UNITED 974760	U.S. ENVIRONMENTAL PROTECTION AGENCY Office of Pesticide Programs Registration Division (7505P)	EFA Reg. Number: 228-589	Date of Issuance:		
THE WAL PROTECTO	1200 Pennsylvania Ave., NW Washington, D.C. 20460		1 9 DEC 2008		
	NOTICE OF PESTICIDE:	Term of Issuance			
	<u>x</u> Registration	Conditional			
	(under FIFRA, as amended)	Name of Pesticide Product: NUP-07003 Selective Herbicide			
lame and Add	ress of Registrant (include ZIP Code):		······································		
50 Harves	ricas Inc. ter Drive, Suite 200 , IL 60527		· · · · · · · · · · · · · · · · · · ·		
e submitted to	n labeling differing in substance from that accept and accepted by the Registration Division prior t on this product always refer to the above BPA regi	o use of the lab	el in commerce. In any		
egistered/rereg ay to be const ealth and the egistration of egistration of	information furnished by the registrant, the abov gistered under the Federal Insecticide, Fungicide rued as an endorsement or recommendation of this p environment, the Administrator, on his motion, may a pesticide in accordance with the Act. The acce a product under this Act is not to be construed a or to its use if it has been covered by others.	and Rodenticide roduct by the Ag at any time sus ptance of any na	Act. Registration is in no ency. In order to protect pend or cancel the me in connection with the		
sec. 3(c)( 1. S	product is conditionally registere 7)(A) provided that you: ubmit and/or cite all data require tion of your product when the Agen	ed for regi	stration/		
	products to submit data.	1 1			
	dd the phrase "EPA Registration No release the product for shipment		to your label		
	ubmit one (1) copy of your final p e product for shipment.	printed lab	eling before you		
haracteri	ubmit the results of one year stor stic studies to EPA within one yea on. Submit a hard copy and an ele	ar of this	date of		
		Date:	· .		
ignature of Ap	proving Official:	Duco.			
	Joanne M. Miller		<b>1 9</b> DEC 2008		
ignature of App Joanne I. J Product Man Jerbicide J	Miller Joanne J. Miller nager 28		<b>1 9</b> DEC 2008		

page 2 EPA Reg. No. 228-589

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6(e). Your release for shipment of the product constitutes acceptance of these conditions. Pla

A stamped copy of the label is enclosed for your records.

# ACCEPTEIN With COMMENTS Int EPA Letter Dated: 1 9 DEC 2008

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

28-589

# NUP-07003

# SELECTIVE HERBICIDE

FOR FAST, POSTEMERGENT SELECTIVE BROADLEAF WEED CONTROL FOR USE ON GOLF COURSES, ORNAMENTAL TURF LAWNS, ROADSIDES, PARKS, SOD FARMS, SPORTS FIELDS, NATIVE GRASS AREAS AND SIMILAR TURF AREAS.

ALSO FOR HIGHWAYS, RIGHTS-OF-WAY AND OTHER SIMILAR NON-CROP AREAS.

CONTAINS 2,4-D, MECOPROP-p, DICAMBA AND PYRAFLUFEN ETHYL

GET THE OPTICAL ADVANTAGE®

#### ACTIVE INGREDIENTS:

Isooctyl (2-ethylhexyl) Ester of 2,4-Dichlorophenoxyacetic Acid*	38.03%
Dimethylamine Salt of (+)-R-2-(2-Methyl-4-Chlorophenoxy)propionic Acid**‡	6.31%
Dicamba Acid (3,6-Dichloro-o-Anisic Acid)***	2.52%
Pyraflufen ethyl (ethyl 2-chloro-5-difluromethoxy-1-methyl-1H-pyrazol-3-yl)-4-fluorophenoxyacetate]****	0.06%
OTHER INGREDIENTS:	53.08%
TOTAL:	100.00%

Contains Petroleum Distillate.

Isomer Specific Method, Equivalent to:	
*2,4-Dichlorophenoxyacetic Acid	25 22% 2 286 lbs /gal
**(+)-R-2-(2-Methyl-4-Chlorophenoxy)propionic Acid	6 31% 0 572 lbs /gal
***3,6-Dichloro-o-anisic Acid	
****Pyraflufen ethyl	
‡CONTAINS THE SINGLE ISOMER FORM OF MECOPROP-p	

For Use by Turf Maintenance Personnel, Landscape or Commercial Applicators only.

# KEEP OUT OF REACH OF CHILDREN CAUTION / PRECAUCIÓN

Si usted no entiende la etiquetà, 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-LIO EPA EST. NO. Manufactured For NUFARM AMERICAS INC. 150 Harvester Drive Burr Ridge, IL 60527



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#### PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS CAUTION / PRECAUCIÓN

Harmful if swallowed. Causes moderate eye irritation. Avoid contact with eyes, skin or clothing.

#### 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
- 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.

#### USER SAFETY RECOMMENDATIONS

Users Should:

· 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 SWALLOWED	<ul> <li>Call a poison control center or doctor immediately for treatment advice.</li> <li>Have person sip a glass of water if able to swallow.</li> <li>Do not induce vomiting unless told to do so by a poison control center or doctor.</li> <li>Do not give anything by mouth to an unconscious person.</li> </ul>				
IF IN EYES	<ul> <li>Hold eye open and rinse slowly and gently with water for 15 to 20 minutes.</li> <li>Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.</li> <li>Call a poison control center or doctor for treatment advice.</li> </ul>				
IF ON SKIN OR CLOTHING	<ul> <li>Take off contaminated clothing.</li> <li>Rinse skin immediately with plenty of water for 15 to 20 minutes.</li> <li>Call a poison control center or doctor for treatment advice.</li> </ul>				
	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

Contains petroleum distillate. Vomiting may cause aspiration pneumonia.

#### ENVIRONMENTAL HAZARDS

This product is toxic to fish and aquatic invertebrates. This product may contaminate water through drift of spray in wind or via runoff events. Use care when applying in areas adjacent to any body of water. To prevent contamination of the environment, do not apply near water, storm drains, gutters or ditches. Do not apply when rain is predicted for that day or when wind is strong enough to carry spray-away from treatment area. Rinse applicator equipment over the lawn or garden area that was treated, and away from water, storm drains, gutters or ditches.

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 of 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.

Use of this product in certain portions of California, Oregon, and Washington is subject to the January 22, 2004 Order for injunctive relief in <u>Washington Toxics Coalition et al vs. EPA</u>, C01-0132C, (W.D. WA). For further information, please refer to EPA Web site: http://www.epa.gov/espp.

#### 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: long-sleeved shirt and pants, shoes plus socks and chemical-resistant gloves made of any waterproof material.

#### 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

For turf use, the maximum number of broadcast applications per treatment site is 2 per year.

Failure to observe all precautions may result in injury to turf and/or susceptible plants.

## PRODUCT INFORMATION

This product combines 2,4-D, Mecoprop-p, Dicamba and Pyraflufen to provide fast-acting broadleaf weed control.

· Postemergent control of a comprehensive list of tough broadleaf weeds in turfgrass.

· Fast-acting formulation designed to show weed injury symptoms within 24 to 48 hours of application.

Active on broadleaf weeds, yet gentile on most desirable established turfgrasses.

 Pyraflufen-Ethyl not only accelerates the speed of control, but is also an effective herbicide that broadens the weed control spectrum of the product.

#### USE SITES

This product is for use on Ornamental Turf Lawns (Residential, Industrial and Institutional), Parks, Cemeteries, Athletic Fields, Golf Courses (Fairways, Aprons, Tees and Roughs), Sod Farms and similar turf areas.

Avoid mist to (spray drift) vegetables, flowers, ornamentals, shrubs, trees and other desireable 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 use this product near or in greenhouses.

#### TIMING

For best results, apply this product to young, actively growing weeds as a postemergence broadcast or spot spray. Follow-up applications may be required for dense infestations and hard to control species.

#### NEWLY SEEDED AREAS:

Do not apply to newly seeded grasses until well established unless discoloration or damage can be tolerated.

#### NEWLY SODDED, SPRIGGED, OR PLUGGED AREAS:

Do not apply to newly sodded, sprigged, or plugged grasses for at least 3 to 4 weeks after the sodding, sprigging, or plugging operations.

#### SEEDING:

Reseed no sooner than 2 weeks after application of this product. In areas that are slit seeded, to assure seed soil contact, reseeding interval may be reduced to 7 days.

#### MOWING:

For best results, turf should not be mowed for 1 to 2 days before or after application to maximize leaf surface of the target plant and aid in translocation.

#### IRRIGATION, RAINFALL AND TEMPERATURE

When air temperature exceeds 90°F, temporary turf injury may result from broadcast applications. Limit applications to spot or directed applications manage the application rate to minimize the potential for injury.

When treating Carpetgrass and St. Augustine's 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, do not apply if rainfall is expected within 4 hours; delay irrigation cycle for 24 hours.

#### MIXING INSTRUCTIONS

Begin with a clean spray tank. Fill the spray tank with one-half the required amount of water. Slowly add this product while agitating, then complete filling the tank with water.

Maintain continuous agitation until spraying is complete. If left standing for extended periods of time, re-agitate to assure uniformity of the spray mixture.

This product can be tank 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 compatability 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.

Adding oil, wetting agent, or other surfactant to the spray may be used to increase effectiveness on weeds, but doing so may reduce selectivity to turf resulting in turf damage. Failure to observe the above precautions may result in injury to turf and other desirable vegetation.

The following compatability test should always be performed prior to full-scale tank mixing.

- 1, Pour 18 fluid ounces of water into a guart jar.
- 2. Add 1 fluid ounce of either the liquid fertilizer or liquid iron to be used.
- 3. Add 1 fluid ounce of this product.
- 4. Close jar and shake well.
- 5. Watch the mixture for several seconds after shaking and check again after 30 minutes.
- 6. If the mixture does not show signs of separating, the combination may be used. If the mixture foams excessively, gels; separates or gets very thick, do not combine for field application.
- Compatibility may be improved by the use of a compatibility agent. Follow the previously outlined test procedures and add 1/6 ounce of the compatibility agent between steps (the compatibility agent must be added to the fertilizer or iron before adding this product).
- 8. If the mixture does not separate, gel, foam or get very thick, it may be used for field application. Mix only the amount to be spraved. Do not allow to stand overnight.

Sprayer Cleaning: Clean application equipment thoroughly before and after application to prevent cross-contamination. Use a strong detergent or approved spray tank cleaner and rinse thoroughly.

### WEEDS CONTROLLED

This product will control or suppress the following list of broadleaf weeds as well as many other broadleaf weeds susceptible to 2,4-D.

Bedstraw Black medic Buckhorn Burdock Chicory Chickweed Clover Dandelion Dock Ground ivy Healall Henbit Knotweed Lambsquarter Lespedeza Mallow Morningglory Peppergrass Pigweed Plantain Poison ivy Poison oak Purslane Ragweed Sheep sorrel Shepherdspurse Speedwell Spurge Wild carrot Wild garlic Wild lettuce Wild onion Yarrow and other 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 1,00	PER 1,000 SQ. FT.		ACRE	
Bahiagrass, Bluegrass, Common Bermudagrass, Fescue,	1.1 to 1.5	0.1 to 5.0	3.0 to 4.0	3 to 220	Bermudagrass - 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.
Ryegrass, Zoysiagrass					Warm Season Turfgrass - Use reduced rates if grass is stressed from heat or drought. Exercise
St. Augustinegrass and Centipedegrass	0.50 to 0.75	1.0 to 5.0	1.5 to 2.0	40 to 200	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.
	•				When mixing with fertilizer - Higher water volumes may be used when tank mixed with a turf fertilizer. Follow fertilizer labels for proper amounts to add.
Bentgrass (Putting and Bowling Greens)	0.67	3.3	1.8	145	<b>Bentgrass</b> - Avoid applications during periods when turf is under stress due to high heat, humidity, and reduced moisture. 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. Higher volumes of 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 for 21 days between applications.

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#### LOW VOLUME SPRAY APPLICATION EQUIPMENT

		USE RATE		
EQUIPMENT	APPLICATION	Fluid Ounces per 1,000 Square Feet	Pints per Acre	USE DIRECTIONS
Controlled Droplet Applicators (CDA), Atomizers and Spinning Disk Applicators	Bluegrass, Fescue, Ryegrass	1.1 to 1.5	3.0 to 4.0	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.
	St. Augustinegrass, Centipedegrass, Bahiagrass, Common Bermudagrass, Zoysiagrass	0.50 to 0.75	1.5 to 2.0	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 (equipped w/ spray nozzłes)	Bluegrass, Fescue, Ryegrass St. Augustinegrass, Centipedegrass, Bahiagrass, Common, Bermudagrass, Zoysiagrass	1.1 to 1.5	3.0 to 4.0	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-CROPLAND

(fencerows, hedgerows, roadsides, ditches, rights-of-way, 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)

**Roadsides (including aprons and guardrails), rights-of-way and other similar non-crop areas:** For control of broadleaf weeds, mix at a rate of 3.5 to 7.5 pints 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 [one acre]. 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. Some weed species harden off during the summer making control difficult. 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 we 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 [one acre] 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: This product should be stored in its original container in a cool, dry locked place out of the reach of children and out of direct sunlight. Do not use or store near heat or open flame. 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: To avoid wastes, use all material in this container by application according to label directions. If waste cannot be avoided, offer remaining product to a waste disposal facility or pesticide disposal program (often such programs are run by state or local governments or by industry).

CONTAINER DISPOSAL: Nonrefillable container. Do not reuse or refill this container. Triple rinse (or equivalent) promptly after emptying. 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 soap. 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 puncture and dispose of in a sanitary landfill, or by incineration. Do not burn, unless allowed by state and local ordinances. 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.

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