

228-551

12/28/2007

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

DEC 28 2007

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

SUBJECT: Application for Pesticide Notification (PRN 98-10)
Request Alternate Brand Name "Trupower 3 Selective Herbicide"
EPA Reg. No. 228-551
Application Dated December 20, 2007

Dear Mr. Meindl:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated 12/20/07 for the above product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action(s) requested fall within the scope of PRN 98-10. The label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions, please call me directly at 703-305-6249 or Owen F. Beeder of my staff at 703-308-8899.

Sincerely,

Linda Arrington
for Linda Arrington

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

SJB

2010



Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060

		United States Environmental Protection Agency Washington, DC 20460		<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number
Application for Pesticide - Section I					
1. Company/Product Number 228-551		2. EPA Product Manager Erik Kraft		3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted	
4. Company/Product (Name) Trupower 3 Selective Herbicide		PM# 23			
5. Name and Address of Applicant (Include ZIP Code) Nufarm Americas, Inc. 150 Harvester Drive Suite 200 Burr Ridge, IL 60527 <input type="checkbox"/> Check if this is a new address		6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____			
Section - II					
<input type="checkbox"/> Amendment - Explain below.		<input type="checkbox"/> Final printed labels in response to Agency letter dated _____			
<input type="checkbox"/> Resubmission in response to Agency letter dated _____		<input type="checkbox"/> "Me Too" Application.			
<input checked="" type="checkbox"/> Notification - Explain below.		<input type="checkbox"/> Other - Explain below.			
Explanation: Use additional page(s) if necessary. (For section I and Section II.) Label notification (adding an alternate brandname) consistent with PRN98-10, see cover letter for detailed explanation. This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make false statements to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.					
Section - III					
1. Material This Product Will Be Packaged In:					
Child-Resistant Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	2. Type of Container <input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____		
* Certification must be submitted		If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt No. per container		
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions <input type="checkbox"/>	
6. Manner in Which Label is Affixed to Product		<input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled <input type="checkbox"/> Other _____			
Section - IV					
1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)					
Name George Meindl george.meindl@us.nufarm.com		Title Registration Manager		Telephone No. (Include Area Code) 630.455.2017	
Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.					6. Date Application Received (Stamped)
2. Signature 		3. Title Registration Manager			
4. Typed Name George Meindl		5. Date 12/20/2007			



30910
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 20, 2007

Via Overnight Courier

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: NUP06237 Herbicide
EPA Reg. No. 228-551
Alternate brand name
Trupower® 3 Selective Herbicide

Dear Ms. Hobgood:

Nufarm Americas Inc. would like to add an alternate brand name to the subject registration. We would like to add the brand name of Trupower® 3 Selective Herbicide 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,

A handwritten signature in black ink, appearing to read 'George Meindl', is written over a faint, larger version of the same signature.

George Meindl
Registration Manager
Nufarm Americas, Inc.

TRUPOWER® 3

SELECTIVE HERBICIDE

SELECTIVE BROADLEAF WEED CONTROL FOR TURFGRASSES INCLUDING USE ON SOD FARMS. TO CONTROL CLOVER, DANDELION, 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
GET THE OPTICAL ADVANTAGE®

ACTIVE INGREDIENTS:

Triisopropanolamine Salt of 2,4-Dichlorophenoxyacetic Acid*	47.77%
Dimethylamine Salt of (+)-R-2-(2-Methyl-4-Chlorophenoxy) propionic Acid **‡	7.74%
Dicamba Acid (3,6-Dichloro-o-anisic Acid)***	3.20%

OTHER INGREDIENTS:	41.29%
TOTAL:	100.00%

Isomer Specific Method, Equivalent to:

*2,4-Dichlorophenoxyacetic Acid	25.60%, 2.56 lbs./gal.
**(+)-R-2-(2-Methyl-4-Chlorophenoxy)propionic Acid	6.40%, 0.64 lbs./gal.
***3,6-Dichloro-o-anisic Acid	3.20%, 0.32 lbs./gal.

‡CONTAINS THE SINGLE ISOMER FORM OF MECOPROP-p

FOR USE BY PROFESSIONAL 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

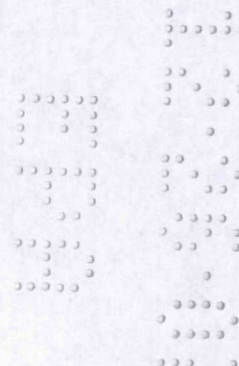
EPA REG. NO. 228-551
EPA EST. NO. 228-IL-1

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



NET WEIGHT GALS.

000228-00551.20071219.ABN.PENDING
NUP-06237



PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS
DANGER - PELIGRO

Corrosive, causes irreversible eye damage. Do not get in eyes, or on skin or clothing. Harmful if swallowed.

PERSONAL PROTECTIVE EQUIPMENT (PPE):

Some materials that are chemical-resistant to this product are listed below. If you want more options, follow the instructions for Category A on an EPA chemical-resistance category selection chart.

All mixers, loaders, applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Shoes plus socks, and
- Protective eyewear (goggles, face shield, or safety glasses)
- Chemical-resistant gloves.

See engineering controls for additional requirements.

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

Engineering Controls Statements: If this container is five gallons or more in capacity, do not open pour product from this container. A mechanical system (such as a probe or pump or spigot) must be used for transferring the contents of this container. If the contents of a non-refillable pesticide container are emptied, the probe must be rinsed before removal. If the mechanical system is used in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.240 (d) (4-6)], the handler PPE requirements may be reduced or modified as specified in the WPS.

USER SAFETY RECOMMENDATIONS	
Users Should:	
<ul style="list-style-type: none">• Wash hands, face, and arms with soap and water before eating, smoking, drinking or using the toilet.• Remove clothing/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	<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 a poison control center or doctor.• Do not give anything by mouth to an unconscious person.
IF ON SKIN OR CLOTHING	<ul style="list-style-type: none">• Take off contaminated clothing.• Rinse skin immediately with plenty of water for 15 to 20 minutes.• Call a poison control center or doctor for treatment advice.

HOT LINE NUMBER	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-877-325-1840 for emergency medical treatment information.	

NOTE TO PHYSICIAN	
Probable mucosal damage may contraindicate the use of gastric lavage.	

ENVIRONMENTAL HAZARDS

This product is toxic to fish and aquatic invertebrates. Drift or runoff may adversely affect aquatic invertebrates and nontarget plants. Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean highwater mark. Do not apply when weather conditions favor drift from target area. Clean and rinse spray equipment using soap or detergent and water, and rinse thoroughly before reuse for other spraying. When cleaning equipment, do not pour the washwater on the ground; spray or drain over a large area away from wells and other water sources. Do not contaminate water when disposing of equipment washwaters. Do not apply this product through any type of irrigation system. Do not contaminate domestic or irrigation waters.

Most cases of groundwater contamination involving phenoxy herbicides such as 2,4-D and MCPP-p have been associated with mixing/loading and disposal sites. Caution should be exercised when handling these herbicides at such sites to prevent contamination of groundwater supplies. Use the closed systems for mixing or transferring this pesticide will reduce the probability of spills. Placement of the mixing/loading equipment on an impervious pad to contain spills will help prevent groundwater contamination.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. READ ENTIRE LABEL BEFORE USING THIS PRODUCT. USE STRICTLY IN ACCORDANCE WITH LABEL PRECAUTIONARY STATEMENTS AND DIRECTIONS.

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 application is prohibited.

AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR part 170. This Standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about Personal Protective Equipment (PPE) and restricted-entry interval. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

Do not enter or allow worker entry into treated areas during the restricted entry interval (REI) of 48 hours.

PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil, or water, is: coveralls 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, do not allow people (other than applicator) or pets on treatment area during application.

Do not enter treatment areas until spray has dried.

SPRAY DRIFT MANAGEMENT

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

Droplet Size

Use only Medium or coarser spray nozzles according to ASAE (S572) definition for standard nozzles.

Wind Speed

Do not apply at wind speeds greater than 10 mph.

Temperature Inversions

If applying at wind speeds less than 3 mph, the applicator must determine if: 1) conditions of temperature inversion exist, or 2) stable atmospheric conditions exist at or below nozzle height. Do not make applications into areas of temperature inversions or stable atmospheric conditions.

Susceptible Plants

Do not apply under circumstances where spray drift may occur to food, forage, or other plantings that might be damaged or crops thereof rendered unfit for sale, use or consumption. Susceptible crops include, but are not limited to, cotton, okra, flowers, grapes (in growing stage), fruit trees (foliage), soybeans (vegetative stage), ornamentals, sunflowers, tomatoes, beans, and other vegetables, or tobacco. Small amounts of spray drift that might not be visible may injure susceptible broadleaf plants.

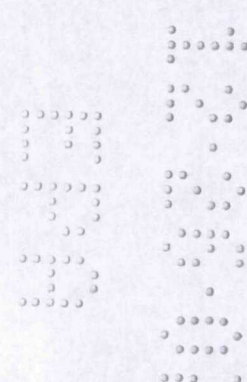
Other State and Local Requirements

Applicators must follow all state and local pesticide drift requirements regarding application of 2,4-D herbicides. Where states have more stringent regulations, they must be observed.

Equipment

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

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



USE PRECAUTIONS

This product is for use on Ornamental Turf Lawns (Residential, Industrial and Institutional), Parks, Cemeteries, Athletic Fields and Golf Courses (Fairways, Aprons, Tees and Roughs) and similar turf areas. Also for use on Sod Farms. For turf use, the maximum number of broadcast applications per treatment site is 2 per year. Product should not be used in or near greenhouses.

Avoid mist to vegetables, flowers, ornamentals, shrubs, trees and other desirable plants. Do not pour spray solutions near these plants. Do not spray on carpetgrass, dichondra nor on lawns or turf where desirable clovers are present. Avoid fine mists. Except as noted, use only lawn-type sprayers. Coarse sprays are less likely to "wind-drift". Use coarse spray droplets. Do not spray roots of ornamentals and trees. Do not exceed specified dosages for any area; be particularly careful within the dripline of trees and other species. Do not apply to newly seeded grasses until well established. When air temperature exceeds 90°F, temporary turf injury may result from broadcast applications. Limit applications to spot or directed applications.

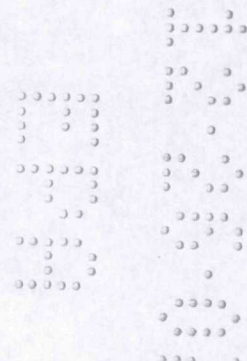
When treating Carpetgrass and St. Augustine grass, avoid broadcast applications when air temperature exceeds 80°F. When air temperatures exceed 80°F, limit application to spot treatment only to avoid temporary turf injury.

Avoid applying during excessively dry or hot periods unless irrigation is used. For optimum results: (1) turf should not be mowed for 1 to 2 days before and after application; (2) do not apply if rainfall is expected within 4 hours; delay irrigation cycle for 24 hours. Reseed no sooner than three to four weeks after application of this product. Failure to observe all precautions may result in injury to turf and/or susceptible plants.

This product can be mixed with some liquid fertilizers or liquid iron materials. Because liquid fertilizer and liquid iron differ in pH, free ammonia content, density, salt concentration and percentage of water, a compatibility test is recommended prior to mixing in application equipment. All regulations, either State or Federal, relating to the application of liquid fertilizers or liquid iron and this product must be strictly followed.

WEEDS CONTROLLED

Bedstraw	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



TURF, ORNAMENTAL
(golf courses, cemeteries, parks, sports fields, turfgrass, lawns and other grass areas)
AND
TURF (grown for seed or sod)

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 Bermudagrasses 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. Augustine, and Centipede grasses or injury may result. Large volumes of spray water (i.e. one fluid ounce in 2 to 4 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.

Ornamental Turf: Make no more than 2 applications per year.

Turf Grown for Seed/Sod: Make no more than 2 applications per year. Minimum interval of 21 days between applications.

LOW VOLUME SPRAY APPLICATION EQUIPMENT

EQUIPMENT	APPLICATION	USE RATE		USE DIRECTIONS
		Fluid Ounces per 1,000 Square Feet	Pints per Acre	
Controlled Droplet Applicators (CDA), Atomizers and Spinning Disk Applicators	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.
Lower Volume Equipment	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.

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NON-CROPLAND

(fencerows, hedgerows, roadsides, ditches, rights-of-way, utility, powerlines, railroads, airports, and industrial sites)

Roadsides (including aprons and guardrails), rights-of-way and other similar non-crop areas: For control of broadleaf weeds, mix at a rate of 1.5 to 3.5 quarts of this product per acre in enough water to wet all parts of the foliage. This may require 50 to 300 gallons of water per acre. This mixture will cover 43,560 square feet. Thoroughly saturate all weeds with spray mixture. 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 the high water volume. For small (spot) applications with small tank sprayers, apply at the rate of 4 ounces of this product per gallon of water and spray to thoroughly wet all foliage.

Annual/Perennial Control: Make no more than 2 applications per year.

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.

Woody Brush: Add 1 to 1.5 gallons of this product per acre to wet all parts of the brush foliage, stem and bark. This may require up to 200 to 600 gallons of water per 43,560 square feet depending upon the height and thickness of the brush. Mix thoroughly before spraying.

Woody Plant Control: Make no more than 1 application per year.

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-cropland sites is 4 pounds 2,4-D Acid equivalent per acre per application site.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Always use original container to store pesticides in a secured warehouse or storage building. Store at temperatures above 32°F. If allowed to freeze, remix before using. This does not alter this product. Containers should be opened in well ventilated areas. Keep container tightly sealed when not in use. Do not stack cardboard cases more than two pallets high. Do not store near open containers of fertilizer, seed or other pesticides.

PESTICIDE DISPOSAL: Pesticide wastes are toxic. If container is damaged or if pesticide has leaked, contain all spillage. Absorb and clean up all spilled material with granules or sand. Place in a closed, labeled container for proper disposal. Improper disposal of excess pesticide, spray mixtures, or rinsate is a violation of Federal law and may contaminate groundwater. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

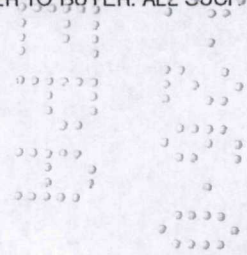
CONTAINER DISPOSAL: Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by State and local authorities. Plastic containers are also disposable by incineration, or if allowed by State and local authorities, by burning. If burned, stay out of smoke.

WARRANTY DISCLAIMER

The directions for use of this product must be followed carefully. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, (1) THE GOODS DELIVERED TO YOU ARE FURNISHED "AS IS" BY MANUFACTURER OR SELLER AND (2) MANUFACTURER AND SELLER MAKE NO WARRANTIES, GUARANTEES, OR REPRESENTATIONS OF ANY KIND TO BUYER OR USER, EITHER EXPRESS OR IMPLIED, OR BY USAGE OF TRADE, STATUTORY OR OTHERWISE, WITH REGARD TO THE PRODUCT SOLD, INCLUDING, BUT NOT LIMITED TO MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, USE, OR ELIGIBILITY OF THE PRODUCT FOR ANY PARTICULAR TRADE USAGE. UNINTENDED CONSEQUENCES, INCLUDING BUT NOT LIMITED TO INEFFECTIVENESS, MAY RESULT BECAUSE OF SUCH FACTORS AS THE PRESENCE OR ABSENCE OF OTHER MATERIALS USED IN COMBINATION WITH THE GOODS, OR THE MANNER OF USE OR APPLICATION, INCLUDING WEATHER, ALL OF WHICH ARE BEYOND THE CONTROL OF MANUFACTURER OR SELLER AND ASSUMED BY BUYER OR USER. THIS WRITING CONTAINS ALL OF THE REPRESENTATIONS AND AGREEMENTS BETWEEN BUYER, MANUFACTURER AND SELLER, AND NO PERSON OR AGENT OF MANUFACTURER OR SELLER HAS ANY AUTHORITY TO MAKE ANY REPRESENTATION OR WARRANTY OR AGREEMENT RELATING IN ANY WAY TO THESE GOODS.

LIMITATION OF LIABILITY

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, IN NO EVENT SHALL MANUFACTURER OR SELLER BE LIABLE FOR SPECIAL, INCIDENTAL, OR CONSEQUENTIAL DAMAGES, OR FOR DAMAGES IN THEIR NATURE OF PENALTIES RELATING TO THE GOODS SOLD, INCLUDING USE, APPLICATION, HANDLING, AND DISPOSAL. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, MANUFACTURER OR SELLER SHALL NOT BE LIABLE TO BUYER OR USER BY WAY OF INDEMNIFICATION TO BUYER OR TO CUSTOMERS OF BUYER, IF ANY, OR FOR ANY DAMAGES OR SUMS OF MONEY, CLAIMS OR DEMANDS WHATSOEVER, RESULTING FROM OR BY REASON OF, OR ARISING OUT OF THE MISUSE, OR FAILURE TO FOLLOW LABEL WARNINGS OR INSTRUCTIONS FOR USE, OF THE GOODS SOLD BY MANUFACTURER OR SELLER TO BUYER. ALL SUCH



RISKS SHALL BE ASSUMED BY THE BUYER, USER, OR ITS CUSTOMERS. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BUYER'S OR USER'S EXCLUSIVE REMEDY, AND MANUFACTURER'S OR SELLER'S TOTAL LIABILITY SHALL BE FOR DAMAGES NOT EXCEEDING THE COST OF THE PRODUCT.

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

(RV121907N)

Trupower and The Optical Advantage is a registered Trademark of Nufarm Americas Inc.

