

228-497

11-18-2010

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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

NuFarm Americas, Inc.
c/o Ms. Georgia Anastasiou
Lewis & Harrison
122 C Street, N.W. Suite 740
Washington, DC 20001

NOV 18 2010

Dear Ms. Anastasiou:

Subject: Amendment: Add restrictions per Agency pyrethroid labeling letter dated June 4, 2009,
Update per PR Notices 2000-5, 2007-1 and 2008-1, and Revise Warranty section
Bifenthrin 0.2% Granular
EPA Reg. No. 228-497
Your submission dated September 3, 2010

The amendment referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) section 3(c)(7)(a), is acceptable provided the following revisions are made prior to release for shipment under the amended labeling:

- 1) Since the only directions for use of this product against Imported Fire Ants is broadcast application and there are no directions (just a referral to use another product) for Fire Ant mound application, which is also required for a "control" claim, either the claim regarding Fire Ants must be downgraded to "Aids in Control" for "Imported Fire Ants (Adult)" by adding an asterisk after the pest entry on page 4 and referring down to a footnote "*Aids in Control" or the pest listing must be revised to read "Foraging Imported Fire Ants (Adult)". With either revision, however, the claim "Imported Fire Ants (Mounds)" must be deleted, since there are no directions for that use on this label. In Comment 7, revise the entry to begin "This product aids in the control of Imported Fire Ants.". At the end of Comment 7 add "Be sure to carefully follow the directions for use on Fire Ant mounds on that product's label.".
- 2) Since this is a ready-to-use non-dilutable granular product, there is no requirement for residue removal when packaged in nonrefillable containers (see PR Notice 2007-4 page 4, item III B ii). Therefore, replace the nonrefillable plastic container section (including the "5 gallons or less" and the "larger than 5 gallons" triple rinse directions sections) with the following:
"CONTAINER DISPOSAL: Nonrefillable container. Do not reuse or refill this container. Completely empty container into application equipment, then offer for recycling, if available, or dispose of empty container in a sanitary landfill or by incineration. Do not burn unless permitted

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by state and local ordinance e. If burned, stay out of smoke.”. Alternately, if no such nonrefillable plastic containers are actually used for this product, then the direction for that type of container should be deleted. The remainder of the new Container Disposal directions may appear as proposed.

A stamped copy of the label is enclosed for your records. Please submit two copies of the revised amended labeling prior to release for shipment.

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 regarding this letter, please contact Dana Pilitt, PhD of my staff at (703) 305-7071 or via e-mail at pilitt.dana@epa.gov.

Sincerely,



Richard Gebken
Product Manager 10
Insecticide Branch
Registration Division (7505P)

RESTRICTED USE PESTICIDE
Toxic to Fish and Aquatic Organisms
For retail sale to and use only by Certified Applicators, or persons under their direct supervision and only for those uses covered by the certified applicator's certification.

BIFENTHRIN 0.2% GRANULAR

For use to control Ants (including Imported Fire Ants), Mole Crickets and other insect pests on lawns in landscaped areas and perimeters around residential, institutional, public, commercial and industrial buildings, parks, recreational areas, golf courses, sod farms and athletic fields.

ACTIVE INGREDIENT:

Bifenthrin* 0.2%

OTHER INGREDIENTS: 99.8%

TOTAL: 100.0%

*Cis isomers 97% minimum, trans isomers 3% maximum.

**DO NOT USE THIS PRODUCT ON GOLF COURSES AND SOD FARMS
IN NASSAU COUNTY OR SUFFOLK COUNTY, NEW YORK.**

KEEP OUT OF REACH OF CHILDREN CAUTION - PRECAUCION

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 (BACK PANEL, BOOKLET, SIDE PANEL) FOR 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. 228-497
EPA EST. NO.

MANUFACTURED FOR
NUFARM AMERICAS INC.
BURR RIDGE, IL 60527



NET CONTENTS ___ lbs / (___ kg)

**ACCEPTED
with COMMENTS
In EPA Letter Dated:
NOV 18 2010**

000228-00497.20100903.PRN2000-5.2007-4.2008-1.Letter6-4-10

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

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**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS
CAUTION - PRECAUCION**

Harmful if absorbed through skin. Causes moderate eye irritation. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum or using tobacco. Remove and wash contaminated clothing before reuse.

The following Personal Protective Equipment requirements apply to sod farm use only.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Chemical-resistant gloves, such as barrier laminate or butyl rubber
- Shoes plus socks

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

USER SAFETY RECOMMENDATIONS	
Users Should:	
<ul style="list-style-type: none"> • Wash hands before eating, drinking, chewing gum, using tobacco 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 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.
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.
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	
This product is a pyrethroid. If large amounts have been ingested, milk, cream or other digestible fats and oils may increase absorption and should be avoided.	

ENVIRONMENTAL HAZARDS

This pesticide is extremely toxic to fish and aquatic invertebrates. Drift and run-off from treated areas may be hazardous to aquatic organisms in neighboring areas. To protect the environment, **DO NOT** allow pesticide to enter or run off into storm drains, drainage ditches, gutters or surface waters. Applying this product in calm weather when rain is not predicted for the next 24 hours will help to ensure that wind or rain does not blow or wash pesticide off the treatment area. Sweeping any product that lands on a driveway, sidewalk, or street, back onto the treated area of the lawn or garden will help avoid run off to water bodies or drainage system.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

Do not apply by air.

Do not apply more than 0.2 pound active ingredient (a.i.) per acre per application on residential use sites (i.e., around private homes, apartment buildings, condominiums, non-agricultural outbuildings, non-commercial greenhouses, pre-schools or day care facilities). May be applied at up to 0.4 pound a.i. per acre per application on non-residential use sites (i.e., around institutional, public, commercial or industrial buildings, golf courses, sod farms, parks, recreational areas or athletic fields).

Do not broadcast apply more than 0.4 pounds a.i. (200 pounds of this product) per acre per year.

Do not apply within 25 feet of lakes, reservoirs, rivers, permanent streams, marshes or natural ponds, estuaries and commercial fish farm ponds.

Not for use on nurseries, commercial greenhouses or grass grown for seed.

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.

Apply this product directly to the lawn or garden area. Water treated area as directed on this label. Do not water to the point of run-off.

Do not make application during rain.

Application is prohibited directly into sewers or drains, or to any area like a gutter where drainage into sewers, storm drains, water bodies, or aquatic habitat can occur. DO NOT allow the product to enter any drain during or after application.

Do not allow children or pets to enter the area until dry.

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 12 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, waterproof gloves, and shoes plus socks.

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.

If watering in of the granules is necessary, do not allow people or pets on treated surfaces until the grass or soil is dry. Do not touch treated surface until dry.

**GRASS AND PERIMETER APPLICATIONS
(Including Golf Courses and Sod Farms)**

Grass Application: Broadcast this product with suitable application equipment to ensure uniform coverage over the treatment area.

APPLICATION RATES

The application rates listed in the following table will provide excellent control of the respective pests under typical conditions. However, at the discretion of the applicator, apply at up to 0.4 pounds a.i./acre to control each of the pests listed in the table. However, for residential lawn use, do not apply more than 0.2 pounds a.i./acre per application. See specific pests for a recommended level. Irrigating or watering by 0.1 to 0.5 inches immediately after application generally improves the effectiveness of this product.

PEST	ACTIVE INGREDIENT POUNDS PER ACRE	APPLICATION RATE OF THIS PRODUCT	
Amyworms ¹ Cutworms ¹ Sod Webworm ¹	0.1 pound a.i./acre	50 pounds per acre	1.15 pounds per 1,000 square feet
Annual Bluegrass Weevils (<i>Hyperodes</i>) (Adult) ² Billbugs (Adult) ³ Black Turfgrass Ataenius (Adult) ⁴ Leafhoppers Mealybugs	0.1 to 0.2 pound a.i./acre	50 to 100 pounds per acre	1.15 to 2.3 pounds per 1,000 square feet

Ants Centipedes Chinch Bugs ⁵ Fleas (Larvae) ⁶ Fleas (Adult) Imported Fire Ants (Adult) ⁷ Imported Fire Ants (Mounds) ⁷ Millipedes Mole Cricket (Adult) ⁸ Mole Cricket (Nymph) ⁹ Ticks ¹⁰	0.2 to 0.4 pound a.i./acre	100 to 200 pounds per acre	2.3 to 4.6 pounds per 1,000 square feet
Pillbugs Sowbugs	0.4 pound a.i./acre	200 pounds per acre	4.6 pounds per 1,000 square feet

In New York State, DO NOT apply to any grass, or turf area within 100 feet of a water body (lake, pond, river, stream, wetland, or drainage ditch).

In New York State, make a single repeat application of this product if there are signs of renewed insect activity, but not sooner than two weeks after the first application.

COMMENTS

Amyworms, Cutworms, and Sod Webworms: To ensure optimum control, irrigate the treated area with up to 0.1 inches of water immediately after application to activate (release from the granule) the insecticide.

Annual Bluegrass Weevil (*Hyperodes*) adults: Time applications to control adult weevils as they leave their over-wintering sites and move into grass areas. This movement generally begins when *Forsythia* is in full bloom and concludes when Flowering Dogwood is in full bloom. Consult your State Cooperative Extension Service for more specific information regarding application timing.

Billbug Adults: Apply when adult Billbugs are first observed during April and May. Degree day models have been developed to optimize application timing. Consult your State Cooperative Extension Service for information specific to your region. In temperate regions, spring applications targeting Billbug adults will also provide control of over-wintered Chinch Bugs.

Black Turfgrass *Ataenius* Adults: Apply during May and July to control the first and second generation of Black Turfgrass *Ataenius* adults, respectively. Time May application to coincide with the full bloom stage of Vanhoutte spiraea (*Spiraea vanhouttei*) and Horse Chestnut (*Aesculus hippocastanum*). Time July application to coincide with the blooming of Rose of Sharon (*Hibiscus synacus*).

Chinch Bugs: Chinch Bugs infest the base of grass plants and are often found in the thatch layer. Irrigate the treated area with up to 0.25 inches of water immediately after application to activate (release from the granule) the insecticide. Chinch Bugs can be one of the most difficult pests to control in grasses. Use the higher application rates to control populations that contain both nymphs and adults during the summer.

Flea Larvae: Flea larvae develop in the soil of shaded areas that are accessible to pets or other animals. Irrigate the treated area with up to 0.5 inches of water immediately after application to activate (release from the granule) the insecticide.

Imported Fire Ants: Control will be optimized by combining broadcast applications that will control foraging workers and newly mated fly-in queens with mound treatments that will control existing colonies. If the soil is not moist, then it is important to irrigate before application. For Broadcast treatments, apply 0.4 pound a.i./acre. For best results, apply in cool weather (65-80°F) or in early morning or late evening hours. Application of 125 lbs. product/acre will provide 6 months residual activity for the control of foraging imported fire ants and newly mated fly-in queens. Treat the mounds with an insecticide registered for use to treat fire ant mounds.

Mole Cricket Adults: Achieving acceptable control of adult Mole Crickets is difficult because preferred grass areas are subject to continuous invasion during the early spring by this extremely active stage. Apply as late in the day as possible and water in with up to 0.5 inches of water immediately after treatment. If the soil is not moist, then it is important to irrigate before application to bring the Mole Crickets closer to the soil surface where contact with the insecticide will be maximized. Treat grass areas that receive pressure from adult Mole Crickets at peak egg hatch to ensure optimum control of subsequent nymph populations (see below).

Mole Cricket Nymphs: Treat grass areas that received intense adult Mole Cricket pressure in the spring immediately prior to peak egg hatch. Optimal control is achieved at this time because young nymphs are more susceptible to insecticides and they are located near the soil surface where the insecticide is most concentrated. Control larger, more damaging, nymphs later in the year with both higher application rates and more frequent applications to maintain acceptable control. Apply as late in the day as possible and water in with up to 0.5 inches of water immediately after treatment. If the soil is not moist, then it is important to irrigate before application to bring the Mole Crickets closer to the soil surface where contact with the insecticide will be maximized.

TICKS: (Including ticks that transmit Lyme Disease and Rocky Mountain Spotted fever): Do not make spot applications. Treat the entire area where exposure to ticks occurs. Use higher application rates when treating areas with dense ground cover or heavy leaf litter. Retreat as necessary to maintain adequate control. Ticks may be reintroduced from surrounding areas on host animals. Do not allow public use of treated areas during application.

Deer Ticks (*Ixodes sp.*) have a complicated life cycle that ranges over a two-year period and involves four life stages. Apply in mid-to-late spring to control larvae and nymphs that reside in the soil and under leaf litter.

American Dog Ticks may be a considerable nuisance in suburban settings, particularly where homes are built on land that was previously field or forest. These ticks commonly congregate along paths or roadways where humans are likely to be encountered. Apply as necessary from mid-spring to early fall to control American Dog Ticks larvae, nymphs and adults.

Perimeter Application: Apply to ground area 5 to 10 feet wide around and adjacent to the structure.

APPLICATION RATE POUNDS PER 1,000 SQ.FT.	BAND WIDTH	POUNDS OF THIS PRODUCT FOR PERIMETER APPLICATIONS LINEAR DISTANCE (FEET) AROUND STRUCTURE							
		100	150	200	250	300	400	500	1,000
2.3	5 feet	1.3	1.9	2.5	3.0	3.6	4.8	5.9	11.7
2.3	10 feet	3.0	4.2	5.3	6.5	7.6	9.9	12.2	23.7
3.0	5 feet	1.7	2.5	3.3	3.9	4.7	6.3	7.7	15.2
3.0	10 feet	3.9	5.4	6.9	8.5	9.9	12.9	15.9	30.9
3.5	5 feet	2.0	2.9	3.8	4.5	5.4	7.2	8.9	17.5
3.5	10 feet	4.5	6.3	8.0	9.8	11.4	14.9	18.3	35.5
4.6	5 feet	2.6	3.8	5.0	6.0	7.2	9.6	11.8	23.4
4.6	10 feet	6.0	8.4	10.6	13.0	15.2	19.8	24.4	47.4

Note: The amounts of this product listed in the above table are based on the total area being treated. This area is determined by multiplying the linear distance by the band width and then adding to that value the area of a circle whose radius is equal to the band width (to account for the area treated at the four corners of a rectangular structure).

**INDUSTRIAL NON-AGRICULTURAL APPLICATIONS
(Including Industrial Sites, Parks, Ball Fields and Cemeteries)**

Broadcast Spot Applications: For the control of actively foraging ants (including Imported Fire Ants) broadcast uniformly 2.3 to 4.6 pounds of this product per 1,000 square feet (0.2 to 0.4 pounds a.i./acre). See section under **Grass Applications** for additional use rates.

Pad Mounted Electrical Sites: To reduce or prevent ant mound building activity on electrical pads, uniformly distribute 1.0 to 1.5 tablespoons (0.06 to 0.09 pounds) of this product per 4 square feet of mounting pad. Where existing transformers are completely or partially filled with soil excavated by resident ants, remove any excess fill and level the remaining soil prior to application. **Food utensils such as tablespoons must not be used for food purposes after use in measuring pesticides.**

Note: Electrical transformers appear to be more attractive to ants during the cooler months. For best results treat in the fall or early spring.

SPREADER SETTINGS FOR BROADCAST APPLICATIONS

EQUIPMENT	Application Rate lbs./1,000 square feet			PATTERN SETTING	WIDTH
	1.15	2.30	4.60		
LESCO Broadcast	F	G	I	-	10
Prizelawn CBR-III	E 1/2	F 1/2	H 1/2	-	10
Scotts RBA	G 1/2	H 1/2	J 1/2	3	10
Scotts SR2000	H 1/2	I 1/2	L 1/2	8	12
Scotts Handy Green	2	3	4	-	10
Scotts Accupro	4-1/2	4-3/4	5	8	12
Spyker	3-1/2	3-3/4	4-1/4	-	10
Vicon 402*	25	28-1/2	38	-	40
Lely W*	3-3/4	4-1/2	5	III-B	52
Cycloneway	1.5	3	5-3/4	-	4
Earthway 2400	8-1/2	10-1/2	12-1/2	-	10

*Speed applied: Vicon 5.6 mph, Lely 4.5 mph

Note: Use these settings as starting points when calibrating a spreader to achieve the desired application rate of this product. After calibration, regularly observe the amount of this product that is applied to a known area and make further setting adjustments, as necessary, to maintain the appropriate application rate. Calibrate spreaders periodically to ensure that equipment wear or other factors have not altered the flow rate of this product. Calibration instructions are included in the Owner's Manual that was provided by the equipment manufacturer at the time of purchase.

Resistance: Some insects are known to develop resistance to products used repeatedly for control. Because the development of resistance cannot be predicted, ensure that the use of this product conforms to resistance management strategies established for the use area. Consult your local or state pest management authorities for details.

If resistance to this product develops in your area, this product, or other products with a similar mode of action, may not provide adequate control. If poor performance cannot be attributed to improper application or extreme weather conditions, a resistant strain of insect may be present. If you experience difficulty with control and suspect that resistance is a reasonable cause, immediately consult your local company representative or pest management advisor for the best alternative method of control for your area.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Keep out of reach of children and animals. Store in original containers only. Store in a cool, dry place and avoid excess heat. Carefully open containers. After partial use close tightly.

In case of spill, avoid contact, isolate area and keep out animals and unprotected persons. Confine spills. Call CHEMTREC (800) 424-9300

To confine spill: Cover to prevent dispersal. Place damaged package in a holding container. Identify contents.

PESTICIDE DISPOSAL: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

[Nonrefillable plastic containers]

CONTAINER DISPOSAL: Nonrefillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying.

[Nonrefillable Containers 5 Gallons or Less:]

Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. 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. Do not burn unless permitted by state and local ordinance If burned stay out of smoke.

[Nonrefillable containers larger than 5 Gallons:]

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. 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. Do not burn unless permitted by state and local ordinance If burned stay out of smoke.

[Nonrefillable bags]

CONTAINER DISPOSAL: Nonrefillable container. Do not reuse or refill this container. Completely empty bag into application equipment, then offer for recycling if available, or dispose of empty bag in a sanitary landfill or by incineration. Do not burn unless permitted by state and local ordinance. If burned, stay out of smoke.

[Refillable drum with a Nonrefillable liner]

CONTAINER HANDLING: Refill this container with pesticide only. Do not use this container for any other purpose. Completely empty liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into application equipment. Then dispose of liner in a sanitary landfill or by incineration if allowed by state and local authorities by burning. If burned, stay out of smoke. If drum is contaminated and cannot be reused, dispose of in the same manner required for its liner. To recycle, 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, 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.

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If you do not agree with or do not accept any of the directions for use, the warranty disclaimers, or limitations on liability, do not use the product, and return it unopened to the Seller, and the purchase price will be refunded.

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(RV090310)