

228-638

08/25/2009

1/10



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

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

Ms. Lizbeth Rea  
Product Registration  
Nufarm Americas, Inc.,  
150 Harvester Drive, Suite 200  
Burr Ridge, IL 60527

AUG 25 2009

SUBJECT: Application for Pesticide Notification (PRN 98-10)  
Request Primary Brand Name "Nufarm TM + CTN Pro 66.6 WDG Fungicide,"  
Warranty and First Aid/Precautionary Statement and General Label Changes  
EPA Reg. No. 228-638  
Application Dated July 15, 2009

Dear Registrant:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated 07/15/09 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,

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

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



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<br>228-638   | 2. EPA Product Manager<br>Mary Waller  | 3. Proposed Classification<br><input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted |
| 4. Company/Product (Name)<br>TM + CTN E-Pro 66.6 WDG Fungicide   | PM#<br>21  |  |
| 5. Name and Address of Applicant (Include ZIP Code)<br>Nufarm Americas, Inc.<br>150 Harvester Drive, Ste. 200<br>Burr Ridge, IL 60527<br><br><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:<br><b>NOTIFICATION</b><br>EPA Reg. No. _____<br><b>AUG 25 2009</b><br>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.)  
 Notification of a primary brand name (Nufarm TM + CTN Pro 66.6 WDG Fungicide) and minor label changes per PRN 98-10. This notification is consistent with the provisions of PRN 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 any false statement to EPA. I further understand that if this notification is not consistent with the terms of PRN 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 FIFRA.

**Section - III**

|   |  |  |  |                                |   |
|---|--|--|--|--------------------------------|---|
| 1. Material This Product Will Be Packaged In:   |  |  |  | 2. Type of Container           |   |
| Child-Resistant Packaging<br><input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No   | Unit Packaging<br><input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No | Water Soluble Packaging<br><input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No  |  | <input type="checkbox"/> Metal | <input checked="" type="checkbox"/> Plastic |
| * Certification must be submitted   | If "Yes" Unit Packaging wgt.    No. per container  | If "Yes" Package wgt    No. per container  |  | <input type="checkbox"/> Glass | <input type="checkbox"/> Paper              |
| 3. Location of Net Contents Information<br><input checked="" type="checkbox"/> Label <input type="checkbox"/> Container   | 4. Size(s) Retail Container<br>4 x 5 lbs   | 5. Location of Label Directions<br><input checked="" type="checkbox"/> On Label<br><input type="checkbox"/> On Labeling accompanying product |  |                                |   |
| 6. Manner in Which Label is Affixed to Product<br><input checked="" type="checkbox"/> Lithograph Paper glued<br><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<br>Lizbeth Rea  | Title<br>Regulatory Manager    | Telephone No. (Include Area Code)<br>919/655-0701 |
| 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<br><b>(Stamped)</b>  |
| 2. Signature<br>   | 3. Title<br>Regulatory Manager |   |
| 4. Typed Name<br>Lizbeth Rea   | 5. Date<br>7/15/2009           |   |



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Nufarm Americas, Inc.  
Lizbeth Rea  
Regulatory Manager  
150 Harvester Drive, Suite 200  
Burr Ridge, IL 60527  
Phone: 919.655.0701 Fax: 919.342.5176  
liz.rea@us.nufarm.com

July 15, 2009

Via Overnight Courier

Linda Arrington  
Document Processing Desk (NOTIF)  
Office of Pesticide Programs (7504P)  
U. S. Environmental Protection Agency  
Room S-4900, One Potomac Yard  
2777 S. Crystal Drive  
Arlington, VA 22202-4501

Subject: TM + CTN E-Pro 66.6 WDG Fungicide  
EPA Reg. No. 228-638  
PBN Change: Nufarm TM + CTN Pro 66.6 WDG Fungicide  
Minor Label Changes

Dear Ms. Arrington:

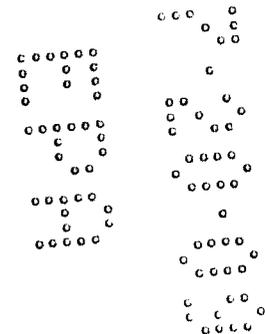
The following documents are attached in support of the primary brand name and minor label changes being made via notification under PR Notice 98-10.

- Application for a New Product Registration (EPA Form 8570-1)
- One (1) copy of the Nufarm TM + CTN Pro 66.6 WDG Fungicide label with changes tracked. Changes include:
  - Replaced the product name throughout the label with "this product".
  - Replaced "recommend" and "may" with more definitive language.
  - Updated Warranty Disclaimer and Limitation of Liability statements.
- Five (5) copies of the Nufarm TM + CTN Pro 66.6 WDG Fungicide label with changes incorporated.

Please call me at 919/655-0701 if you have any questions and/or comments regarding this submission.

Sincerely,

Lizbeth Rea  
Regulatory Manager  
Nufarm Americas Inc.



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# Nufarm TM + CTN Pro 66.6 WDG Fungicide

**ACTIVE INGREDIENTS:**

Chlorothalonil:..... 50.00%

Thiophanate-methyl:..... 16.66%

**OTHER INGREDIENTS:**..... 33.34%

**TOTAL:**..... 100.00%

**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.)

| FIRST AID   |  |
|---|--|
| <b>IF IN EYES:</b>  | <ul style="list-style-type: none"> <li>• Hold eye open and rinse slowly and gently with water for 15-20 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>  |
| <b>IF ON SKIN OR CLOTHING:</b>  | <ul style="list-style-type: none"> <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>   |
| <b>IF SWALLOWED:</b>  | <ul style="list-style-type: none"> <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> |
| <b>IF INHALED:</b>  | <ul style="list-style-type: none"> <li>• Move person to fresh air.</li> <li>• If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible.</li> <li>• Call a poison control center or doctor for further 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 1-800-424-9300 for emergency medical treatment information. |  |

**See inside label booklet for additional PRECAUTIONARY STATEMENTS.**

**EPA Reg. No. 228-638**

**EPA Est. No. 37429-GA-002**

**Manufactured for:**  
Nufarm Americas Inc.  
150 Harvester Drive  
Burr Ridge, IL 60527

Nufarm TM + CTN Pro 66.6 WDG Fungicide contains thiophanate-methyl and chlorothalonil, the active ingredients used in ConSyst®.

**Net Weight:**

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

Corrosive. Causes irreversible eye damage. Harmful if absorbed through skin. Do not get in eyes or on clothing. Avoid contact with skin. Wear goggles or face shield. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Remove and wash contaminated clothing before reuse. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.

**PERSONAL PROTECTIVE EQUIPMENT (PPE)**

Some materials that are chemical-resistant to this product are: barrier laminate, butyl rubber, nitrile rubber, neoprene rubber, natural rubber, polyethylene, polyvinyl chloride (PVC), and viton. If you want more options, follow the instructions for Category A on EPA chemical resistance category selection chart.

**Mixers, loaders, applicators and all other handlers must wear:**

- Protective eyewear (faceshield or goggles)
- Long-sleeved shirt and long pants
- Shoes plus socks

**In addition, chemical-resistant gloves made out of any waterproof material must be worn by:**

- 1) mixers/loaders,
- 2) other handlers exposed to the concentrate,
- 3) cleaners/repairers of equipment,
- 4) applicators using airblast equipment for golf course applications,
- 5) and applicators using handheld equipment

In addition, a NIOSH-approved respirator with any R, P, N or HE filter must be worn by applicators and other handlers in enclosed areas, such as a greenhouse.

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

**ENGINEERING CONTROLS**

When handlers use enclosed cabs 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.

|  |
|--|
| <b>USER SAFETY RECOMMENDATIONS:</b>  |
| <p><b>Users should:</b></p> <ul style="list-style-type: none"> <li>• Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.</li> <li>• Remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.</li> <li>• 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.</li> </ul> |

**ENVIRONMENTAL HAZARDS**

This pesticide is toxic to aquatic invertebrates and wildlife. Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Drift and runoff from treated areas may be hazardous to aquatic organisms in neighboring areas. Do not contaminate water when disposing of equipment washwater or rinsate.

This chemical is known to leach through soil into groundwater under certain conditions as a result of label use. Use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination.

This chemical can contaminate surface water through spray drift. Under some conditions, it may also have a high potential for runoff into surface water for several days to weeks after application. These include poorly draining or wet soils with readily visible slopes toward adjacent surface waters, frequently flooded areas, areas overlaying extremely shallow ground water, areas with in-field canals or ditches that drain to surface water, areas not separated from adjacent surface waters with vegetated filter strips, and areas over-laying tile drainage systems that drain to surface water.

**DIRECTIONS FOR USE**

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

**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 protection equipment (PPE), and restricted entry interval. The requirements in this box only apply to use of this product covered by the worker protection standard.

Notify workers of the application by warning them orally and by posting warning signs at entrances to treated areas.

Do not enter or allow worker entry into treated areas during the restricted entry level (REI) or 12 hours.

PPE required for early entry to treated areas that is permitted under the Worker Protection Standard that involves contact with anything that has been treated such as plants, soil, or water, is:

- Coveralls over long-sleeved shirt and long pants
- Chemical-resistant gloves made of any waterproof material
- Chemical-resistant footwear plus socks
- Protective eyewear
- Chemical-resistant headgear for overhead exposures.

**Special Eye Irritation Provisions:** This product is a severe eye irritant. Although the restricted entry interval (REI) expires after 12 hours, for the next 6 ½ days entry is permitted only when the following safety measures are provided:

1. At least one container designed specifically for flushing eyes must be available in operating condition at the WPS required decontamination site intended for workers entering the treated area.
2. Workers must be informed, in a manner they can understand;
  - a) Residues in the treated area are be highly irritating to their eyes.
  - b) That they should take precautions, such as refraining from rubbing their eyes, to keep the residues out of their eyes.
  - c) That if they do get residues in their eyes, they should immediately flush their eyes using the eye flush container that is located at the decontamination site or using other readily available clean water.
  - d) How to operate the eyeflush container.

**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 others to enter the treated area until sprays have dried.

### General Information

This product is a formulation of two chemicals that provides broad spectrum contact and systemic disease control on golf courses and ornamental turfgrass as well as on ornamental plants, shrubs and trees when used according to the directions on this label.

#### Use Precautions

- Do not use on home lawns and turf sites associated with apartment buildings, daycare centers, playgrounds, playfields, recreational park athletic fields, athletic fields located on or next to schools (i.e., elementary, middle and high schools), campgrounds, churches, and theme parks.
- Do NOT graze treated areas.
- Do NOT feed clippings to livestock or poultry.
- Do NOT apply this product through any type of irrigation system.
- Do NOT apply within 150 ft. (for air-blast) or 25 ft (for ground applications) of marine / estuarine water bodies unless there is an untreated buffer area of that width between the area to be treated and the body of water.

#### General Mixing and Application Instructions

1. Add the specified amount of this product to the spray tank while filling with water.
2. Maintain continuous agitation when filling the spray tank and during spray operations.
3. For best disease control results, thorough and uniform coverage of the plant surfaces is essential.

NOTE: Do not tank mix this product with surfactants, fertilizers, and / or other pesticides unless prior use has shown the combination to be physically compatible, effective and non-injurious under your conditions of use.

### Lawns and Ornamental Turf

**Note: Not for homeowner use. For use only by certified applicators or those under their immediate supervision. Not for use on turf being grown for sale or commercial use as sod. Do not apply with fixed wing or rotary aircraft.**

**Do not use on home lawns and turf sites associated with apartment buildings, daycare centers, playgrounds, playfields, recreational park athletic fields, athletic fields located on or next to schools (i.e., elementary, middle and high schools), campgrounds, churches, and theme parks.**

This product will control many turf diseases when used at proper rates and timing as indicated in the table below. Begin applications when conditions favor disease development and repeat applications for as long as these conditions persist. Under severe disease conditions, use the highest rate and shortest interval corresponding with the application schedule below.

| Disease   | Application Interval | Application Rate (per Acre)* |
|---|----------------------|------------------------------|
| Sclerotinia dollar spot   | 14 to 21 days        | 8.25 to 10 lbs. product      |
| Helminthosporium leaf spot  |                      |                              |
| Rhizoctonia brown patch   | 14 days              |                              |
| *Do not exceed the maximum seasonal application rate of 52 lbs. of this product per acre. This equates to 26 lbs. chlorothalonil a.i. and 8.66 lbs. thiophanate-methyl a.i. per acre. |                      |                              |

### Golf Courses (Tees, Greens, and Ornamental Turf)

This product is fungistatic to many diseases including *Pythium* spp. and for best results, applications should be made using the preventive rates listed below prior to disease development. This product should always be used in conjunction with good turf management practices and programs.

#### Use Precautions

- After application, do NOT mow or water until spray deposit on turfgrass is thoroughly dry.

- Do not graze animals on treated turf.
- Do not feed clippings to livestock or poultry.
- Do not apply with fixed wing or rotary aircraft.

Refer to the following table for maximum application rates for this product.

| Use Site                               | Max. Seasonal Application Rate |                            | Max. Individual Application Rate |                            |
|--|--------------------------------|----------------------------|----------------------------------|----------------------------|
|  | Lbs. Product / Acre            | Oz. Product / 1000 sq. ft. | Lbs. Product / Acre              | Oz. Product / 1000 sq. ft. |
| Greens                                 | 130.9                          | 48.08                      | 22.6                             | 8.3                        |
| Tees                                   | 104                            | 38.2                       |                                  |                            |
| Fairways (Except Florida) <sup>1</sup> | 32.7                           | 12.0                       |                                  |                            |
| Fairways (Florida)                     | 16.3                           | 6.0                        | 16.3                             | 6.0                        |
| Public Turf Areas <sup>2</sup>         | 52                             | 19.1                       |                                  |                            |

<sup>1</sup> Make only one application at the maximum application rate.  
<sup>2</sup> Maximum of four applications per season.

Mix the specified amount of this product in an adequate amount of water to provide complete coverage (from 2 to 10 gallons per 1000 sq. ft.). Applications should be made using 14-21 day intervals as indicated in the table below. For severe disease pressure, use the highest specified rate and the shortest application interval listed. Note: Do NOT apply at less than a 14-day interval.

NOTE: The rates and timings will vary with disease conditions and grass vigor / growth.

| Disease(s) Controlled   | Application Interval (days) | Application Rate (oz. product / 1000 sq. ft.) |          |
|---|-----------------------------|---|----------|
|   |                             | Preventive                                    | Curative |
| Anthracnose   | 14                          | 2 to 4  | 4 to 8   |
| Copper spot   | 14                          | 3 to 5  | 4 to 8   |
| Dollar spot   | 14 to 21                    | 2 to 4  | 4 to 8   |
| Gray leaf spot  | 14                          | 2 to 4  | 4 to 8   |
| Helminthosporium melting out and Leaf spot                                      | 14                          | 2 to 4  | 4 to 8   |
| Large brown patch   | 14 to 21                    | 2 to 4  | 4 to 8   |
| Red thread  | 14                          | 3 to 5  | 4 to 8   |
| Stem rust of Bluegrass  | 14                          | 3 to 5  | 4 to 8   |
| Mildew, powdery   | 14                          | 2 to 4  | 4 to 8   |
| Mildew, downy   | 14                          | 2 to 4  | 4 to 8   |
| Gray snow mold ( <i>Typhula</i> spp.)<br>Pink snow mold ( <i>Fusarium</i> spp.) | *                           | 6 to 8  | 6 to 8   |

\*Apply in Fall, prior to snow cover. One application has given excellent control throughout the winter.

### Ornamentals

Use this product in greenhouses. Apply this product at a rate of 0.75 - 1.5 pounds per 100 gallons of water unless otherwise indicated in the table below. Do not apply with fixed wing or rotary aircraft. Do not use fruit or nuts from treated trees as food or feed.

| Disease   | Application Rate (lbs. product / 100 gallons) | Instructions   |
|---|---|--|
| Cedar apple rust - Crabapple  | 1.5   | Make first application at spring bud break. Repeat every 10 to 14 days as needed.                                |
| Ovulinia blight - Azalea & Rhododendron   | 1 to 1.5                                      | Make first application as flowers open. Repeat every 4 to 6 days as needed.                                      |
| Anthracnose - Shade trees & Woody ornamentals   | 1   | Make first application at bud break. Repeat every 7 to 10 days as needed. Do NOT exceed 4 applications per year. |
| Ascochyta blight of Chrysanthemum and Iris ( <i>Ascochyta</i> spp.)<br>Black spot of Rose ( <i>Diplocarpon Roshe</i> )<br>Botrytis flower flight of Geranium, Rose, & Petunia ( <i>Botrytis</i> spp.)<br>Scab of Pyracantha and Flowering crab ( <i>Fusicladium</i> spp. and <i>Venturia</i> spp.)<br>Leaf blight of Gladiolus ( <i>Curvularia</i> spp.)<br>Corynespora leafspot of Ligustrum ( <i>Corynespora</i> spp.)<br>Iris leafspot ( <i>Didymellina</i> spp.)<br>Mildew, powdery<br>Mildew, downey | 0.75 to 1                                     | Repeat applications every 7 to 10 days as needed while conditions for the disease are favorable.                 |

**STORAGE AND DISPOSAL**

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

**PESTICIDE STORAGE:** Store in a dry secured area unavailable to unauthorized persons.

**PESTICIDE DISPOSAL:** Pesticide wastes are toxic. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal Law. 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:** Completely empty bag into application equipment. Then dispose of empty bag in a sanitary landfill or 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.

10/10

TO MAKE ANY REPRESENTATION OR WARRANTY OR AGREEMENT RELATING IN ANY WAY TO THESE GOODS.

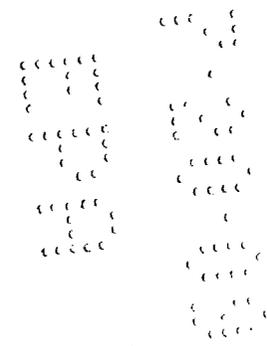
**LIMITATION OF LIABILITY**

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.**

(RV071509N)

Nufarm TM + CTN -Pro 66.6 WDG Fungicide is not manufactured or distributed by Regal Chemical Company, seller of ConSyst®.  
ConSyst® is a trademark of Regal Chemical Company.



**NOTIFICATION**

**AUG 25 2009**