

U.S. ENVIRONMENTAL PROTECTION AGENCY

Office of Pesticide Programs Registration Division (7505P) Ariel Rios Building 1200 Pennsylvania Ave., NW Washington, D.C. 20460

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Registration
X Reregistration
(under FIFRA, as amended)

| EPA Reg. Number: | Date of Issuance | | |
|------------------|------------------|--|--|
| 228-323 | | | |

AUG 10 2009

Term of Issuance:

Name of Pesticide Product:

Tru Power Selective Herbicide

Name and Address of Registrant (include ZIP Code):

Nufarm Americas Inc.

150 Harvester Drive, Suite 200

Burr Ridge, IL 60527

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.

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. 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.

This product is reregistered in accordance with FIFRA 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. To the label add "Aerial Application is prohibited" and remove all references to Aerial Application, flaggers in PPE and Spray Drift section.

| Signature of Approving Official: | Date: |
|---|--------------|
| Joanne Miller Product Manager 23 Herbicide Branch Registration Division (7505P) | AUG 1 0 2009 |

- 3) Delete "This pesticide may be toxic to fish, aquatic invertebrates, and aquatic plants".
- 4) On page 2 delete "and similar turf areas".
- 5) Your source clopyralid product, EPA Reg. No. 62719-81 limits its reformulation only into end-use herbicide products for application non-residential turf. You must modify the label to list only non-residential ornamental turf use sites and to incorporate the following statements.

Do not use on residential turf.

Do not send clippings to a compost facility.

Do not collect grass clippings for mulch or compost.

Applicator must give notice to landowners/property managers to not use grass clippings for composting.

In the states of CA, OR, and WA turfgrass and lawn uses are restricted to golf courses only.

A stamped copy of the label is enclosed for your records. You must submit one copy of the final printed label before you release the product for shipment. Products shipped after 12 months from the date of this letter or the next printing of the label whichever occurs first, must bear the new revised label. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA. Your release for shipment of the product constitutes acceptance of these conditions. This label supercedes all other previously accepted labels. If you have any questions please call Erik Kraft at 703-308-9358 or email at Kraft.Erik@epa.gov.

TRU POWE **SELECTIVE HERBICIDE**

FOR SELECTIVE BROADLEAF WEED CONTROL IN ORNAMENTAL LAWNS AND TURF GRASSES

CONTAINS MCPA, CLOPYRALID AND DICAMBA

CONTROLS: Dandelion, Chickweed, Black medic, Knotweed, Plantain, Oxalis, registered under EPA Reg. No. Clover, Cocklebur, Thistle, and many other species of broadleaf weeds: some of which are listed on this label.

ACCEPTED with COMMENTS In EPA Letter Dated:

400 J 0 S009

Under the Federal Insecticide, Fungicide, and Rodenticide Act as amended, for the pesticide

| ACTIVE INGREDIENTS: Dimethylamine Salt of 2-Methyl-4-Chlorophenoxyacetic Acid* | 48.13% |
|--|------------------------|
| Monoethanolamine Salt of 3,6-Dichloro-2-Pyridinecarboxylic Acid** | 5.18% |
| Dimethylamine Salt of Dicamba (3,6-Dichloro-o-Anisic Acid)*** | 4.73% |
| OTHER INGREDIENTS | <u>41.96%</u> |
| , | TOTAL:100.00% |
| By Isomer Specific AOAC Method, Equivalent To: | |
| *2-Methyl-4-Chlorophenoxyacetic Acid | 39.30%, 3.75 lbs./gal. |
| **3,6-Dichloro-2-Pyridinecarboxylic Acid | 3.93%, 0.37 lbs./gal. |
| ***3,6-Dichloro-o-Anisic Acid | |

1 NOT FOR SALE OR USE IN NASSAU AND SUFFOLK COUNTIES IN N.Y. STATE. ²IN CALIFORNIA AND WASHINGTON, TURFGRASS AND LAWN USES ARE RESTRICTED TO GOLF COURSES ONLY. IN OREGON, THE USE OF THIS PRODUCT IS LIMITED TO THE SITES STATED ON THIS LABEL.

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. 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) 325-1 840

EPA REG. NO. 228-323 EPA EST. NO.

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



NET CONTENTS

GALS.

000228-00323.051309 Dicamba RED 8 Month Response Label.Pending

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

Corrosive. Causes irreversible eye damage. Harmful if swallowed or absorbed through skin. Do not get in eyes or on clothing. Avoid contact with skin.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Some materials that are chemical-resistant to this product are made of 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, flaggers, and other handlers must wear:

- · long-sleeved shirt and long pants,
- · shoes and socks, plus
- · chemical-resistant gloves and
- · protective evewear

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.

USER SAFETY RECOMMENDATIONS

Users Should:

- · Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.
- 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.
- 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 | 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 | 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 a poison control center or doctor. Do not give anything by mouth to an unconscious person. |
| 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. |
| | 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 the use of gastric lavage.

ENVIRONMENTAL HAZARDS

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.

TRUPOWER® SELECTIVE HERBICIDE is for use on Ornamental Turf Lawns (Residential, Industrial and Institutional), Parks, Cemeteries, Athletic Fields and 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.

*Excluding Bentgrass Tees.

Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application. For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation.

Maximum single application rate: 1.0 lb MCPP-p/acre and no more than 2 applications per year.

DO NOT USE GRASS CLIPPINGS FROM TURF TREATED WITH THIS PRODUCT FOR COMPOSTING AND/OR MULCH.

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 enter or allow people (or pets) to enter the treated area until sprays have 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

When applying sprays that contain MCPA as the sole active ingredient, or when applying sprays that contain MCPA mixed with active ingredients that require a Coarse or coarser spray, apply only as a Coarse or coarser spray (ASAE standard 572) or a volume mean diameter of 385 microns or greater for spinning atomizer nozzles.

When applying sprays that contain MCPA mixed with other active ingredients that require a Medium or more fine spray, 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.

Wind Speed

Do not apply at wind speeds greater than 15 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 nontarget species, nontarget crops) within 250 feet downwind. If applying a Medium spray, leave one swath unsprayed at the downwind edge of the treated field.

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 MCPA herbicides. Where states have more stringent regulations, they must be observed.

Equipment

All aerial and ground application equipment must be properly maintained and calibrated using appropriate carriers or surrogates.

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 unless a greater height is required for aircraft safety. This requirement does not apply to forestry or rights-of-way applications.

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

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

RESTRICTIONS AND LIMITATIONS FOR USE ON RESIDENTIAL TURF AND GOLF COURSES

Do not apply more than 3.2 pints product/acre per year.

Do not apply more than 2 applications per year with a minimum retreatment interval of 21 days.

USE PRECAUTIONS

Avoid drift of spray mist to vegetables, flowers, ornamental plants, shrubs, trees and other desirable plants. Do not pour spray solutions near desirable plants. Do not use on Dichondra, nor on lawns or turf where desirable clovers are present. Avoid fine mists. Use lawn type sprayer with coarse spray as wind drift is less likely. Avoid contact with exposed feeder roots of ornamentals and trees. Maximum control of weeds will be obtained from Spring or early Fall applications when weeds are actively growing. The degree of weed control and duration of effect will vary with weed size and density, spray rate and coverage, and growing conditions before, during, and after the time of treatment. Use the higher rate for hard-to-control weeds. Do not exceed specified dosages for any area; be particularly careful within the dripline of tree and other ornamental species. Do not apply to newly seeded grasses until well established. Avoid broadcast applications when air temperature exceeds 90°F. When using in small, spot treatment applications in temperatures over 90°F, turf injury may occur.

When treating Carpetgrass and St. Augustine grass, avoid broadcast applications when air temperature exceeds 80°F. When air temperature exceeds 80°F limit application to spot treatment only. Do not reapply this product within 8 weeks of a previous treatment.

The suitable use of this product on non-recommended turf species may be determined by treating a small area at any rate/acre which does not exceed 3 pints/acre. The treated area should be observed for any sign of turf injury for a period of 30 days of normal growing conditions to determine the phytotoxicity and efficacy to the treated area.

(Optional for N.Y. State sales) In New York: Do not apply more than 3.2 pints of this product per acre per year.

For optimum results: (1) avoid applying during excessively dry or hot periods unless irrigation is used; (2) turf should not be mowed 1 to 2 days before and following application; (3) reseed no sooner than 3 to 4 weeks after application of this product. Adding oil, wetting agent, or other surfactant to the spray may be used to increase effectiveness on weeds but doing so may reduce selectivity to turf resulting in turf damage. Clean and rinse spray equipment using soap or detergent and water, and rinse thoroughly before reuse for other sprays.

WEEDS CONTROLLED

This product is designed to control many broadleaf weeds such as:

| Alder Annual yellow sweet clover Artichoke Aster Austrian fieldcress Bedstraw Beggartick Biden Bindweed Bird vetch Bitter wintercress Black-eyed Susan Black medic Black mustard Black seed plantain Blessed thistle Blue lettuce Blue vervain Box elder Bracted plantain Brassbuttons Bristly oxtongue Broadleaf dock Broadleaf plantain Broomweed Buckhorn Buckhorn Bull thistle | Catchweed bedstraw Catsear Catnip Chickweed Chicory Cinquefoil Clover Cockle Cocklebur Coffeebean Coffeeweed Common chickweed Common swthistle Corn Chamomile Creeping jenny Crimson clover Croton Cudweed Curly dock Curly indigo Dandelion Dead nettle Dock Dogbane Dogfennel Elderberry English daisy Fallse sunflower |
|--|---|
| Bull thistle Burdock Burning nettle Bur ragweed Burweed Buttercup Canada thistle Carolina geranium Carpetweed | False sunflower Fiddleneck Field bindweed Field pansy Flea bane (daisy) Flixweed Florida betony Florida pusley Frenchweed |
| | |

Morningglory Mousear chickweed Mugwort Musk thistle Mustard Narrowleaf plantain Narrowleaf vetch Nettle Orange hawkweed Oxalis Oxeye daisy Parsley-piert Parsnip Pearlwort Pennycress Pennywort Peppergrass Pepperweed Pigweed Pineywoods bedstraw Plains coreopsis Plantain Poison hemlock Poison ivy Poison oak Pokeweed Poorjoe Povertyweed Prickly lettuce Prickly sida Primrose Prostrate knotweed Prostrate pigweed Prostrate spurge Prostrate vervain Puncture vine Purslane Ragweed Red clover Redroot pigweed

Red sorrel Redstem filaree Rough cinquefoil Rough fleabane Roundleafed marigold Rush Russian pigweed Russian thistle St. Johnswort Scarlet pimpernel Scotch thistle Sheep sorrel Shepherdspurse Slender plantain Smallf lower galinsoga Smartweed Smooth dock Smooth pigweed Sneezeweed Southern wild rose Sowthistle Spanishneedle Spatterdock Speedwell Spiny Amaranth Spiny cocklebur Spotted catsear Spotted knapweed Spotted spurge Spurge Spurweed Stinging nettle Stinkweed Stitchwort Strawberry clover (continued)

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Sumac Sunflower Sweet clover Tall nettle Tall vervain Tansy mustard Tansy ragwort Tanweed Tarweed Thistle

Tick trefoil

Toadf lax

Trailing Crownvetch
Tumble mustard
Tumble pigweed
Tumbleweed
Velvet leaf
Venice mallow
Veronica
Vervain
Vetch
Virginia buttonweed

Virginia creeper

Virginia pepperweed

Western clematis
Western salsify
White clover
White mustard
Wild mustard
Wild aster
Wild buckwheat
Wild carrot
Wild four-o'-clock
Wild garlic
Wild geranium

Wavyleaf bullthistle

Wild lettuce
Wild marigold
Wild onion
Wild parsnip
Wild radish
Wild rape
Wild strawberry
Wild sweet potato
Wild vetch
Willow
Witchweed

Wooly morningglory

Woodsorrel
Wooly croton
Wooly plantain
Wormseed
Yarrow
Yellow rocket
Yellowf lower
pepperweed
and other broadleaf
weeds.

ORNAMENTAL LAWNS AND TURF

Apply this product at the rate of 2 to 3 pints in 20 to 240 gallons of water per acre (0.73 to 1.10 fl. oz. in 0.5 to 5.5 gallons of water per 1,000 square feet) to control weeds growing in turfgrasses planted to Bahia, Bent (excluding golf course greens and tees), Bermuda, Bluegrass, Carpetgrass, Centipede, Fescue, Rye, St. Augustine, and Zoysia.

Herbi Controlled Droplet Applicator: Add 1-1/2 to 2-1/4 pints of this product to the 5 pint Herbi bottle, then fill with water to make 5 pints of mixture or substitute 1/2 pint of a surfactant for water while agitating the solution.

While walking at approximately 1 pace (3 feet) per second, spray entire contents over 33,000 square feet (3/4 of an acre). Reduce application rates to stressed turf unless temporary injury can be tolerated.

Controlled Droplet Applicators - (CDA), Atomizers, and Spinning Disk Applicators: Use this product at the rate of 2 to 3 pints per acre (0.73 to 1.10 fluid ounces per 1,000 square feet) in sufficient water to assure coverage (1 to 4 gallons of water per acre is normal for this type of equipment).

Lower Volume Equipment: 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.

NOTE: For all grasses (1) Avoid double coverage resulting from overlap unless temporary turf injury can be tolerated. (2) Use reduced rates if grass is stressed from heat, drought, etc.; and (3) Follow CDA equipment spray instructions.

COMPATIBILITY

This product can be mixed with some liquid fertilizers or liquid iron materials. Because liquid fertilizers and liquid iron differ in pH, free ammonia content, density, salt concentration and percentage of water, a compatibility test (given below) is recommended prior to mixing in the 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. The following compatibility test should always be performed prior to full-scale mixing.

- 1. Pour 18 ounces of water into a quart jar.
- 2. Add 1 ounce of either the liquid fertilizer or liquid iron to be used.
- 3. Add 1 ounce of this product.
- 4. Close jar and shake well.
- 5. Watch the mixture for several seconds after shaking and check again after 30 minutes.
- 6. If the mixture does not show signs of separating, the combination may be used. If the mixture foams excessively, gels, separates or gets very thick, do not combine for field application.
- 7. Compatibility may be improved by the use of a compatibility agent. Some suggested compatibility agents to try are Kalo Laboratories Complex, Hopkins Chemical's Unite, Farm Chemicals Inc.'s Compat, Harcros Chemicals' T-Mulz 734-2, Rigo Company's Rigo Compatibility Agent, Witco Chemical's Sponto 1 68D, Amoco Oil's Amoco Spray Mate and Universal Coop's Chem-Link. These agents are all used in the same manner. Follow the previously outlined test procedures and add 1/6 ounce of the compatibility agent between steps (the compatibility agent must be added to the fertilizer or iron before adding this product.)
- 8. If the mixture does not separate, gel, foam or get very thick, it may be used for field application. Mix only the amount to be sprayed. Do not allow to stand overnight.

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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 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), adding rinsate to spray tank. 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.

Nonrefillable Containers 5 Gallons or Less: Nonrefillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container 1/4 full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Then offer for recycling 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.

Nonrefillable containers larger than 5 gallons: Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available. Triple rinse or pressure rinse container (or equivalent) promptly after emptying. **Triple rinse as follows:** Empty the remaining contents into application equipment or a mix tank. Fill the container 1/4 full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times. **Pressure rinse as follows:** Empty the remaining contents into application equipment or a mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or mix tank or collect rinsate for later use or disposal. Insert pressure rinsing nozzle in the side of the container, and rinse at about 40 psi for at least 30 seconds. Drain for 10 seconds after the flow begins to drip.

Refillable containers larger than 5 gallons: Refillable container. Refill this container with pesticide only. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To clean the container before final disposal, empty the remaining contents from this container into application equipment or a mix tank. Fill the container about 10% full with water and, if possible, spray all sides while adding water. If practical, agitate vigorously or recirculate water with the pump for two minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times. Or

Refillable Container: Refill this container with pesticide only. Do not reuse this container for any other purpose. Close all openings and replace all caps. Contact Nufarm's Customer Service Department at 1-800-345-3330 to arrange for return of the empty refillable container.

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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, CROP OR PLANT DAMAGE, OR LOSS OF YIELD, MAY RESULT BECAUSE OF SUCH FACTORS AS THE PRESENCE OR ABSENCE OF OTHER MATERIALS USED IN COMBINATION WITH THE GOODS, OR THE WEATHER, WIND, AND TEMPERATURE, OR THE MANNER OF USE OR APPLICATION, 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 OR MANUFACTURER, AND SELLER, AND NO PERSON OR AGENT OF MANUFACTURER OR SELLER HAS ANY AUTHORITY TO MAKE ANY OTHER REPRESENTATION OR WARRANTY OR AGREEMENT RELATING IN ANY WAY TO THESE GOODS. NO WARRANTIES SHALL BE CREATED BY COURSE OF DEALING, USAGE OF TRADE, OR COURSE OF PERFORMANCE. THERE ARE NO WARRANTIES THAT EXTEND BEYOND THE FACE HEREOF. THE SELLER OR MANUFACTURER ASSUMES NO RESPONSIBILITY THAT THE GOODS WILL BE FIT FOR ANY PARTICULAR PURPOSE FOR WHICH YOU MAY BE BUYING OR USING THE GOODS, EXCEPT AS OTHERWISE PROVIDED IN THE CONTRACT.

LIMITATION OF LIABILITY WARNING

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, NEITHER MANUFACTURER NOR SELLER SHALL BE LIABLE TO BUYER OR USER OR TO CUSTOMERS OF BUYER, IF ANY, FOR INDEMNIFICATION OR ANY DAMAGES OR SUMS OF MONEY, CLAIMS OR DEMANDS WHATSOEVER, RESULTING FROM OR BY REASON OF, OR RISING OUT OF THE USE, MISUSE, OR FAILURE TO FOLLOW LABEL WARNINGS OR INSTRUCTIONS FOR USE, OF THE GOODS SOLD. ALL SUCH RISKS SHALL BE ASSUMED BY THE BUYER, USER, OR 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 PURCHASE PRICE OF THE GOODS AND, IF BUYER OR USER WISHES, THE RETURN OF THE GOODS BY BUYER TO SELLER.

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 goods, and return it unopened to the Seller, and the purchase price will be refunded. By using the goods, you expressly agree to all of the terms and conditions of this contract.

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Trupower is a registered trademark of Nufarm Americas Inc. HerbiTM is a trademark of North American Micron.