

228-264

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

14 APR 2009

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

Nufarm Americas, Inc.  
150 Harvester Drive, Suite 200  
Burr Ridge, IL 60527

Subject: 2,4-D, MCPP-p and Dicamba RED Label Amendment  
Riverdale Triplet Selective Herbicide  
EPA Reg. No. 228-264

The labeling referred to above is in compliance with the 2,4-D, MCPP-p and Dicamba REDs and are amended under the REDs provided that you:

1. Submit and/or cite all data required for registration/reregistration review of your product when the Agency requires all registrants of similar products to submit data.
2. Per the acute toxicity review, this product must be contained in child-resistant packaging.
3. Make the following changes to the product labeling:
  - a. Per the Combination RED, the user PPE section must be revised to the following:

**"PERSONAL PROTECTIVE EQUIPMENT (PPE):**

Some materials that are chemical-resistant to this product are **made of any waterproof material**. If you want more options, follow the instructions for Category A on an EPA chemical-resistance category selection chart.

All mixers, loaders, applicators and other handlers must wear:

- Goggles or face shield**
- Long-sleeved shirt and long pants
- Shoes and socks, plus
- Chemical-resistant gloves (**except for applicators using ground-boom equipment**)
- Chemical-resistant apron when mixing or loading, cleaning up spills or equipment, or otherwise exposed to the concentrate.**

See engineering controls for additional requirements."

- b. Per the combination RED, the following User Safety Requirements must be added to the label:

“Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product’s concentrate. Do not reuse them.”

- c. Per the combination RED, the second USER SAFETY RECOMMENDATIONS statement must be revised to the following:

“Users should remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. **If pesticide gets on skin, wash immediately with soap and water.**”

- d. Delete the first sentence under the Engineering Controls section. In addition, the remaining text in the first paragraph is not required for 2,4-D and may be removed.

- e. The Environmental Hazards text currently on the label must be revised to read:

“This pesticide may be toxic to fish and aquatic invertebrates and may adversely affect non-target plants. Do not apply directly to water, to areas where surface water is present, or to intertidal areas below the mean high water mark. Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas. Do not contaminate water when disposing of equipment wash waters or rinsate.

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. Application around a cistern or well may result in contamination of drinking water or ground water.”

- f. Per the combination RED, the following revisions must be made to the Spray Drift Management section:

-Under the ‘SPRAY DRIFT MANAGEMENT’ heading, replace “method of application (e.g., ground, aerial, airblast, chemigation)...” with “method of **ground** application...”

-Under the ‘Droplet Size’ subheading, add “**or a volume mean diameter of 300 microns or greater for spinning atomizer nozzles.**” to the end of the sentence.

-Under the ‘Wind Speed’ subheading, change “15 mph” to “**10 mph.**”

- g. Per the combination RED, the following text must be added under the USE PRECAUTIONS section:  
**“Do not enter or allow entry until sprays have dried. 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.”**
- h. Delete all references to use on turf grown for seed or sod on page 4 of the label (since the label states “this product is not for use on turf being grown for sale or other commercial use as sod...” and it does not currently have any worker protection standard (WPS) language).
- i. Per the combination RED, add the following text to the Ornamental Turf restrictions section:  
**“Minimum of 30 days between applications.”**
- j. Under the NON-CROPLAND section:
  - i. The application rate for ‘Roadsides, rights-of-way and other similar non-crop areas’ listed at “1.5 to 3.5 quarts” must be revised to **“3.0 to 6.5 pints”** in order to comply with the 2,4-D maximum restriction of 2.0 lbs ae/acre per application.

After the last sentence, “For small (spot) applications with small tank sprayers, ...” add the sentence **“Spot treatment is defined as a treatment area no greater than 1000 square feet per acre.”**

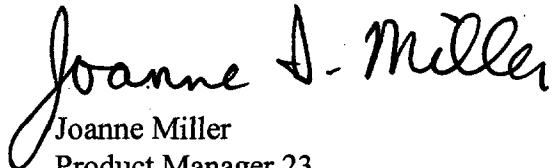
- ii. The application rate for ‘Woody Brush’ listed at “1 to 1.5 gallons” must be revised to **“8 to 9 pints”** in order to comply with the MCPP-p maximum single broadcast application rate of 0.75 lbs ae/acre per application.
- iii. Delete **“Maximum Seasonal Application Rate to non-crop sites is 4 pounds 2,4-D Acid equivalent per acre per application site.”** The current labelling reads as though it is acceptable to use up to 13.5 pints on the single application to woody plants, which exceeds the MCPP-p broadcast application rate (see comment j (ii)).
- iv. In addition, add the following statements to the NON-CROPLAND section:  
**“Applications to non-cropland areas are not applicable to treatment of commercial timber or other plants being grown for sale or other commercial use, or for commercial seed production, or for research purposes.”**

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- k. Assure that the Storage and Disposal statements on the final printed label are in compliance with PR Notice 2007-1, PR Notice 2007-4, 40 CFR 156.140 and 40 CFR 156.146. See chapter 13 of the label review manual for guidance at: <http://www.epa.gov/oppfead1/labeling/lrm/chap-13.htm>
  
- 4. Please Note: Final product reregistration cannot be considered until after all active ingredients in this product are eligible for reregistration. Currently, the active ingredient, MCP-P is pending eligibility for reregistration for this product; however, this review includes label revisions necessary for compliance with the MCP-P RED.

A stamped copy of your labeling is enclosed for your records. Submit one (1) copy of the revised final printed label for the record before you release the product for shipment. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA sec. 6(e). Your release for shipment of the product constitutes acceptance of these conditions

Sincerely,



Joanne Miller  
Product Manager 23  
Herbicide Branch  
Registration Division (7505P)

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# TRIPILET®

## SELECTIVE HERBICIDE

SELECTIVE BROADLEAF WEED CONTROL FOR TURFGRASSES.  
CONTROLS DANDELION, CLOVER, HENBIT, PLANTAINS, WILD ONION AND  
MANY OTHER BROADLEAF WEEDS.  
ALSO FOR HIGHWAYS, RIGHTS-OF-WAY AND OTHER SIMILAR NON-CROP AREAS.  
CONTAINS 2,4-D, MECOPROP-p AND DICAMBA  
GET THE OPTICAL ADVANTAGE®

**ACTIVE INGREDIENTS:**

Dimethylamine Salt of 2,4-Dichlorophenoxyacetic Acid*	30.56%
Dimethylamine Salt of (+)-R-2-(2-Methyl-4-Chlorophenoxy) propionic Acid **‡	8.17%
Dimethylamine Salt of Dicamba (3,6-Dichloro-o-anisic Acid)***	2.77%

**OTHER INGREDIENTS:**

.....	58.50%
<b>TOTAL:</b>	<b>100.00%</b>

Isomer Specific Method, Equivalent to:

*2,4-Dichlorophenoxyacetic Acid	25.38%, 2.38 lbs./gal.
**(+)-R-2-(2-Methyl-4-Chlorophenoxy)propionic Acid	6.75%, 0.63 lbs./gal.
***3,6-Dichloro-o-anisic Acid	2.30%, 0.22 lbs./gal.

‡CONTAINS THE SINGLE ISOMER FORM OF MECOPROP-p

**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.)

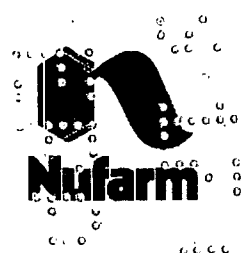
**SEE INSIDE BOOKLET FOR FIRST AID AND ADDITIONAL PRECAUTIONARY STATEMENTS**

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. 228-264  
EPA EST. NO. 228-IL-1

MANUFACTURED BY  
NUFARM AMERICAS INC.  
150 HARVESTER DRIVE  
BURR RIDGE, IL 60527



NET CONTENTS      GALS

ACCEPTED  
with COMMENTS  
in EPA Letter Dated

14 APR 2009

000228-00264.20080612.EPA.24d.Pending

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

228-264

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

Corrosive, causes irreversible eye damage. Do not get in eyes, or on skin or clothing. Harmful if swallowed or inhaled.

**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.

**All mixers, loaders, applicators and other handlers must wear:**

- Long-sleeved shirt and long pants
- Shoes plus socks, and
- Protective eyewear (goggles, face shield, or safety glasses)
- Chemical-resistant gloves.

See engineering controls for additional requirements.

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

**Engineering Controls Statements:** If this container is over one gallon and less than five gallons, then persons engaged in open pouring of this product must also wear coveralls or a chemical-resistant apron. If this container is five gallons or more in capacity, do not open pour product from this container. A mechanical system (such as a probe and pump or spigot) must be used for transferring the contents of this container. If the contents of a non-refillable pesticide container are emptied, the probe must be rinsed before removal. If the mechanical system is used 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.

When handlers use closed systems, enclosed cabs, 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, face, and arms with soap and water before eating, smoking, drinking 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. You may also contact 1-877-325-1840 for emergency medical treatment information.

<b>NOTE TO PHYSICIAN</b>
Probable mucosal damage may contraindicate the use of gastric lavage.

**ENVIRONMENTAL HAZARDS**

This product is toxic to aquatic invertebrates. Drift or runoff may adversely affect aquatic invertebrates and non-target plants. Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean highwater mark. Do not apply when weather conditions favor drift from target area. Clean and rinse spray equipment using soap or detergent and water, and rinse thoroughly before reuse for other spraying. When cleaning equipment, do not pour the washwater on the ground; spray or drain over a large area away from wells and other water sources. Do not contaminate water when disposing of equipment washwaters. Do not apply this product through any type of irrigation system. Do not contaminate domestic or irrigation waters.

Most cases of groundwater contamination involving phenoxy herbicides such as 2,4-D and MCPP have been associated with mixing/loading and disposal sites. Caution should be exercised when handling these herbicides at such sites to prevent contamination of groundwater supplies. Use of closed systems for mixing or transferring this pesticide will reduce the probability of spills. Placement of the mixing/loading equipment on an impervious pad to contain spills will help prevent 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.

Triplet® is for use on Ornamental Turf such as Lawns, Parks, Cemeteries, Golf Courses (Fairways, Aprons, Tees and Roughs), and similar turf areas. Not for use on turf being grown for sale or other commercial use as sod, or for commercial seed production, or for research purposes. Product should not be used in or near greenhouses.

Aerial application is prohibited.

**SPRAY DRIFT MANAGEMENT**

A variety of factors including weather conditions (e.g., wind direction, wind speed, temperature, relative humidity) and method of application (e.g., ground, aerial, airblast, chemigation) can influence pesticide drift. The applicator must evaluate all factors and make appropriate adjustments when applying this product.

**Droplet Size**

Use only Medium or coarser spray nozzles according to ASAE (S572) definition for standard nozzles.

**Wind Speed**

Do not apply at wind speeds greater than 15 mph. Only apply this product if the wind direction favors an on target deposition and there are not sensitive areas (including, but not limited to residential areas, bodies of water, known habitat for nontarget species, nontarget crops) within 250 feet downwind. If applying a Medium spray, leave one swath unsprayed at downwind edge of treated area.

**Temperature Inversions**

If applying at wind speeds less than 3 mph, the applicator must determine if: 1) conditions of temperature inversion exist, or 2) stable atmospheric conditions exist at or below nozzle height. Do not make applications into areas of temperature inversions or stable atmospheric conditions.

**Susceptible Plants**

Do not apply under circumstances where spray drift may occur to food, forage, or other plantings that might be damaged or crops thereof rendered unfit for sale, use or consumption. Susceptible crops include, but are not limited to, cotton, okra, flowers, grapes (in growing stage), fruit trees (foliage), soybeans (vegetative stage), ornamentals, sunflowers, tomatoes, beans, and other vegetables, or tobacco. Small amounts of spray drift that might not be visible may injure susceptible broadleaf plants.

**Other State and Local Requirements**

Applicators must follow all state and local pesticide drift requirements regarding application of 2,4-D herbicides. Where states have more stringent regulations, they must be observed.

**Equipment**

All ground application equipment must be properly maintained and calibrated using appropriate carriers or surrogates. Do not apply with a nozzle height greater than 4 feet above the crop canopy.

**USE PRECAUTIONS**

Avoid mist to vegetables, flowers, ornamentals, shrubs, trees and other desirable plants. Do not pour spray solutions near these plants. Do not spray on carpetgrass, dichondra, nor on lawns or turf where desirable clovers are present. Avoid fine mists. Except as noted, use only lawn-type sprayers. Coarse sprays are less likely to "wind-drift". Use coarse spray droplets. Do not spray roots of ornamentals and trees. Do not exceed specified dosages for any area; be particularly careful within the dripline of trees and other species. Do not apply to newly seeded grasses until well established. Do not spray when air temperature exceeds 90°F. Avoid applying during excessively dry or hot periods unless irrigation is used. For optimum results: (1) turf should not be mowed for 1 to 2 days before and after application; (2) do not apply if rainfall is expected within 48 hours; nor should lawns be irrigated (watered) for 48 hours following application. Reseed no sooner than three to four weeks after application of this product. Failure to observe all precautions may result in injury to turf and/or susceptible plants.

This product can be mixed with some liquid fertilizers or liquid iron materials. Because liquid fertilizer and liquid iron differ in pH, free ammonia content, density, salt concentration, and percentage of water, a compatibility test is recommended prior to mixing in application equipment. All regulations, either State or Federal, relating to the application of liquid fertilizers or liquid iron and this product must be strictly followed.

**WEEDS CONTROLLED**

Bedstraw	Dandelion	Lespedeza	Poison oak	Wild carrot
Black medic	Dock	Mallow	Purslane	Wild garlic
Buckhorn	Ground ivy	Morningglory	Ragweed	Wild lettuce
Burdock	Healall	Peppergrass	Sheep sorrel	Wild onion
Chicory	Henbit	Pigweed	Shepherdspurse	Yarrow
Chickweed	Knotweed	Plantain	Speedwell	and other
Clover	Lambsquarter	Poison ivy	Spurge	broadleaf weeds

**TURF, ORNAMENTAL**  
 (golf courses, cemeteries, parks, sports fields, turfgrass, lawns and other grass areas)  
**AND**  
**TURF (grown for seed or sod)**

**APPLICATION RATES**

SITE	USE RATE (Fluid Ounces)	SPRAY VOLUME (Gallons)	USE RATE (Pints)	SPRAY VOLUME (Gallons)	USE DIRECTIONS
	PER 1,000 SQ. FT.		PER ACRE		
Bahiagrass, Bluegrass, Common Bermudagrass, Fescue, Ryegrass, Zoysiagrass	1.1 to 1.5	0.5 to 5	3 to 4	5 to 220	<p><b>Normal Applications</b></p> <p><b>For Professional Lawn Maintenance</b> - Higher water volumes may be used when tank-mixed with a turf fertilizer. Follow fertilizer labels for proper amounts to add.</p> <p>Use reduced rates if grass is stressed from heat or drought. Exercise care when applying during growth stages from dormancy to green-up and from green-up to dormancy. Some temporary discoloration may occur on warm season grasses.</p> <p><b>If Bermudagrass is dormant</b>, up to 4 pints per acre may be used. However, some hybrid Bermudagrasses may be sensitive to this product. Contact your local extension service weed control specialist.</p>
Dormant St. Augustine (Common, Raleigh and Seville varieties grown in Texas, Louisiana, Mississippi only).  Dormant Centipede grasses (Texas, Louisiana, Mississippi only).	0.75 to 0.90 Maximum	1 to 5	2 to 2.5 Maximum	40 to 200	Use reduced rates if grass is stressed from heat or drought. Exercise care when applying during growth stages from dormancy to green-up and from green-up to dormancy. Some temporary discoloration may occur on warm season grasses.
Bentgrass (Putting and Bowling Greens)	0.67 Maximum	3.3	1.8 Maximum	145	<p>Apply on closely mowed Bentgrass, preferably in May or mid-August through September. Slight turf yellowing will disappear after about one week.</p> <p>On closely mowed golf course fairways and tees or bowling greens - apply when weeds are actively growing and temperatures are low. Exercise care to avoid over application to prevent injury. Temporary discoloration may occur.</p>

**NOTE:** Care should be taken to avoid overdosing Bentgrass or injury may result. Large volumes of spray water (i.e. one fluid ounce in 5 gallons of water per 1,500 square feet ) will aid in obtaining uniform coverage. If hand-type sprayers are used, it is preferable to use a single nozzle sprayer rather than a multiple nozzle boom as sideways application with a boom where the spray from more than one nozzle is allowed to fall on the same area will result in heavy local over-application and subsequent turf discoloration or injury.

Ornamental Turf: Make no more than 2 applications per year.

Turf Grown for Seed/Sod: Make no more than 2 applications per year. Minimum interval of 21 days between applications.



**LOW VOLUME SPRAY APPLICATION EQUIPMENT**

EQUIPMENT	APPLICATION	USE RATE		USE DIRECTIONS
		Fluid Ounces per 1,000 Square Feet	Pints per Acre	
<b>Controlled Droplet Applicators (CDA), Atomizers and Spinning Disk Applicators</b>	Cool season grasses	1.1 to 1.5	3 to 4	Use in sufficient water to assure coverage (1 to 4 gallons of water per acre is normal for this type of equipment). Do not overlap spray patterns.
	Listed warm season grasses	0.75 to 0.9	2 to 2.5	Use in sufficient water to assure coverage (1 to 4 gallons of water per acre is normal for this type of equipment); and follow CDA spray instructions for cool season grasses. Use reduced rates if grass is stressed from heat, drought, etc.
<b>Lower Volume Equipment</b>	Cool Season and Listed Warm Season Grasses	1.1 to 1.5	3 to 4	Use as little as 5 gallons of water per acre. Use only application equipment that is capable of spreading a uniform droplet, wetting each weed surface.

**NON-CROPLAND**

(fencerows, hedgerows, roadsides, ditches, rights-of-way, utility, powerlines, railroads, airports, and industrial sites)

**Roadsides (including aprons and guardrails), rights-of-way and other similar non-crop areas:** For control of broadleaf weeds, mix at a rate of 1.5 to 3.5 quarts of this product per acre in enough water to wet all parts of the foliage. This may require 50 to 300 gallons of water per acre. This mixture will cover 43,560 square feet. Thoroughly saturate all weeds with spray mixture. Apply any time between the time when plants come into full leaf (spring) to when the plants begin to go dormant. Best results are obtained when weeds are young and actively growing. Do not cut weeds until herbicide has translocated throughout the plant causing root death. For small broadleaf weeds, use the lower rate. Heavy, dense stands require the higher rate with the high water volume. For small (spot) applications with small tank sprayers, apply at the rate of 4 ounces of this product per gallon of water and spray to thoroughly wet all foliage.

Annual/Perennial Control: Make no more than 2 applications per year.

For control of woody plants, apply to both stems and foliage any time from the time foliage is completely matured until the time plants start to go dormant. All leaves, stems and suckers must be completely wet to the ground line for effective control. Regrowth may be anticipated on the more resistant species.

**Woody Brush:** Add 1 to 1.5 gallons of this product per acre to wet all parts of the brush foliage, stem and bark. This may require up to 200 to 600 gallons of water per 43,560 square feet depending upon the height and thickness of the brush. Mix thoroughly before spraying.

Woody Plant Control: Make no more than 1 application per year.

This product will either kill, control or suppress the weeds listed in the label booklet for this product. Some of these species may require repeat spot applications even under ideal conditions for application.

**Maximum Seasonal Application Rate to non-crop sites is 4 pounds 2,4-D Acid equivalent per acre per application site.**

**STORAGE AND DISPOSAL**

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

**PESTICIDE STORAGE:** Always use original container to store pesticides in a secured warehouse or storage building. Store at temperatures above 32°F. If allowed to freeze, remix before using. This 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 toxic. 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 and may contaminate groundwater. 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. 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, 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. 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 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.**

(RV061208R)

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