

228-292

09/16/2008

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

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

SEP 16 2008

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

Dear Mr. Gaskins:

Subject: Label Amendment for RED: 2,4-D, Dicamba and MCPP-p
Riverdale Triplet MC II
EPA Registration Number 228-292

The amendment referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended is acceptable provided that you:

1. Per the combined 2,4-D, Dicamba and MCPP-p label table, the text "chemical-resistant apron when mixing or loading, cleaning up spills or equipment, or otherwise exposed to the concentrate" must be added the handler PPE.

Also, if category A is the appropriate chemical-resistant material for this product then the first sentence in the PPE section must be revised to read "Some materials that are chemical-resistant to this product are made of any waterproof material."

2. The mechanical transfer engineering control text is no longer needed and should be deleted from the label.

Because an apron is needed for mixers, loaders, handlers cleaning up spills or equipment or exposed to the concentrate, the first sentence in the engineering control section ("If this container is over one gallon and less than five gallons, then persons engaged in open pouring of this product must wear a chemical-resistant apron") must be deleted from the label.

3. Per the combined RED label table, the following text must be added to the User Safety Requirements section:

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

- 4. The text in bold type must be added to the User Safety Recommendation text currently on the label:

“User should remove clothing/**PPE** immediately if pesticide gets inside.”

- 5. Per the combined RED label table, the Environmental Hazards statements 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 groundwater.”

- 6. The early entry glove statement must be revised to read “chemical-resistant gloves made of any waterproof material.”
- 7. Per the combined label table, the spray drift text currently on the label must be revised to read as specified below and any conflicting text in the “Use Precautions” section must be deleted from the label:

“Spray Drift Management

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

Droplet Size

Use a medium or coarser spray nozzles according to (ASAE standard 572) definition of standard nozzles or a volume mean diameter of 300 microns or greater for spinning atomizer nozzles.

Wind Speed

Do not apply at wind speeds greater than 10 mph. Only apply this product if the wind direction favors on-target deposition and there are not sensitive areas (including, but not limited to, residential areas, bodies of water, known habitat for non-target species, non-target crops) within 250 feet downwind.

Temperature Inversions

If applying at wind speeds less than 3 mph, the applicator must determine if: a) conditions of temperature inversion exist, or b) 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.”

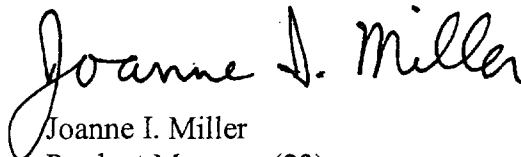
8. The following text must be added to the label:

“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.”
9. Per the MCPP-p RED, the retreatment interval must be revised to 30 days for both ornamental turf and turf grown for sod/seed.
10. Since this product contains 2,4-D and is used as a spray to Sod Farms add paragraph:
Use of this product in certain portions of California, Oregon and Washington is subject to the January 22, 2004 Order for injunctive relief in Washington Toxics Coalition, et al. v. EPA, C01- 0132C, (W.D. WA). For further information, please refer to EPA Web Site: <http://www.epa.gov/espp>.

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One copy of the label stamped "Accepted with Comments" is enclosed for your records. Please submit one copy of the final printed label before the product is released for shipment. Please note that final product registration cannot be considered until after all active ingredients in this product are eligible for reregistration. If you have any questions, please contact Tracy White by phone at (703) 308-0042 or via email at white.tracy@epa.gov.

Sincerely,



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

Enclosure

Rec'd 4-17-08 5/10

TRIPLET[®] MC II

ACCEPTED
with COMMENTS
In EPA Letter Dated:
SEP 16 2008

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

228-292

SELECTIVE BROADLEAF WEED CONTROL FOR TURFGRASSES, INCLUDING
USE ON SOD FARMS, TO CONTROL CLOVER, DANDELION, HENBIT,
PLANTAINS, WILD ONION, AND MANY OTHER BROADLEAF WEEDS

CONTAINS 2,4-D, MECOPROP-p AND DICAMBA
GET THE OPTICAL ADVANTAGE[®]

ACTIVE INGREDIENTS:

Dimethylamine Salt of 2,4-Dichlorophenoxyacetic Acid*	33.83%
Dimethylamine Salt of (+)-R-2-(2-Methyl-4-Chlorophenoxy) propionic Acid ** ‡	8.17%
Dimethylamine Salt of Dicamba (3,6-Dichloro-o-anisic Acid)***	3.73%

OTHER INGREDIENTS:

TOTAL: 54.27%
100.00%

Isomer Specific Method, Equivalent to:

*2,4-Dichlorophenoxyacetic Acid	28.1%, 2.70 lbs./gal.
**(+)-R-2-(2-Methyl-4-Chlorophenoxy)propionic Acid ‡	6.75%, 0.64 lbs./gal.
***3,6-Dichloro-o-anisic Acid	3.10%, 0.30 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 SIDE PANELS FOR FIRST AID AND ADDITIONAL PRECAUTIONARY STATEMENTS

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

NOTE: Spanish language is optional

EPA REG. NO. 228-292
EPA EST. NO. 228-IL-1

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



NET CONTENTS GALS.

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**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.

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 wear 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 or 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.

USER SAFETY RECOMMENDATIONS	
Users Should:	
<ul style="list-style-type: none"> • Wash hands, face, and arms with soap and water before eating, smoking, drinking or using the toilet. • Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. • 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. 	

FIRST AID	
IF IN EYES	<ul style="list-style-type: none"> • 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 eye. • Call a poison control center or doctor for treatment advice.
IF SWALLOWED	<ul style="list-style-type: none"> • Call a 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 the poison control center or doctor. • Do not give anything by mouth to an unconscious person.
IF ON SKIN OR CLOTHING	<ul style="list-style-type: none"> • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15 to 20 minutes. • Call a poison control center or doctor for treatment advice.
HOT LINE NUMBER	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-877-325-1840 for emergency medical treatment information.	
NOTE TO PHYSICIAN	
Probable mucosal damage may contraindicate use of gastric lavage.	

ENVIRONMENTAL HAZARDS

This product is toxic to fish and 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 high water 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-p 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.

Aerial application is prohibited.

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 over short-sleeved shirt and short pants, waterproof gloves, chemical-resistant footwear plus socks, protective eyewear and chemical-resistant headgear for overhead exposure.

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

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.

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

This product is for use on Athletic Fields, Cemeteries, Golf Courses (Aprons, Fairways, Roughs and Tees), Ornamental Turf Lawns (Industrial, Institutional, and Residential), Parks, and similar turf areas. Also for use on Sod Farms. The maximum number of broadcast applications per treatment site is 2 per year.

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. Avoid broadcast applications when air temperature exceeds 90°F. When using small, spot treatment applications in temperature over 90°F, turf injury may occur.

When treating Carpetgrass, avoid broadcast applications when air temperature exceeds 80°F. When air temperatures exceed 80°F, limit application to spot treatment only.

Apply only to dormant St. Augustine (Common, Raleigh and Seville varieties grown in Texas, Louisiana, Mississippi only) and dormant Centipede grasses (Texas, Louisiana, Mississippi only).

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 4 hours after the application, delay irrigation cycle for 24 hours. 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	Ground ivy	Pigweed	Spurge
Black medic	Healall	Plantain	Wild carrot
Buckhorn	Henbit	Poison ivy	Wild garlic
Burdock	Knotweed	Poison oak	Wild lettuce
Chicory	Lambsquarter	Purslane	Wild onion
Chickweed	Lespedeza	Ragweed	Yarrow
Clover	Mallow	Sheep sorrel	and other broadleaf weeds
Dandelion	Morningglory	Shepherdspurse	
Dock	Peppergrass	Speedwell	

TURF, ORNAMENTAL

(golf courses, cemeteries, parks, sports fields, turfgrass, lawns and other grass areas)

AND

TURF (grown for seed or sod)

APPLICATIONS	USE RATE		USE DIRECTIONS
Cool Season Grasses	0.9 to 1.25 fluid ounces per 1,000 square feet	2-1/2 to 3-2/3 pints per acre	For Normal Application: Use in 1 to 2 gallons of water per 1,000 square feet (40 to 80 gallons of water per acre). For Professional Lawn Maintenance: Use in 1 to 5 gallons of water per 1,000 square feet. Higher water volumes may be used when tank-mixed with a turf fertilizer. Follow fertilizer labels for proper amounts to add.
Warm Season Grasses (Centipede, St. Augustine)		1-2/3 to 2-1/4 pints maximum per acre	Use in 40 to 200 gallons of water. Repeat after 3 weeks if necessary. 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. These grasses are sensitive to 2,4-D and great care should be taken to prevent overdosing.
(Bahia, Common Bermuda, and Zoysia)		2 to 2-1/2 pints maximum per acre	Use in 40 to 200 gallons of water. 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. NOTE: If Bermudagrass is dormant, up to 3-2/3 pints per acre may be used. However, some hybrid Bermuda grasses may be sensitive to this product. Contact your local extension service weed control specialist.
Bentgrass (Putting and Bowling Greens)	3/4 fluid ounce per 1,500 square feet		On closely mowed Bentgrass, apply this product in 5 gallons of water per 1,500 square feet (145 gallons of water per acre) - preferably in May or mid-August through September. Slight turf yellowing will disappear after about one week.

NOTE: Care should be taken to avoid overdosing Bentgrass, Centipede, and St. Augustine grasses or injury may result. Large volumes of spray water (i.e. 3/4 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 APPLICATION EQUIPMENT

EQUIPMENT	APPLICATION	USE RATE		USE DIRECTIONS
Herbi™ Controlled Droplet Applicator	Cool season grasses	1-3/4 to 2-3/4 pints per 33,000 square feet		Add to the Herbi 5 pint container. Fill balance of container with water. Keeping container agitated, spray entire contents over 33,000 square feet (approx. 3/4 acre). Do not overlap spray patterns.
	Listed warm season grasses	1-1/3 to 1-3/4 pints per 33,000 square feet		Add to the Herbi 5 pint container and fill balance of container with water. Follow Herbi spray instructions for cool season grasses. Use reduced rates if grass is stressed from heat, drought, etc.
Controlled Droplet Applicators: (CDA), Atomizers and Spinning Disk Applicators	Cool season grasses	0.9 to 1.25 fluid ounces per 1,000 square feet	2-1/2 to 3-2/3 pints per acre	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	0.66 to 0.75 fluid ounces per 1,000 square feet	1-3/4 to 2-1/4 pints per acre	Use in sufficient water to assure coverage (2 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.
Lower Volume Equipment	Cool season and listed warm season grasses			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. Take special care to prevent overdosing.

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.

(RV040308R)

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