

228-513

3/16/2011

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

OFFICE OF
CHEMICAL SAFETY AND
POLLUTION PREVENTION

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

MAR 16 2011

Subject: Notification per PR Notice 98-10 (alternate brand name)
Spoiler Herbicide
EPA Reg. No. 228-513
Application Dated December 15, 2010

Dear Mr. Meindl:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 for the subject product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action requested falls within the scope of PRN 98-10. The alternate brand name "**PrimeraOne PrimeTime**" has been added for this product. The label submitted with the application has been date-stamped "Notification" and will be placed in our records.

If you have any questions, please contact Mindy Ondish at 703-605-0723 or at ondish.mindy@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Kathryn V. Montague".

Kathryn V. Montague
Product Manager 23
Herbicide Branch
Registration Division (7505P)

30411



Nufarm Americas, Inc.
George Meindl
Registration Manager
150 Harvester Drive, Suite 200
Burr Ridge, IL 60527
Phone: 630.455-2017 Fax: 630.455.2030
george.meindl@us.nufarm.com

December 15, 2010

Via Overnight Courier

Paul Mastradone
Acting Notifications and Minor Formulations Team Leader
Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U. S. Environmental Protection Agency
Room S4900, One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202

Subject: Spoiler® Herbicide
EPA Reg. No. 228-513
Alternate brand name
PrimeraOne® PrimeTime™

Dear Mr. Mastradone:

Nufarm Americas Inc. would like to add an alternate brand name to the subject registration. We would like to add the brand name of PrimeraOne® PrimeTime™ to the subject registration. We feel that this label change is permitted and consistent with PRN98-10 section II (Labeling notifications) part A (Adding an alternate brand name). The alternate brand name is not false and misleading.

To process this request please find enclosed the following:

- Application for Pesticide Registration (EPA form 8570-1)
- Labeling with alternate brand name (1 copy)

If you should have any questions regarding this matter, please feel free to contact me at 630.455.2017 or email at george.meindl@us.nufarm.com.

Sincerely,

George Meindl
Regulatory Affairs Manager
Nufarm Americas, Inc.

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SPOILER®

NOTIFICATION

MAR 16 2011

HERBICIDE

[alternate brand names]

[PrimeraOne® PrimeTime™]

THREE-WAY POST-EMERGENT SELECTIVE HERBICIDE CONTAINING THE AMINES OF 2,4-D, MECOPROP-p AND DICHLORPROP-p. FOR USE ON ORNAMENTAL TURF SUCH AS LAWNS, PARKS, CEMETERIES, AND GOLF COURSES (FAIRWAYS, APRONS, TEES, AND ROUGHS), ALSO ALONG HIGHWAYS, OTHER SIMILAR NON-CROP AREAS, AND SOD FARMS. KILLS DANDELION, CHICKWEED, PLANTAIN, OXALIS, SPURGE AND MANY OTHER BROADLEAF WEEDS, SOME OF WHICH ARE LISTED ON THIS LABEL. GET THE OPTICAL ADVANTAGE®

ACTIVE INGREDIENTS:

Dimethylamine Salt of 2,4-Dichlorophenoxyacetic Acid*	33.30%
Dimethylamine Salt of (+)-R-2-(2-Methyl-4-Chlorophenoxy) propionic Acid**‡	8.58%
Dimethylamine Salt of (+)-R-2-(2,4-Dichlorophenoxy) propionic Acid***‡	8.45%

OTHER INGREDIENTS:	49.67%
TOTAL	100.00%

By Isomer Specific AOAC Method, Equivalent to:

*2,4-Dichlorophenoxyacetic Acid	27.66%, 2.69 lbs/gal
**(+)-R-2-(2-Methyl-4-Chlorophenoxy) propionic Acid	7.09%, 0.71 lbs/gal
***(+)-R-2-(2,4-Dichlorophenoxy) propionic Acid	7.09%, 0.71 lbs/gal

‡CONTAINS THE SINGLE ISOMER FORM OF MECOPROP-p AND DICHLORPROP-p.

KEEP OUT OF REACH OF CHILDREN WARNING - AVISO

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

EPA REG. NO. 228-513
EPA EST. NO. 228-IL-1

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

NET CONTENTS LBS.

000228-000513.20101215 ABN for PrimeraTurf

**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS
WARNING - AVISO**

Causes substantial but temporary eye injury. Harmful if absorbed through skin. Harmful if swallowed. 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-resistant selection chart.

All mixers, loaders, applicators and other handlers must wear: long-sleeved shirt and long pants, shoes and socks, chemical-resistant gloves, protective eyewear (goggles, face shield, or safety glasses) and chemical resistant apron for mixing, loading, cleaning up spills or equipment, or otherwise exposed to the concentrate.

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.

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

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/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. As soon as possible, wash thoroughly and change into clean clothing. Wash the outside of gloves before removing. 	

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.	

ENVIRONMENTAL HAZARDS

This product is toxic to fish and aquatic invertebrates and may adversely affect 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 except as noted on appropriate labels. Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas. Do not contaminate water when disposing of equipment washwaters or rinsate.

This product has properties and characteristics associated with chemicals detected in groundwater. The use of this product 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.

PHYSICAL OR CHEMICAL HAZARDS

This product is incompatible to certain oxidizing agents.

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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.

Aerial applications are 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, chemical-resistant gloves made of any waterproof material, shoes plus socks, 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.

Do not enter or allow entry 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 (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 2,4-D as the sole active ingredient, or when applying sprays that contain 2,4-D mixed with active ingredients that require a coarse or coarser spray, apply only as a coarse or coarse spray (ASAE standard 572) or a volume mean diameter of 385 microns or greater for spinning atomizer nozzles.

When applying sprays that contain 2,4-D mixed with other active ingredients that require a medium or more fine spray, apply only as a medium or coarse spray (ASAE 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 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. 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.

OTHER STATE AND LOCAL REQUIREMENTS

Applicators must follow all state and local pesticide drift requirements regarding application of 2,4-D herbicides. When 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.

If applied by ground boom, do not apply with a nozzle height greater than 4 feet above the target site.

USE PRECAUTIONS

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 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. Do not spray on buffalograss, carpetgrass, dichondra, nor on grasses where desirable clovers are present. Avoid fine mists. Use a lawn type sprayer with coarse spray as wind drift is less likely. Do not spray exposed roots of desirable plants. Use the higher rate for hard-to-kill weeds. Do not exceed specified application dosages for any area. Apply to newly seeded lawns or turf after grasses are well established and have been mowed three times. Avoid broadcast applications when air temperature exceeds 90 degrees. When using small, spot treatment applications in temperature over 90 degrees, turf injury may occur.

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 8 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.

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 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.

WEEDS CONTROLLED

Alder	Dogfennel	Mustard	Speedwell
Artichoke	Elderberry	Nettle	Spurge
Aster	English daisy	Orange hawkweed	Spurweed
Austrian fieldcress	Flea bane (daisy)	Oxalis	Stinkweed
Beccartick	Flixweed	Parsnip	Stitchwort
Biden	Florida pusley	Pennycress	Sumac
Bindweed	Frenchweed	Pennywort	Sunflower
Bitterweed	Galinsoga	Peppergrass	Sweet clover
Bitter wintercress	Garlic Mustard	Pepperweed	Tarweed
Black medic	Goatsbeard	Pigweed	Thistle
Blessed thistle	Goldenrod	Plantain	Toadflax
Blue lettuce	Ground ivy	Poison hemlock	Tumbleweed
Box elder	Gumweed	Poison ivy	Velvet leaf
Broomweed	Hawkweed	Poison oak	Veronica
Buckhorn	Healall	Pokeweed	Vervain
Bull thistle	Heartleaf drymary	Poorioe	Vetch
Burdock	Hemp	Povertyweed	Virginia buttonweed
Bur ragweed	Henbit	Prickly lettuce	Virginia creeper
Buttercup	Hoary cress	Primrose	Wild aster
Canada thistle	Honeysuckle	Puncture vine	Wild carrot
Carpetweed	Horsetail	Purslane	Wild garlic
Catnip	Indiana mallow	Ragweed	Wild geranium
Chickweed	Ironweed	Red clover	Wild lettuce
Chicory	Jewelweed	Red sorrel	Wild onion
Clover	Jimsonweed	Rush	Wild radish
Cocklebur	Kochia	Russian thistle	Wild rape
Coffeebean	Knotweed	St. Johnswort	Wild strawberry
Coffeeweed	Lambsquarter	Sheep sorrel	Wild sweet potato
Common sowthistle	Locoweed	Shepherdspurse	Willow
Creeping jenny	Lupines	Smartweed	Witchweed
Croton	Mallow	Sneezeweed	Woodsorrel
Curly indigo	Marshelder	Southern wild rose	Wormseed
Dandelion	Mexicanweed	Sowthistle	Yarrow
Dock	Morningglory	Spanishneedle	Yellow rocket
Dogbane	Musk thistle	Spatterdock	and other broadleaf weeds.

Note: Repeat spot applications may be required for weed species that are traditionally harder to control.

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ORNAMENTAL LAWNS AND TURF

APPLICATIONS	USE RATE		USE DIRECTIONS
Cool Season Grasses (Such as Bluegrass, Fescue and Ryegrass)	1.1 to 1.5 fluid ounces per 1,000 square feet	3 to 4 pints per acre	For Normal Application: Use in 1 to 4 gallons of water per 1,000 square feet (20 to 230 gallons of water per acre).
Warm Season Grasses (Such as Bahia, Common Bermuda, and Zoysia)		1.75 to 2.5 pints maximum in 20 to 230 gallons of water per acre	Note: Some hybrid Bermuda grasses may be sensitive to this product. Contact your local Extension Service weed control specialist.
Bentgrass Turf (Putting and Bowling Greens)	.62 to .92 fluid ounce per 1,000 square feet	1.7 to 2.5 pints per acre	On closely mowed Bentgrass - other than golf course greens and tees, apply this product at the same rates as for warm season grasses, in May or mid-August through September when weeds are actively growing. Exercise care to avoid over-dosing bentgrass or injury may result. Slight turf yellowing should disappear after about 1 week. On closely mowed golf course fairways and tees or bowling greens - apply when weeds are actively growing and temperatures are low. Exercise care to avoid over application to prevent injury. Temporary discoloration may occur.

For post-emergence use on turf, ornamental (such as golf courses, cemeteries, parks, sports fields, turfgrass, lawns and other grass areas) the following application restrictions apply:

Ornamental Lawns and Turf:

Limited to 2 broadcast applications per year. Limited to 2 spot treatments per year. Minimum of 30 days between applications. Maximum of 4.4 pints per broadcast application. Maximum of 13.5 pints per spot treatment only. Spot treatment is defined as a treatment no greater than 1,000 square feet per acre.

Not for use on Sod Farms in Arizona.

NON-CROP AREAS

Roadsides (including aprons and guard rails), rights-of-way, fencerows, hedgerows, ditches, utility, pipelines, powerlines, railroads, airports, commercial plants, storage and lumber yards, barrier strips and firebreaks, equipment areas, nurseries and ornamental plantings, fuel tank farms, pumping stations and other industrial sites.

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For the control of broadleaf weeds, mix 2.5 pints to 3.5 pints of this product in 50 to 300 gallons of water. This mixture will cover 43,560 square feet (1 acre). Thoroughly saturate all weeds with spray mixture. Apply when plants come into full leaf (spring) to the time 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 control of woody plants, apply to both stems and foliage from the time foliage is completely matured until the 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 .75 gallon to 1.25 gallons of this product to 100 gallons of water using 200 to 600 gallons of spray mixture per 43,560 square feet (1 acre) depending upon the height and thickness of the brush. Mix thoroughly before spraying.

For post-emergence (annual and perennials weeds) use on non-cropland (including fencerows, hedgerows, roadsides, ditches, rights-of-way, utility power lines, railroads, airports and industrial sites) the following application restrictions apply: The minimum days between applications is 30. Limited to 2 applications per year. Maximum of 6 pints per broadcast application.

For woody plant control, there is a limit of 1 application per year.

Applications to non-cropland areas are not applicable to treatment of commercial timber or other plants being grown for sale or other commercial use, or for commercial seed production, or for research purposes.

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 store pesticides in a secured warehouse or storage building. This product should be stored in a cool, dry location. Do not store near seeds, fertilizers, insecticides or fungicides. Containers should be opened in well-ventilated area. Keep container tightly sealed when not in use. Do not stack cardboard cases more than two pallets high.

PESTICIDE DISPOSAL: Pesticide wastes are toxic. Improper disposal of excess pesticide spray mixtures or rinsate is a violation of Federal law and may contaminate groundwater. If container is damaged or if pesticide has spilled, contain all spillage. Clean up all spilled material with broom. Place in a closed, labeled container for proper disposal. 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 if available 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 is 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.

TANK MIXES

Unless otherwise prohibited on this label or the label of an intended tank mix product, this product may be applied in combination with any pesticide registered for the same crop, timing, and method of application. Observe the most restrictive label statements of various tank mix products used.

IMPORTANT: PESTICIDE TANK MIXES MAY INCREASE THE RISK OF MIXING INCOMPATIBILITIES, REDUCED EFFECTIVENESS AND/OR CAUSE CROP INJURY OR LOSS. ANY LIABILITY FOR LOSS, INJURY OR DAMAGE RESULTING FROM A TANK MIXTURE NOT SPECIFIED ON THIS LABEL OR IN MANUFACTURER'S SUPPLEMENTAL LABELING DISTRIBUTED FOR THIS PRODUCT IS SPECIFICALLY DISCLAIMED BY MANUFACTURER.

COMPATIBILITY

Before full-scale mixing of this product with other pesticides, fertilizers, secondary plant nutrients, adjuvants, surfactants or oils, you must determine the compatibility of the proposed mixture. Use proportionate quantities of each ingredient and mix in a small container. Always mix one product thoroughly with the diluent before adding another product. If no incompatibility is evident after 30 minutes, the mixture is generally compatible for spraying. To evaluate potential short term effects of applying the mixture, test the tank mix combination on a few plants or a small area before larger-scale treatments. Wait at least 2 to 3 days for problems to become apparent.

IMPORTANT: MIXING WITH OTHER SUBSTANCES MAY INCREASE THE RISK OF MIXING INCOMPATIBILITIES, REDUCED EFFECTIVENESS AND/OR CAUSE CROP INJURY OR LOSS. ANY LIABILITY FOR LOSS, INJURY OR DAMAGE RESULTING FROM A MIXTURE NOT SPECIFIED ON THIS LABEL OR IN MANUFACTURER'S SUPPLEMENTAL LABELING DISTRIBUTED FOR THIS PRODUCT IS SPECIFICALLY DISCLAIMED BY MANUFACTURER.

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 ARISING 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.*

(RV121510)

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PrimeTime and PrimeraOne are trademarks of Primera Turf