temperature inversions.

**ADDITIONAL REQUIREMENTS FOR GROUND BOOM APPLICATION:**

Do not apply with a nozzle height greater than 4 feet above the crop canopy."

J. Under crop directions for PEAS, change "Do not feed treated vines to livestock. Do not forage or graze treated pea fields" to "Do not harvest for livestock feed or allow livestock to graze treated area for 7 days after treatment."

K. Under crop directions for SEED FLAX, delete the sentence "Use 1-1/4 to 1-1/2 pints per acre to prevent seed production by Canada (sic) thistle." The rate exceeds the maximum rate for the use on flax under "RESTRICTIONS AND LIMITATIONS FOR USE ON FLAX:" in the use directions, and the RED.

L. Under crop directions for barley, oats, rye, and wheat, change "SMALL GRAINS: (Wheat, Barley, Rye), etc" to "BARLEY, OATS, RYE, AND WHEAT NOT underseeded, etc."

Change "RESTRICTIONS AND LIMITATIONS FOR USE ON SMALL GRAIN: etc." to "RESTRICTIONS AND LIMITATIONS FOR USE ON BARLEY, OATS, RYE, AND WHEAT: etc."

Change "NOTE: For Small Grains, Flax, etc." to "NOTE: For Barley, Oats, Rye, Wheat, Flax, etc."

The term "SMALL GRAINS" does not necessary apply only to barley, oats, rye, and wheat. To avoid confusion, use specific crops registered for inclusion on this label.

M. Under "RESTRICTIONS AND LIMITATIONS FOR USE ON ESTABLISHED GRASSLANDS AND PASTURES" add the restriction, "Wait 7 days after treatment before harvesting grass for hay."

N. Under "NON-CROP SPRAYING:" add "RESTRICTIONS AND LIMITATIONS FOR NON-CROP SPRAYING: For spot treatment, do not apply more than 1-1/2 gals/A/year (2.8 lbs ae/acre/per year)."

O. Under the "WARRANTY DISCLAIMER" and "LIMITATION OF LIABILITY", for consistency, change all "TO THE EXTENT PERMITTED BY LAW" phrases to "TO THE EXTENT CONSISTENT WITH APPLICABLE LAW".

Under "WARRANTY DISCLAIMER", delete the third sentence starting with "TO THE EXTENT PERMITTED BY LAW, MANUFACTURER AND SELLER MAKE NO WARRANTIES, GUARANTEES, OR REPRESENTATIONS, etc." This is an overly broad statement which negates or detracts from the Directions For Use.

*Signature* 1-30-08

In the sentence starting with "UNINTENDED CONSEQUENCES, etc." add the phrase, "BEYOND WHAT IS EXPRESSLY WARRANTED BY THIS LABEL, IS ASSUMED, etc." after the "AND" following "....BEYOND THE CONTROL OF MANUFACTURER OR SELLER".

2. Submit one (1) copy of final printed labeling incorporating the above changes before you release the product for shipment. Amended labeling will supersede all previously accepted ones. A stamped copy of labeling is enclosed for your records.

For any assistance with this matter, please contact Phil Errico at 703-305-6663, or email at [Errico.Philip@epa.gov](mailto:Errico.Philip@epa.gov).

Regards,



Erik Kraft, Acting PM-23  
Herbicide Branch/RD 7505P

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# SODIUM SALT OF MCPA

TO CONTROL CERTAIN WEEDS IN SMALL GRAINS, RICE, PEAS, SEED FLAX, GRASSLAND AND PASTURES, LAWNS AND TURF, GRASSES GROWN FOR SEED AND NON-CROP AREAS

**ACTIVE INGREDIENT:**

Sodium Salt of 2-methyl-4-chlorophenoxyacetic Acid\* ..... 22.25%

**OTHER INGREDIENTS:** ..... 77.75%

**TOTAL** ..... 100.0%

Isomer Specific AOAC Method, Equivalent to:

\*2-methyl-4-chlorophenoxyacetic acid equivalent ..... 20.05%, 1.86 lbs/gal.

ONLY FOR SALE TO, USE AND STORAGE BY AGRICULTURAL PERSONNEL OR COMMERCIAL APPLICATORS

**KEEP OUT OF REACH OF CHILDREN  
DANGER - PELIGRO**

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 PANEL FOR FIRST AID AND ADDITIONAL PRECAUTIONARY STATEMENTS

EPA REG. NO. 228-199  
EPA EST. NO. 228-IL-1

MANUFACTURED BY  
NUFARM AMERICAS INC.  
BURR RIDGE, IL 60527



NET CONTENTS

**ACCEPTED  
with COMMENTS  
In EPA Letter Dated**

1-30-08

**Under the Federal Insecticide,  
Fungicide, and Rodenticide Act  
as amended, for the pesticide  
registered under EPA Reg. No.  
228-199**

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**PRECAUTIONARY STATEMENTS  
HAZARDS TO HUMANS AND DOMESTIC ANIMALS  
DANGER-PELIGRO**

Harmful if swallowed or absorbed through the skin. Do not inhale spray mist. Causes eye damage and skin irritation. Do not get in eyes. Do not allow contact with skin or clothing.

**PERSONAL PROTECTIVE EQUIPMENT (PPE)**

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

Mixers, loaders, applicators, flaggers and other handlers must wear:

- Long-sleeved shirt and long pants,
- Shoes plus socks, and
- Chemical-resistant gloves when mixing, loading, or using any hand-held equipment.

Follow manufacturer's instructions for cleaning/maintaining Personal Protective Equipment (PPE). If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

**NON-WPS USES:** Applicators and other handlers who handle this pesticide for any use NOT covered by the Worker Protection Standard (40 CFR Part 170) -- in general, only agricultural plant uses are covered by the WPS -- must wear: eye protection.

**WPS USES:** Personal Protective Equipment: Applicators and other handlers who handle this pesticide for any use covered by the Worker Protection Standard (40 CFR Part 170) -- in general, agricultural plant uses are covered -- must wear: long-sleeved shirt, long pants, waterproof gloves, shoes plus socks, and protective eyewear. Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them. Follow manufacturer's instructions for cleaning/maintaining Personal Protective Equipment (PPE). If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

**Engineering Controls Statements:** When handlers use closed systems, enclosed cabs, or aircraft in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.240(d)(4-6)], the handler PPE requirements may be reduced or modified as specified in the WPS.

**ENGINEERING CONTROLS:** When handlers use closed systems, enclosed cabs, or aircraft in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.240(d)(4-6)], the handler PPE requirements may be reduced or modified as specified in the WPS.

<b>USER SAFETY RECOMMENDATIONS</b>	
<b>Users Should:</b>	
<ul style="list-style-type: none"> <li>• Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.</li> <li>• Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.</li> <li>• 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.</li> </ul>	

<b>FIRST AID</b>	
<b>IF IN EYES</b>	<ul style="list-style-type: none"> <li>• Hold eye open and rinse slowly and gently with water for 15 to 20 minutes.</li> <li>• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
<b>IF SWALLOWED</b>	<ul style="list-style-type: none"> <li>• Call a poison control center or doctor immediately for treatment advice.</li> <li>• Have person sip a glass of water if able to swallow.</li> <li>• Do not induce vomiting unless told to do so by the poison control center or doctor.</li> <li>• Do not give anything by mouth to an unconscious person.</li> </ul>
<b>IF ON SKIN OR CLOTHING</b>	<ul style="list-style-type: none"> <li>• Take off contaminated clothing.</li> <li>• Rinse skin immediately with plenty of water for 15 to 20 minutes.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
<b>HOT LINE NUMBER</b>	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment.	

**ENVIRONMENTAL HAZARDS**

This pesticide may be toxic to fish, aquatic invertebrates and aquatic plants. Do not apply directly to water, 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. Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas. Runoff of this product will be reduced by avoiding applications when rainfall is forecasted to occur within 48 hours. This chemical has properties and characteristics associated with chemicals detected in groundwater. The use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination.

**DIRECTIONS FOR USE**

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. **READ ENTIRE LABEL BEFORE USING THIS PRODUCT. USE STRICTLY IN ACCORDANCE WITH LABEL PRECAUTIONARY STATEMENTS AND DIRECTIONS.**

Do not apply this product in a way that will contact worker 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 48 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,
- shoes plus socks,
- chemical-resistant gloves made of any waterproof material, and
- protective eyewear.

**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.

Do not allow people (other than applicator) or pets on treatment area during application. Do not enter treatment areas until spray has dried.

**GENERAL INFORMATION**

Sodium Salt of MCPA is a very slow acting systemic herbicide. This property allows the chemical to translocate into the root system before the tops are killed. Other chemicals do not control this slowly. This results in effective control without sterilizing the soil.

**SPRAY DRIFT**

Avoiding spray drift at the application site is the responsibility of the applicator. The interaction of many equipment-and-weather-related factors determine the potential for spray drift. The applicator and the grower are responsible for considering all these factors when making decisions.

Apply only as a medium or coarser spray (ASAE standard 572) or a volume mean diameter of 300 microns or greater for spinning atomizer nozzles.

Apply only when the wind speed is 2-10 mph at the application site.

This product is recommended to control the following as well as many other noxious plants susceptible to MCPA.

**SUSCEPTIBLE WEEDS**

Cocklebur	Mint	Shepherdspurse	)
Dragon head	Pepperweed (field)	Stinkweed	)
Goatsbeard	Puncturevine	Wild Radish	)
Kochia	Purshlane	Wintercress	)
Lambsquarters	Ragweed	Yellow rocket	)
Marshelder			)

**LESS SUSCEPTIBLE WEEDS**

Arrowhead	Pigweed	Sow thistle
Bulrush	Plantain	Stinging nettle
Burhead	Redstem	Sunflower
Buttercup	Russian pigweed	Vetch
Canada thistle	Russian thistle	Waterhyssop
Dandelion	Sedge	Waterplantain
Hempnettle	Silverleaf nightshade	Whitetop (Hoary cress)

**PREPARATION OF SPRAY:** For aerial application, use 5 to 10 gallons of water per acre. For ground application, use a conventional low pressure, low volume sprayer that delivers 5 to 40 gallons of water per acre.

When diluting, the material must be mixed thoroughly before using. If the material is allowed to stand for any length of time after dilution, it should be stirred again before using.

**SELECTIVE SPRAYING:** (Wheat, Oats, Barley and Rye) Apply as a water mix spray by ground sprayer or airplane. Use 1/2 to 1 pint per acre for the more susceptible weeds after crop has reached the 3 to 4 leaf stage up to the boot stage. Use up to 3 pints per acre for the less susceptible weeds after crop has tillered and up to early boot stage.

**PEAS:** Use 1/2 to 1-1/2 pints per acre when peas are 4 to 6 inches tall using 15 to 30 gallons of water per acre. Do not spray while peas are in blossom. Peas may show light injury but they usually recover a few days after treatment. Use the higher rate before buds form on Canada thistle to prevent from going to seed. Do not feed treated vines to livestock. Do not forage or graze treated pea fields. Do not spray peas that are stressed from lack of moisture or when temperatures are over 90°F.

**SEED FLAX:** Where 2 to 3 ounces of MCPA acid equivalent per acre is recommended for susceptible weeds, use 1/2 to 1 pint of this product per acre in at least 15 to 20 gallons of water. Apply when all weeds are up and flax has at least 3 to 4 leaves, or is 3 to 4 inches tall, and before flax comes into bud. Treatment after early bud stage may result in severe damage. For moderately resistant weeds, spot spraying with a heavier rate may be necessary. Use 1-1/4 to 1-1/2 pints per acre to prevent seed production by Canada thistle. Do not spray flax underseeded with legumes without first consulting local weed specialist.

**RESTRICTIONS AND LIMITATIONS FOR USE ON FLAX:** Do not apply more than 1 pint per acre per year.

**SMALL GRAINS:** (Wheat, Barley, Rye, Oats) NOT underseeded with mixed legumes.

**RESTRICTIONS AND LIMITATIONS FOR USE ON SMALL GRAIN:** Do not apply more than 3.25 pint per acre per year.

**Broadleaf Weeds:** Use 1 to 3 pints per acre in the Spring when grain is fully tillered and 8 to 10 inches tall. Do not spray when grain is in the boot to dough stage.

**Emergency Treatment of perennial Broadleaf Weeds in Wheat:** Use 3.25 pints per acre when weeds are approaching bud stage, but do not spray grain in the boot to dough stage. The 3.25 pints (0.75 pounds acid equivalent) per application of any MCPA product can produce injury to wheat. Balance the severity of your weed problem against the possibility of crop damage. Where perennial weeds are scattered, spot treatment is suggested to minimize the extent of crop injury. Treat in the Spring when grain is fully tillered and 8 to 20 inches tall.

**NOTE:** For Small Grains, Flax and Sorghum application, do not forage or graze meat animals on treated areas within seven days of slaughter.

**ESTABLISHED GRASSLANDS AND PASTURES:** Use 2 to 6 pints per acre in sufficient water (10 to 100 gallons) to give thorough coverage. Use higher rate for Whitetop, Canada thistle and other less easy-to-control weeds; spray perennials in early-bud to full bloom stage and reapply to regrowth in Fall. Spray other weeds in Spring or Fall when they are actively growing.

**RESTRICTIONS AND LIMITATIONS FOR USE ON ESTABLISHED GRASSLANDS AND PASTURES:** Do not apply more than 6.5 pints / acre per year. Do not apply more than 2 applications per year with a minimum retreatment interval of 21 days.

**ESTABLISHED LAWNS AND TURF:** Use 2 fluid ounces in 3 to 5 gallons of water; apply uniformly over 1,000 square feet. On larger areas, use 2 to 6 pints per acre in 10 to 100 gallons of water. Apply Spring or Fall for best results. Do not mow within 2 days before or after application.

**RESTRICTIONS AND LIMITATIONS FOR USE ON ESTABLISHED LAWNS AND TURF:** Do not apply more than 6.5 pints / acre per year. Do not apply more than 2 applications per year with a minimum retreatment interval of 21 days.

**GRASSES GROWN FOR SEED:** Use 2 to 4 pints per acre in sufficient water to give adequate coverage. Use higher rate where weed stands are heavy. In established grasses, apply in Spring before head comes into boot and on seedling grass after grass is tillered.

**RESTRICTIONS AND LIMITATIONS FOR USE ON GRASSES GROWN FOR SEED:** Do not apply more than 6.5 pints / acre per year. Do not apply more than 2 applications per year with a minimum retreatment interval of 21 days.

**NOTE:** In weed control in grasses repeat treatment may be needed for less susceptible weeds. White clover and other legumes may be temporarily injured or controlled. In some areas, dichondra, bent, buffalo, carpet and St. Augustine grasses may also be injured by the treatment.

**NON-CROP SPRAYING:** (Canada thistle, Whitetop, Meadow buttercup, Field bindweed and Morningglory) For spot treatment, use 1/2 to 3 to 4 gallons of water, or 1-1/2 gallons of this product per acre in sufficient water to give coverage and spray to wet weeds thoroughly when in bud to early bloom and again in Fall regrowth.



**NOTE:** For Non-food Uses, do not forage or graze livestock on treated areas within seven days of treatment.

**NOTE:** Local conditions, crop varieties and application regulations vary and may affect use of this herbicide. Consult local Agricultural Experiment Station or Extension Service weed specialist and State regulatory agencies for recommendations in your area.

**STORAGE AND DISPOSAL**

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

**PESTICIDE STORAGE:** Always store pesticides in a secured warehouse or storage building. Store at temperature above 32°F. If allowed to freeze, warm to at least 40°F and remix before using. Freezing does not alter this product. Containers should be opened in well-ventilated areas. Keep container tightly sealed when not in use. Do not stack cardboard cases more than two pallets high. Do not store near open containers of fertilizer, seed or other pesticides.

**PESTICIDE DISPOSAL:** Pesticide wastes are acutely hazardous. If container is damaged or if pesticide has leaked, contain all spillage. Absorb and clean up all spilled material with granules or sand. Place in a closed labeled container for proper disposal. Improper disposal of excess pesticide, spray mixtures, 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 DISPOSAL:** Triple rinse (or equivalent). 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, or if allowed by State and local authorities by burning. If burned, stay out of smoke.

**WARRANTY DISCLAIMER**

The directions for use of this product must be followed carefully. THE GOODS DELIVERED TO YOU ARE FURNISHED "AS IS" BY MANUFACTURER OR SELLER. TO THE EXTENT PERMITTED BY LAW, 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 CROP INJURY OR 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 PERMITTED BY LAW, IN NO EVENT SHALL MANUFACTURER OR SELLER 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. 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. 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. ALL SUCH RISKS SHALL BE ASSUMED BY THE BUYER, USER, OR ITS CUSTOMERS.

If you do not agree with or do not accept any of 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.

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