

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

OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

Michael C. Zucker FMC Corporation 1735 Market St. Philadelphia, PA 19103

0CT - 4 2010

Dear Mr. Zucker:

SUBJECT:

Label Amendment

Echelon 0.375% Granular Herbicide on Fertilizer

EPA Registration No. 279-3408

Your Submission Dated June 28, 2010

The label amendment referred to above, submitted in accordance with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, is acceptable, with the following comments:

- 1. On pages 5 and 6, it is unclear what the rate of the products are. The rates of the two products need to be split out as pound sulfentrazone/per A and pound prodiamine/per A, ensuring that they do not exceed the maximum rates for each active ingredient per year.
- 2. Please note that the maximum rate for sulfentrazone on turf is 0.375 lb/A. The rates lb/ ft² in the table on page 6 slightly exceeds that revise to 3.4 lb/1000 ft² to comply.

A stamped copy is enclosed for your records. Please submit one (1) copy of your final printed labeling before you release the product for shipment. This amended labeling supersedes all previously accepted ones.

Sincerely yours,

Product Manager (23)

Herbicide Branch

Registration Division (7505P)

Enclosure

ECHELON®

0.375% Granular Herbicide on Fertilizer

For Preemergence and early postemergence Control of Crabgrass, selected annual grasses, sedges and annual broadleaf weeds in Turf Sites - Residential and Institutional Lawns, Athletic Fields, Commercial Sod Farms, Golf Course Fairways and Roughs, Roadsides, Utility right-of-ways, Railways and Industrial areas

Active Ingredient:	By Wt.
Sulfentrazone:N-[2,4-dichloro-5-[4-(difluoromethyl-4,5-dihydro-3-methyl-5-oxo-	•
1H-1,2,4-triazol-1-yl]phenyl]methanesulfonamide	0.125%
Prodiamine: [N3,N3-Di-n-propyl-2,4-dinitro-6-(trifluoromethyl)-m-phenylenediamine	0.250%
Other Ingredients:	<u>99.625%</u>
S	100.0%

U. S. Patent No. 4,818,275

Guaranteed Analysis XX-X-XX
Total Nitrogen (N) XX.XX%
XX.XX% Urea Nitrogen
Soluble Potash (K ₂ O) XX.XX%
Sulfur (S) TotalXX.XX%
X.XX% Free Sulfur (S)
X.XX% Combined Sulfur (S)
Iron (Fe) Total XX.XX%
X.XX% Soluble Iron (Fe)
Derived From: Poly Coated Sulfur Coated Urea,
Sulfate Of Potash, Iron Sucrate
Chlorine (Cl) Max X.XX%

ACCEPTED with COMMENTS In EPA Letter Dated: OCT - 4 2010

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

279-3408

KEEP OUT OF REACH OF CHILDREN CAUTION

FMC Corporation Agricultural Products Group 1735 Market Street Philadelphia PA 19103

EPA Reg. No. 279-3408 EPA Est. 279-

Net Contents

06-25-10

	FIRST AID
IF ON SKIN OR CLOTHING	Take off contaminated clothing. Rinse skin immediately with plenty of water for 15-20 minutes. Call a poison control center or doctor for treatment advice.
IF INHALED	 Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible. Call a poison control center or doctor for further treatment advice.
IF IN EYES	 Hold eye open and rinse slowly and gently with water for 15-20 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	 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.
HOTLINE N	UMBER

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-800-331-3148 for emergency medical treatment information.

For Information Regarding the Use of this Product Call 1-800-321-1FMC(1362)

PRECAUTIONARY STATEMENTS

Hazards to Humans (and Domestic Animals) CAUTION

Harmful if absorbed through skin. Avoid contact with skin or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Wear long-sleeved shirt and long pants, socks, shoes, and gloves.

Personal Protective Equipment (PPE)

Applicators and other handlers must wear long-sleeved shirt and long pants, waterproof gloves, and shoes plus socks.

Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product. Do not reuse them. 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 remove clothing immediately if product gets inside. Then wash thoroughly and put on clean clothing.



Environmental Hazards

This product is toxic to marine/estuarine invertebrates. Do not apply directly to water, to areas where surface water is present or to intertidal areas below the mean high water mark. Drift and runoff may be hazardous to terrestrial and aquatic plants in neighboring areas. Do not contaminate water when disposing of equipment wash waters or rinsate.

Groundwater advisory: Sulfentrazone 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.

Do not use on coarse soils classified as sand which have less than 1% organic matter. Surface water advisory: Sulfentrazone can contaminate surface water through spray drift. Under some conditions, sulfentrazone may also have a high potential for runoff into surface water (primarily via dissolution in runoff water), for several to many months post-application. These include poorly draining or wet soils with readily visible slopes toward adjacent surface waters, frequently flooded areas, areas overlying extremely shallow groundwater, 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-lying tile drainage systems that drain to surface waters.

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 through any type of irrigation system. 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 protective equipment (PPE) and restricted-entry interval. These requirements only apply to uses of this product that are covered by the Worker Protection Standard.

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

PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil, or water, is: Coveralls over long-sleeved shirt and long pants, chemical-resistant gloves made of any waterproof material, and shoes plus socks.

Non-Agricultural Use Requirements

The requirements in this box apply to uses of this product that are NOT within the scope of the Worker Protection Standard for agricultural pesticides (40 CFR Part 170). The WPS applies when this product is used to produce agricultural plants on farms, forests, nurseries, or greenhouses.

Re-entry Statement: Do not allow people (other than applicator) or pets on treatment area during application. Do not enter treatment area until dust has settled.

STORAGE AND DISPOSAL

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

Pesticide Storage: Store product in original container only, away from other pesticides, fertilizer, food or feed. Reseal open bag by folding top down and securing. Store in a cool, dry place and avoid excess heat.

Spill: In case of spill, avoid contact, isolate area and keep out animals and unprotected persons. Confine spills. Call FMC: (800) 331-3148.

To confine spill: If liquid, dike surrounding area or absorb with sand, cat litter or commercial clay. If dry material, cover to prevent dispersal. Place damaged package in a holding container. Identify contents.

Pesticide 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:

Paper and Plastic Bags: Non-refillable. Do not reuse or refill this container. Completely empty bag into application equipment. Then offer for recycling, if available, or dispose of empty bag in a sanitary landfill or by incineration, or by burning. Do not burn unless allowed by state or local authorities. If burned, stay out of smoke.

PRODUCT INFORMATION

Turf Use Instructions

Echelon is a selective preemergence and postemergence herbicide for control of crabgrass, annual grass and broadleaf weeds and sedges in turf sites including residential and institutional lawns, athletic fields, commercial sod farms, golf course fairways and roughs, roadsides, utility right-of-ways, railways and industrial areas.

The mode of action of Echelon herbicide involves uptake by both weed roots and shoots of existing weeds and prevention of growth by newly emerged weed seedlings.

SPECIFIC USE INSTRUCTIONS IN TURFGRASS

Established Turf

This product may be used on seeded, sodded or sprigged turfgrasses that are well established. First application of this product can be made following the second mowing providing the grass has developed into a uniform stand with a good root system. Turf injury may result from application of this product on turf that is not well established or has been

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weakened by stresses such as unfavorable weather conditions, disease, chemical or mechanical influences.

Broadcast Echelon with suitable application equipment to ensure uniform coverage over the treatment area. A drop or rotary spreader designed to apply granular herbicide or insecticide is the preferred application of this product. Calibrate application equipment prior to application. Consult manufacturer operation manual for proper calibration and operation of application equipment. Apply 1.5 to 6.9 pounds per 1,000 square feet to control broadleaf weeds and grasses. See Table 1 for application rates based on turf grasses

When applied as directed under the conditions described, the following established grasses are tolerant to Echelon herbicide at the recommended use rates in a range from 0.250 to 1.125 lb. ai/acre (67 to 300 pounds/acre or 1.5 to 6.9 pounds/1,000 sq. ft.). Do not exceed 1.125 lb. ai/acre (300/acre) per calendar year.

Table 1. Tolerant grasses.

Grass Type	Recommended Use Rates Do not exceed maximum use rates per turf species in a single application		
Cool Season Grasses	Lb. ai. per acre	Pounds per 1000 ft ²	Pounds per acre
Bentgrass, creeping ¹ Fescue, fine ² (Festuca rubra) Ryegrass, perennial (Lolium perenne)	0.25-0.375 ³ lb. ai.	1.5 – 2.3 lbs	67 – 100 lbs
Bluegrass, Kentucky (Poa pratensis) Fescue, tall ² (Festuca arundinacea)	0.57-0.75³ lb. ai.	3.5 – 4.6 lbs	152 – 200 lbs
Warm Season Grasses	Lb. ai. per acre	Pounds per 1000 ft ²	Pounds per acre
Bahiagrass (Paspalum notatum) Buffalograss (Buchloe dactyloides) Carpetgrass (Axonopus affinis) Centipedegrass (Eremochloa ophuiroides) Kikuyugrass (Pennisetum clandestinum) Seashore Paspalum (Paspalum vaginatum) Zoysiagrass (Zoysia japonica)	0.57-0.75 ³ lb. ai.	3.5 – 4.6 lbs	152 – 200 lbs
Bermudagrass (Cynodon dactylon) & hybrids	0.75-1.125 ³ lb. ai.	4.6 – 6.9 lbs	200 – 300 lbs

¹ If bentgrass is moved lower than 0.5 inches do not apply Echelon.

² Use of this product on certain varieties of Chewing Fine Fescue or Tall Fescue cultivars may result in undesirable injury.

³ Echelon may be applied more than once per year if needed as long as total amount applied does not exceed the maximum application rate per turf type or 1.125 lbs. ai/acre (300 pounds/acre), whichever is lower.

[•] Use of this product on certain cultivars of Chewings Fescue, Fine Fescue or Tall Fescue cultivars may result in unless table injury.

[•] Echelon application may cause temporary discoloration to exposed leaf surfaces on certain cultivars of zoysiag ass. Treated turfgrass will recover with new growth. Discolored leaf tissue will be removed with mowing. To reduce potential for discoloration, do not apply Echelon on turfgrass that is weakened by weather, mechanical, chemical, disease or other related stress. Maintain proper cultural practices such as adequate moisture and fertility levels to promote healthy turf growth.

[•] Echelon has demonstrated tolerance on both cool and warm season turfgrasses. However, not all varieties and or cultivars have been evaluated. Turfgrass managers desiring to treat newly released varieties should first apply Echelon to a small area prior to treatment of larger areas.

Table 1A. Applications for St Augustine Grass - Application of Echelon to St. Augustine Grass may cause temporary discoloration to exposed leaf surfaces of St. Augustine grass. Treated turfgrass will recover with new growth and discolored leaf tissue will be removed with mowing.

Do not apply Echelon to St Augustine grass if temporary discoloration cannot be accepted.

Table 1A

Warm Season Grass	Lb.ai per acre	Pounds per 1000ft2	Pounds per acre
St. Augustinegrass	0.56 lbs ai Follow by 0.56 lbs ai 45- 60 days later	3.5 lbs Follow by 3.5 lbs 45- 60 days later	150 lbs. Follow by 150 lbs 45 – 60 days later

Weed Controlled With Preemergence Application

Table 2.

Common Name	Scientific Name
Barnyardgrass	(Echinochloa crus-galli)
Bluegrass annual 1	(Poa annua)
Carpetweed	(Mollugo verticillata)
Carolina Geranium	Geranium carolinianum
Chickweed, common ²	(S tellaria media)
Chickweed, mousear (from seed)	(Cerastium vulgatum)
Crabgrass (large, Smooth) 3	(Digitaria spp.)
Crowfootgrass	(Dactyloctenium aegyptium.)
Cupgrass, Woolly	(Eriochloa villosa)
Foxtails, Annual	(Setaria spp)
Goosegrass 4	(Eleusine indica)
Hairy Bittercress	Cardamine hirsute
Henbit ²	(Lamium amplexicaule)
Itchgrass	(Rottboellia exaltata)
Knotweed, prostrate	(Polygonum aviculare)
Kochia	(Kochia scoparia)
Kyllinga, green	(Kyllinga brevifolia)
Kyllinga, false	(Kyllinga gracillima)
Lambsquarters, common	(Chenopodium album)
Lovegrass	(Eragrostis spp.)
Nutsedge, yellow	(Cyperus esculentus)
Pancium (Texas,Fall)	(Panicum spp.)
Pigweed, Redroot	(Amaranthus retroflexus)
Purslane, Common	(Portulaca oleracea)
Pusley, Florida	(Richardia scabra L.)
Sedge, globe	(Cyperus globulosus)
Sedge, cylindrical	(Cyperus retrorsus)
Sedge, Surinam	(Cyperus surinamensis)
Sedge, Texas	(Cyperus połystachyos)
Shephardspurse ²	(Capsella bursa-pastoris)
Signalgrass, broadleaf	(Brachiaria playphylla)







Speedwell	(Veronica spp.)	
Sprangletop	(Leptochola spp.)	
Spurge, prostrate	(Euphorbia humistrata)	
Witchgrass	(Panicum capillare L.)	
Woodsorrel, yellow (from Seed)	(Oxalis stricta)	

1. Poa annua is a winter annual. Applications of Echelon should be made in August or September to established, non overseeded turf before Poa Annua germinates. Consult local Cooperative Extension Service for more specific applications timings for your local area since August and September are approximate timings.

2. Apply Echelon in late summer, fall or winter before weed germinates for control.

3. <u>Crabgrass control in cool season grasses from fall application:</u>
Areas where the ground is subject to winter freezes, Echelon may be applied in the fall at rates listed in Table 1 (67-300 pounds per acre) for cool season grasses when soil temperatures are below 50°F, but prior to the ground freezing. This will provide control of crabgrass the following spring.

4. In areas of extended growing season and heavy pressure weed control will be enhanced by second

application of Echelon 60-90 days after initial application

Postemergence Control of Annual, Biennial & Perennial Broadleaf Weeds and sedges

Echelon herbicide will control or suppress the weeds listed in Table 3 when applied shortly after weeds have emerged. Do not exceed the application rate specified for the turf species in Table 1.

Weeds Controlled or Suppressed When Application Made Postemergence to Weeds Table 3

Common Name	Scientific Name	Controlled	Suppressed
Bittercress	(Cardamine spp.)		X
Black medic	(Medicago lupulina)		X
Buttercups	(Ranunculus spp.)		X
Carolina geranium	(Geranium carolinianum)	1	
Carpetweed	(Mollugo verticillata)		X
Chickweed, common	(Stellaria media)	1	
Chickweed, mousear	(Cerastium vulgatum)		X
Cinquefoil	(Potentilla spp.)		X
Clover	(Trifolium spp.)		X
Crabgrass (Large and Smooth)	(Digitaria spp.)	2	
Cudweed	(Gnaphalium spp.)		X
Dandelion	(Taraxacum officinale)		X
Dock, Curly	(Rumex crispus)		X
Evening primrose	(Oenothera biennis)		X
Fiddleneck	(Amsinckia spp.)		X
Filaree	(Erodium spp.)		X
Goldenrod	(Solidago spp.)	1	
Goosegrass	(Eleusine indica)	2	
Ground ivy	(Glechema hederacea)	1	
Henbit	(Lamium amplexicaule)		X
Knotweed, prostrate	(Połygonum aviculare)		X
Kochia	(Kochia scoparia)	1	,
Lambsquarters, common	(Chenopodium album)		Kerece
Lawn burweed	(Soliva pterosperma)		X
Lespedeza, common	(Lespedeza striata)		X
Mallow, common	(Malva neglecta)		X C
Nutsedge, Yellow	(Cyperus esculentus)	С	77(11



Parsley piert	(Alchemilla arvensis)	1	
Pigweed, Redroot	(Amaranthus retroflexus)	1	
Pigweed, Tumble	(Amaranthus albus)	1	
Pineapple weed	(Matricaria matricarioides)		X
Plantain, buckhorn	(Plantago lanceolata)	1	
Puncture weed	(Tribulus terrestris)		X
Purslane, common	(Portulaca oleracea)		X
Pusley, Florida	(Richardia scabra)	1	
Redweed	(Melochia corchorifolia)		X
Rocket, London	(Sisymbrium irio)		X
Smartweed, Pennsylvania	(Połygonum pensylvanicum)	1	
Sorrel, Red	(Rumex acetosella)		X
Speedwell	(Veronica spp.)	1	
Spurge, (annuals)	(Euphorbia spp.)	1	
Spurge, prostrate	(Euphorbia humistrata)	1	
Spurge, spotted	(Euphorbia maculata)	1	
Star of Bethlehem	(Ornithogalum umbellatum)	1	
Velvetleaf	(Abutilon theophrasti)		X
Violet, wild	(Viola pratincola)		X
Wild garlic	(Allium vineale)		X
Wild onion	(Allium canadense)		X
Woodsorrel, creeping	(Oxalis corniculata)		X
Woodsorrel, yellow	(Oxalis stricta)	1	,

Weeds are suppressed at lower label rates (<00 lbs/acre). For optimum control apply rates of at least 300 lbs per acre in a single application. Do not exceed the application rate specified for the turf species in Table 1.

Echelon controls crabgrass and goosegrass when applied postemergent to newly emerged weeds in the 1-4 leaf stage of

Application to Reseeded, Overseeded or Sprigged areas

Reseeding, overseeding or sprigging of treated areas within three to twelve (3-12) months after application of this product could inhibit the establishment of desirable grasses. [See table for exact intervals from application].

Best results are obtained for reseeding or overseeding when mechanical or power seeding equipment (slit seeders) are used to give good seed to soil contact and proper soil cultivation, irrigation and fertilization practices are followed.

Overseeding Intervals after Echelon Applications

Table 4

Total Amount of Echelon Applied	Interval (Months Before Overseeding)		
Pounds Product/Acre	North	Transition	South
67 - 100	3	3	3
152 – 200	4	4	4
300	6	5	5

Sod Production

It is recommended that sod be established for at least six (6) months before an application of Echelon herbicide.

Do not apply this product within three (3) months of harvest.

Other Use Precautions

Do not apply to golf course putting greens or tees.

Do not use on turfgrasses other than those listed on this label.

Do not graze or feed livestock forage cut from areas treated with Echelon herbicide.

Do not apply directly to landscape ornamentals or ornamental beds.

Do not apply to areas where dichondra, colonial bentgrass, velvet bentgrass or annual bluegrass (*Poa annua*) are *desirable* species.

Do not apply to creeping bentgrass if mowing height is less than 0.5 inch.

Do not harvest treated sod before 90 days after application.

Do not apply to newly set sod until the sod has rooted and exposed edges have grown in.

Do not apply with adjuvants or surfactants.

ADDITIONAL USE INSTRUCTIONS

Railroad Rights-of-Way

Controls many weeds and maintains bare ground on railroad rights-of-way, including railroad yards, railroad crossings and railroad bridge abutments.

Highway, Roadside, Pipeline and Utility Rights-of-Way

Controls many weeds and maintains bare ground in highway, roadside, pipeline and utility rights-of-way, Such areas would include guardrails, road shoulders, electric utility substations, pipeline pumping stations, around electric transmission towers, around distribution line poles plus other areas where complete vegetation control is desired.

Industrial Areas, Fence Rows and Other Non-crop Sites

Controls weeds and maintains bare ground in industrial areas including production facilities, tank farms, storage areas, parking areas, lumber yards, airports, military installations, along fence rows, and in similar non-crop sites where complete vegetation control is needed.

METHOD AND RATE OF APPLICATION FOR ADDITIONAL USES

For residual control of germinating weeds in non-crop land, apply as a broadcast treatment using 200 to 300 pounds (0.75 to 1.125 pounds active ingredient) per acre by ground in a suitable granular applicator.

DO NOT apply Echelon Herbicide to soils classified as sand with less than 1% Organic Matter.

Timing

For best results, apply Echelon alone or in combination with other herbicides for residual control of weeds in late summer, fall, or early spring to insure adequate moisture for soil activation.

Weeds Controlled

Echelon when applied postemergence at 200 to 300 pounds per acre, will control the following weeds in non-cropland areas (Table 5). Use the higher labeled rates to extend length of control. Use the higher rates on sites with fine soil textures and on sites with more than 2% organic matter.

Weeds Controlled from Preemergence Application to Bare Ground Prior to Weed Seed germination Table 5

Common Name	Scientific Name	
Barnyardgrass	(Echinochloa crus-galli)	
Bluegrass annual	(Poa annua)	
Carpetweed	(Mollugo verticillata)	
Carolina Geranium	Geranium carolinianum	
Chickweed, common	(Stellaria media)	
Chickweed,mousear (from seed)	(Cerastium vulgatum)	
Crabgrass (large, Smooth)	(Digitaria spp.)	
Crowfootgrass	(Dactyloctenium aegyptium.)	
Cupgrass, Woolly	(Eriochloa villosa)	
Foxtails, Annual	(Setaria spp)	
Goosegrass	(Eleusine indica)	
Hairy Bittercress	Cardamine hirsuta	
Henbit	(Lamium amplexicaule)	
Itchgrass	(Rottboellia exaltata)	
Knotweed, prostrate	(Połygonum aviculare)	
Kochia	(Kochia scoparia)	
Kyllinga, green	(Kyllinga brevifolia)	
Kyllinga, false green		ï
Lambsquarters, common	(Chenopodium album)	
Lovegrass	(Eragrostis spp.)	
Nutsedge, yellow	(Cyperus esculentus)	
Nutsedge, purple	(Cyperus rotundus)	
Pancium (Texas,Fall)	(Panicum spp.)	
Pigweed, Redroot	(Amaranthus retroflexus)	
Purslane, Common	(Portulaca oleracea)	
Pusley, Florida	(Richardia scabra L.)	
Sedge, globe	(Cyperus globulosus)	
Sedge, cylindrical	(Cyperus retrorsus)	
Sedge, Surinam	(Cyperus surinamensis)	
Sedge, Texas	(Cyperus polystachyos)	
Shephardspurse	(Capsella bursa-pastoris)	
Signalgrass, broadleaf	(Brachiaria playphylla)	
Speedwell	(Veronica spp.)	
Sprangletop	(Leptochola spp.)	
Spurge, prostrate	(Euphorbia humistrata)	
Witchgrass	(Panicum capillare L.)	
Woodsorrel, yellow (from Seed)	(Oxalis stricta)	

CONDITIONS OF SALES AND LIMITATIONS OF WARRANTY AND LIABILITY

NOTICE: Read the entire Directions for Use and Conditions of Sale and Limitation of Warranty and Liability before buying or using this product. If the terms are not acceptable, return the product at once, unopened, and the purchase price will be refunded.

The Directions for Use of this product must be followed carefully. It is impossible to eliminate all risks inherently associated with the use of this product. Crop injury, ineffectiveness, or other unintended consequences may result because of such factors as manner of use or application, weather or crop conditions beyond the control or FMC or Seller. All such risks shall be assumed by Buyer and User, and Buyer and User agree to hold FMC and Seller harmless for any claims relating to such factors.

Seller warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated on the Directions for Use when used in accordance with the directions under normal conditions of use. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, FMC MAKES NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE, NOR ANY OTHER EXPRESS OR IMPLIED WARRANTIES WITH RESPECT TO THE SELECTION, PURCHASE, OR USE OF THIS PRODUCT. Any warranties, express or implied, having been made are inapplicable if this product has been used contrary to label instructions, or under abnormal conditions, or under conditions not reasonably foreseeable to (or beyond the control of) seller or FMC, and to the extent consistent with applicable law, buyer assumes the risk of any such use.

To the extent consistent with applicable law, FMC or seller shall not be liable for any incidental, consequential or special damages resulting from the use or handling of this product. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE EXCLUSIVE LIABILITY OF FMC AND SELLER FOR ANY AND ALL CLAIMS, LOSSES, INJURIES OR DAMAGES (INCLUDING CLAIMS BASED ON BREACH OF WARRANTY, CONTRACT, NEGLIGENCE, TORT, STRICT LIABILITY OR OTHERWISE) RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, SHALL BE THE RETURN OF THE PURCHASE PRICE OF THE PRODUCT OR, AT THE ELECTION OF FMC OR SELLER, THE REPLACEMENT OF THE PRODUCT.

This Conditions of Sale and Limitation of Warranty and Liability may not be amended by any oral or written agreement.

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