



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

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

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

MAR 8 2010

Subject: Label Notification(s) for Pesticide Registration Notice 2007-4

Dear Registrant:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated February 3, 2010 for:

**EPA Registration 228-409 Triplet Low Odor Premium Selective Herbicide**

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and finds that the label change(s) requested falls within the scope of PRN-2007-4. The label has been date-stamped "Notification" and will be placed in our records.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying the batch of the pesticide distributed and sold be placed on nonrefillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.

If you have any questions, please contact me directly at 703-305-6249 or Banza Djapao of my staff at 703-305-7269.

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Arrington".

Linda Arrington  
Notifications & Minor Formulations Team Leader  
Registration Division (7505P)  
Office of Pesticide Programs





Nufarm Americas Inc.

150 Harvester Drive, Suite 200

Burr Ridge, IL 60527

Telephone: (630) 455.2000 Facsimile: (630) 455.2001

www.us.nufarm.com

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February 3, 2010

Via Overnight Courier

U. S. Environmental Protection Agency (7504P)  
Document Processing Desk (NOTIF)  
Room S4900, One Potomac Yard  
2777 S. Crystal Drive  
Arlington, VA 22202

**Subject: Triplet Low Odor Premium Selective Herbicide  
EPA Reg. No. 228-409  
Label Notification per PR Notice 07-04 & FPL Submission**

Dear Ms. Hobgood:

Nufarm Americas Inc. would like to change subject product's label. The proposed language is consistent with PR Notice 07-04. Additionally Nufarm is submitting the subject product's final print labeling, which is now consistent with the EPA Documentation dated November 11, 2008 and March 30, 2009.

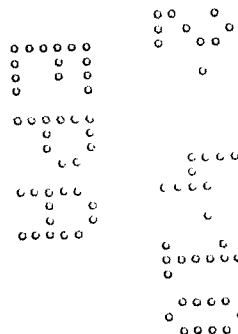
To process this request please find enclosed the following:

- Application for Pesticide Registration EPA form 8570-1
- Revised labeling with areas of change clearly identified (1 copy)
- Revised labeling – clean (1 copy)

If you should have any questions regarding this matter, please feel free to contact me at (630) 455-2048 or [matthew.granahan@us.nufarm.com](mailto:matthew.granahan@us.nufarm.com).

Sincerely,

  
Matthew Granahan  
Registration Manager  
Nufarm Americas, Inc.



# TRIPLET® LOW ODOR PREMIUM SELECTIVE HERBICIDE

SELECTIVE BROADLEAF WEED CONTROL FOR TURFGRASSES INCLUDING FOR USE ON SOD FARMS. TO CONTROL 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 **NOTIFICATION**  
GET THE OPTICAL ADVANTAGE®

MAR 8 - 2010

**ACTIVE INGREDIENTS:**

Triisopropanolamine Salt of 2,4-Dichlorophenoxyacetic Acid*	47.33%
Dimethylamine Salt of (+)-R-2-(2-Methyl-4-Chlorophenoxy)propionic Acid**‡	8.17%
Dicamba 3,6-Dichloro-o-anisic Acid***	2.30%

<b>OTHER INGREDIENTS:</b>	42.20%
<b>TOTAL:</b>	100.00%

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.

FOR USE BY TURF MAINTENANCE PERSONNEL, LANDSCAPING OR COMMERCIAL APPLICATORS ONLY

**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. 228-409  
EPA EST. NO.

Manufactured For  
NUFARM AMERICAS INC.  
150 Harvester Drive  
Burr Ridge, IL 60527



NET CONTENTS: Gals. ( L)

000228-00409.20100120.EPA RED FIN.RV033009  
NUP06009

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

Corrosive, causes irreversible eye damage. Do not get in eyes or on clothing. Harmful if swallowed. Remove saturated clothing as soon as possible and shower. 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.

**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:**

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

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

**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.

**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**

This pesticide is 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.

**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 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.

Do not apply this product through any type of irrigation system.

**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 worn over short-sleeve shirt and short pants, chemical-resistant footwear plus socks, chemical-resistant gloves made of any waterproof material, chemical-resistant headgear for overhead exposure, 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.

For turf use, the maximum number of broadcast applications per treatment site is 2 per year. Do not allow people (other than applicator) or pets on treatment area during application. Do not enter treatment areas until spray has dried.

This product is for use on Ornamental Turf Lawns (Residential, Industrial and Institutional), Parks, Cemeteries, Athletic and Sports Fields, Golf Courses (Fairways, Aprons, Tees and Roughs) and similar turf areas; also for use on Sod Farms and Non-Turf Areas (Roadsides and Rights-of-Way). Product should not be used in or near greenhouses.

**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". 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 and St. Augustine grass, avoid broadcast applications when air temperature exceeds 80°F. When air temperatures exceed 80°F, limit application to spot treatment 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 48 hours; nor should lawns be irrigated (watered) for 24 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.

**SPRAY DRIFT MANAGEMENT**

A variety of factors including weather conditions (e.g., wind direction, 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 nozzle 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 nontarget species, nontarget 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.

**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

**ORNAMENTAL LAWNS & TURF**

**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	Normal Applications  For Professional Lawn Maintenance - Higher water volumes may be used when tank-mixed with a turf fertilizer. Follow fertilizer labels for proper amounts to add.
St. Augustinegrass and Centipedegrass	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.  If Bermudagrass is dormant, up to 4 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)	0.67 Maximum	3.3	1.8 Maximum	145	Apply on closely mowed Bentgrass, 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, St. Augustinegrass, and Centipedegrass or injury may result. Large volumes of spray water (i.e. 0.67 fluid ounce in 3.3 gallons of water per 1,000 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.

Limited to 2 applications per year.

Minimum of 30 days between application.

**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-TURF AREAS**

**Roadsides (including aprons and guardrails), rights-of-way, and other similar non-crop areas:** For control of broadleaf weeds, mix at a rate of 7 pints of this product per 43,560 square feet. Ensure adequate water to thoroughly saturate all weeds. This may require 50 to 300 gallons of water per 43,560 square feet. 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 high water volume. For small (spot) applications with small tank sprayers, apply at the rate of 4 fluid ounces of this product per gallon of water and spray to thoroughly wet all foliage.

**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. Add 1 to 1.18 gallons of this product per 43,560 square feet. Ensure adequate water to wet all parts of the brush foliage, stem and bark. This may require 100 to 600 gallons of water per 43,560 square feet depending upon the height and thickness of the brush. Mix thoroughly before spraying.

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.**

**SOD FARMS**

This product is intended for use on sod farms. This herbicide provides selective broadleaf control in warm season and cool season turfgrass established for commercial sod production.

**Timing**

Apply this herbicide to broadleaf weeds that are actively growing. Follow-up applications may be required for dense infestations of perennial and biennial weeds. Do not apply this product to Floratam St. Augustinegrass.

The application of this herbicide to grass seedlings is recommended after the second mowing.

The application of this product to newly sodded, sprigged, or plugged grasses should be delayed until 3 to 4 weeks after the sodding, sprigging, or plugging operations. Also, applications to dormant Bahiagrass, dormant Bermudagrass and dormant Zoysiagrass are suggested.

**RECOMMENDED RATES FOR SOD FARMS**

SITE	USE RATE (Pints per Acre)	SPRAY VOLUME (Gallons per Acre)
Bluegrass, Fescue, Ryegrass	3 to 4	5 to 175
Creeping Bentgrass	1.8	
Bahiagrass, Common and Hybrid Bermudagrass, St. Augustinegrass, and Zoysiagrass	2 to 2.5	



**Note:** Generally, the lower application rates will provide satisfactory control of sensitive weeds. The higher application rates will be required for dense infestations of perennial weeds, for adverse/extreme environmental conditions, or for weeds beyond the appropriate growth stages.

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 <http://www.epa.gov/espp/>.

### 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: Nonrefillable Containers 5 Gallons or Less:** Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available. 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. If recycling or reconditioning not available, 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. 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.

**OR**

**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. 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.

### 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.**

(RV033009)

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