279-9551

02 21 2013



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

> OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

Jill Holihan FMC Corporation 1735 Market Street Philadelphia, PA 19103

FEB 2 1 2013

Subject: Label Amendment Product Name: F9007 Herbicide EPA Registration Number: 279-9551 Application Dated: August 27, 2012

Dear Ms. Holihan,

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, is acceptable.

Please note that marketing claims made on the pesticide label must be substantiated by data maintained in your files. If data supporting the marketing claims made on the product label is not available, then those claims must be removed.

Should you wish to add/retain a reference to the company's website on your label, then please be aware that the website becomes labeling under the FIFRA and is subject to review by the Agency. If the website is false or misleading, the product would be misbranded and unlawful to sell or distribute under FIFRA§12(a)(1)(E). 40CFR§156.10(a)(5) list examples of statements EPA may consider false or misleading. In addition, regardless of whether a website is referenced on your product's label, claims made on the website may not substantially differ from those claims approved through the registration process. Therefore, should the Agency find or if it is brought to our attention that a website contains false or misleading statements or claims substantially differing from the EPA approved registration, the website will be referred to the EPA's Office of Enforcement and Compliance.

A stamped copy of your label is enclosed for your records. This label supersedes all previously accepted labels. You must submit one (1) copy of the final printed label before you release the product for shipment. Products released for shipment after eighteen (18) months from the date of this letter or the next printing of the label, whichever occurs first, must bear the new revised label. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA §6(e). Your release for shipment of the product constitutes acceptance of these conditions.

If you have any questions, please contact Emily Hartman of my staff at (703) 347-0189 or hartman.emily@epa.gov.

Sincerely ntague, Project Manager 23

2/11

Herbicide Division Registration Division Office of Pesticide Programs

F9007 Herbicide

For Selective Weed Control in Turf including; Athletic fields, Cemeteries, Golf Courses (aprons, fairway, roughs and tees) Lawns, Parks, and Sod farms.

EPA Reg. No. 279-9551	EPA Est. XXX
Active Ingredients:	By Wt.
Carfentrazone-ethyl*	20.0%
Metsulfuron-methyl*	15.0%
Other Ingredients:	65.0%
Total:	
*F9007 Herbicide contains 0.20 pounds of carfentraze of metsulfuron-methyl per one pound of product.	one-ethyl and 0.15 pounds

KEEP OUT OF REACH OF CHILDREN CAUTION

See other panels for additional precautionary information.

·	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 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.
	HOTLINE NUMBER
Have the product	container or label with you when calling a poison

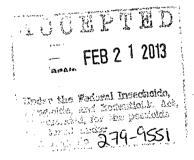
control center or doctor, or going for treatment. You may also contact 1-800-331-3148 for emergency medical treatment information.

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

Net Contents:



FMC Corporation **Agricultural Products Group** 1735 Market Street Philadelphia, PA 19103



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OPTIONAL MARKETING CLAIMS

A Water Dispersible Granule for Use by Turf Managers [For Use] by Turf Managers Water Dispersible Granule

Removes Bahiagrass from St. Augustine and Bermudagrass Works effectively on warm season turf[, gentle on cool season turf] Formulated for [use on] [both] warm season [and cool season] turf[!]

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

Causes moderate eye irritation. Avoid contact with skin, eyes or clothing. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet.

Personal Protective Equipment (PPE)

Applicators and other handlers must wear: long-sleeved shirt and long pants, chemical-resistant 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, use detergent and hot water. Keep and wash PPE separately from other laundry.

User Safety Recommendations:

Users should:

Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing

Environmental Hazards

Carfentrazone-ethyl is very toxic to algae and moderately toxic to fish. 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 washwaters or rinsate.

Physical/Chemical Hazards Do not use or Store near heat or open flame

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), notification to workers, and restricted-entry interval. The requirements in this box 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.

shoes plus socks.

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 spray has dried.

STORAGE AND DISPOSAL

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

Pesticide Storage

Store product in original container only, away from other pesticides, fertilizer, food or feed.

Store in a cool, dry place and avoid excess heat.

In case of spill, avoid contact, isolate area and keep out animals and unprotected persons. Confine spills. Call CHEMTREC (Transportation and spills): (800) 424-9300.

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

Nonrefillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container ¼ full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Then offer for recycling if available, or puncture and dispose of in a sanitary landfill or incineration, or if allowed by state and local authorities, by burning. If burned, stay out of smoke.

Turf Use Instructions General Information

F9007 HERBICIDE is a selective post-emergence herbicide which controls annual broadleaf weeds and certain annual grasses in turf areas including but not limited to: Cemeteries, Golf Courses (aprons, fairway, roughs and tees) Lawns, Parks, Athletic fields, and Sod farms.

For use only on Kentucky Bluegrass, Fine Fescue, Bermudagrass, Buffalograss, Zoysiagrass, St. Augustine, Seashore Paspalum, and Centipedegrass.

F9007 HERBICIDE is formulated as a 35 WDG (Water Dispersible Granule) containing 0.35 lbs of active ingredients per pound of product. F9007 HERBICIDE is absorbed by shoots, foliage and roots.

A post emergent application of F9007 HERBICIDE is improved when adequate soil moisture is present at application. Best weed control results will be obtained when no rainfall or irrigation occurs within 24 hours after application. If no rainfall or irrigation occurs within 7 days after application of F9007 HERBICIDE in the amount of 0.5 inches, then irrigation of at least 0.5 inches is recommended.

Follow these practices to minimize drift:

- Stop spraying if wind speed becomes excessive. Spray drift can occur at wind speeds less than 10 MPH. If sensitive plants are downwind, extreme caution must be used. Do not spray if winds are gusty.
- High temperatures, drought and low relative humidity increase the possibility of harmful spray drift. Caution must be used when these conditions are present and sensitive plants are nearby.
- Use large droplet size sprays to minimize drift.
- Use spray pressure of 35 psi or less when applying this product.

Mixing and Application Instructions SPRAY TANK PREPARATION

F9007 HERBICIDE is a water dispersible granule intended for dilution with water. Mix F9007 HERBICIDE thoroughly and continue agitation during application. If F9007 HERBICIDE is left standing for extended period of time in spray tank, re-agitate to assure uniform suspension of product in spray mixture.

MIXING WITH WATER

For best results, fill spray tank with one fourth of the volume of clean water needed for the area to be treated. Start the agitation system and add F9007 HERBICIDE to the tank. Make sure F9007 HERBICIDE is thoroughly mixed before application or before adding another product to the spray tank.

USE OF SURFACTANTS

Addition of surface active agents (surfactants) or other adjuvants may improve the effectiveness of F9007 Herbicide against weeds that are mature or hardened by harsh environmental conditions or that might have difficult-to-wet leaf surfaces. Addition of a nonionic surfactant (NIS) of at least 80% active ingredient at 0.25% by volume (1 guart per 100 gallons) has shown to increase weed control performance. Adjuvant materials may also reduce the selectivity to some turfgrass varieties and increase the potential for turf injury. Follow all adjuvant manufacturer use guidelines and also read and observe all companion product label statements, precautions and restrictions regarding use of adjuvants when F9007 Herbicide is used in tank mixtures with other products. High temperatures and high relative humidity may increase the risk of temporary turf discoloration when spray adjuvants are used.

TANK MIXTURES COMPATIBILITY

F9007 HERBICIDE has been found to be compatible with most herbicides, fungicides, insecticides and growth regulators. However, when preparing a new tank mix conduct an appropriate compatibility test by mixing proportional amounts of all spray ingredients in a test vessel (jar) prior to tank mixing with other products. Shake the mixture vigorously and allow it to stand for five to ten minutes. Rapid precipitation of the ingredients and failure to re-suspend when shaken indicates that the mixture is incompatible and should not be applied. Provided the jar test indicates the mixture to be compatible, prepare the tank mixture as follows: Fill the tank one fourth full with water. With the agitator operating, add the recommended amounts of ingredients using the following order: dry granules first, then liquid suspensions (flowables) second. As the agitation continues and the tank is filled with water add EC products third followed by the addition of water soluble products.

Read and observe mixing instructions of all tank mix partners. Also read each product label for Directions for Use, Precautionary Statements and Restrictions and Limitations. The most restrictive labeling applies in all tank mixtures. No label dosage rate should be exceeded. Tank mixture recommendations are for use only in states where the companion products and application site are registered. In addition, certain states or geographical regions may have established dosage rate limitations. Consult your state Pesticide Control Agency for additional information regarding the maximum use rates.

Use F9007 HERBICIDE spray mixture after mixing. Do not store the mixture for more than 24 hours.

Ground Equipment

Power sprayers: Uniform and accurate spray coverage requires proper <u>Power sprayers</u>: Unitorm and accurate spray coverage requires proper calibration, agitation and operation of spray equipment. The use of marker dyes or foams can improve application accuracy. Boom sprayers equipped with appropriate flat fan nozzles, tips and screens are ideal for broadcast applications. Power sprayers fitted with spray wand/gun may also be used for broadcast application after careful calibration by the applicator. Power sprayers fitted with spray wand/gun are suitable for spot treatments.

Hand operated sprayers: Backpack and compression sprayers are appropriate for small turfgrass areas and spot treatments. Wands fitted with a flat fan nozzle tip should be held stationary at the proper height during application. A side to side or swinging arm motion can result in uneven coverage

Apply this product in a sufficient volume of carrier solution to provide a uniform spray distribution. Spray volumes of 20 - 100 gallons per acre (0.5 to 2.3 gal/1,000 ft²) with spray pressures adjusted to 20 - 35 psi are appropriate. Apply the higher spray volumes for dense weed populations.

Sprayer Equipment Clean-Out After spraying F9007 HERBICIDE and before using sprayer equipment for any other applications, the sprayer must be thoroughly cleaned using the following procedure: 1. Drain sprayer tank, hoses, and spray boom and thoroughly rinse the inside of the sprayer tank with clean water to remove sediment and

2. Fill the tank 1/2 full with clean water, and add appropriate detergent or ammonia (follow manufacturer's directions for use). Fill the tank to capacity and operate the sprayer for 15 minutes to flush hoses, boom, and nozzles.

3. Drain the sprayer system. Rinse the tank with clean water and flush through the hoses, boom, and nozzles. Remove and clean spray tips and screens separately.

4. Properly dispose of all cleaning solution and rinsate in accordance with Federal, State and local regulations and guidelines.

Use product in a sprayer that is dedicated for use on labeled turf species. Do not drain or flush equipment on or near desirable trees or plants. Do not contaminate any body of water including irrigation water that may be used on other plants.

Weed Control in Turfgrasses

Use Precautions for Turf Use This product may be used on seeded, sodded or sprigged turfgrass that are well established (at least one year old). Turfgrass injury could result from application of this product on turfgrass that is not well established or has been weakened by stresses such as unfavorable weather conditions, disease, chemical or mechanical influences.

When applied as directed under the conditions described, the following established turfgrasses are tolerant to F9007 HERBICIDE at the specified use rate.

Table 1. Tolerant grasses.

Grass Type*	Use Rate Single Application		
Cool Season Grasses	lbs ai/A	Ounce s per 1000 ft ²	Ounces per acre
Bentgrass, creeping (Agrostis spp.) Bluegrass, Annual (Poa annua) Bluegrass, Kentucky (Poa pratensis) Fine Fescue, (Festuca rubra) Fescue, tall (Festuca arundinacea)	0.025 - 0.038	0.026 - 0.040	1.125 – 1.75
Warm Season Grasses			
Bermudagrass (Cynodon dactylon) & hybrids Buffalograss (Buchloe dactyloides) Centipedegrass(Eremochloa ophuiroides) Seashore Paspalum (Paspalum vaginaum) Zoysiagrass (Zoysia japonica) St.Augustine(Stenotaphrum secundatum)	0.044 _ 0.066	0.046 0.069	2.0 – 3.0
Centipedegrass (Eremochloa ophuiroides) ²	0.025 - 0.044	0.026 0.046	1.125 – . 2.0

*F9007 HERBICIDE has demonstrated tolerance on both cool and warm season turfgrasses. However, not all varieties have been evaluated. Turfgrass managers desiring to treat newly released varieties should first apply F9007 HERBICIDE to a small area prior to treatment of larger areas.

If turf discoloration occurs after an application of F9007 turfgrass will generally recover with new growth. Discolored leaf tissue will be removed with mowing. Do not apply F9007 HERBICIDE 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.

²Some chlorosis or stunting of the turfgrass may occur following an application on centipedegrass.

Application to reseeded, overseeded or sprigged areas:

Reseeding, overseeding or sprigging of treated areas within two (2) months after application of this product could inhibit the establishment of desirable turfgrasses. Overseeding of bermudagrass with perennial ryegrass at eight (8) weeks after an application can be done if slight injury to perennial ryegrass can be tolerated.

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.

Sod Production:

This product may be applied to established sod. Allow sod to establish a good root system, a uniform stand and to fill in the exposed edges. It is recommended that sod be established for up to 12 twelve (12) months before an application of F9007 HERBICIDE. Do not apply this product within three (3) months of harvest.

Restrictions:

Do not apply to golf course putting greens or collars.

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

Do not store spray solution of F9007 Herbicide for more than 24 hours.

Do not apply to turf seeded or sodded within the last 12 months.

Do not apply to Bahiagrass if it is the desired turf.

Do not apply to turfgrasses under stress from drought, insects, disease, cold temperatures (above 85°F on cool season grasses), or poor fertility as injury may result.

Do not treat pastures, rangeland, or other areas grazed or harvested for livestock forage or hay.

Do not apply directly to landscape ornamentals or ornamental beds.

Do not plant landscape ornamentals in treated areas for at least 1 year following last application and 2 years from last application for bedding plants.

Do not allow spray drift to contact landscape ornamentals, shrubs and trees.

Do not apply when conditions are conducive to spray drift or poor spray coverage.

Do not apply to areas that are subject to runoff and may flow onto agricultural lands.

Do not apply to any body of water (streams, irrigation water or wells). Do not apply this product by aerial application.

Do not apply this product through any type of irrigation system.

Do not use clippings as mulch or compost around flowers, ornamentals, trees or in vegetable gardens.

Do not apply this product (except as instructed) or drain or flush equipment on or near desirable trees, or other plants, or on areas where their roots may extend or in areas where the chemical may be washed or moved within contact with their roots.

Do not use on food or feed crops.

POSTEMERGENCE CONTROL OF GRASS AND BROADLEAF WEEDS

When used as directed F9007 HERBICIDE will control or suppress the weeds listed in Table 2 when applied alone shortly after weeds have emerged. Apply F9007 HERBICIDE at specific use rate for specific turf species listed in Table 1.

Table 2. Weeds Controlled or Suppressed by F9007 HERBICIDE

Common Name	Scientific Name	Controlled	Suppressed
Bahiagrass	(Paspalum notatum)	X	
Bittercress	(Cardamine spp.)	X	
Barnyardgrass	(Echinochloa crusgalli)		X
Black medic	(Medicago lupulina)	x	
Buttercups	(Ranunculus spp.)	X	
Canada Thistle	(Cirsium arvense)		X
Carolina geranium	(Geranium carolinianum)	x	
Carpetweed	(Mollugo verticillata)	X	
Chickweed, common	(Stellaria media)	X	
Chickweed, mousear	(Cerastium vulgatum)		x
Chicory	(Cichlorium intybus)	X	
Cinquefoil	(Potentilla spp.)	}	X
Clover	(Trifolium spp.)	X	
Conical Catchfly	(Silene Conoidea)	X	
Cow Cockle	(Saponaria vaccaria)	X	
Crabgrass (Large and Smooth)	(Digitaria spp.)		x
Creeping Beggarweed	Desmodium canum	x	
Crown Vetch	(Vicia sativa I.)		X
Cudweed	(Gnaphalium spp.)		X
Dandelion	(Taraxacum officinale)	x	
Dock, Curly	(Rumex crispus)	X	
Dogfennel	(Eupatorium	X	

\ .			×.
	capillifolium(Lam.)		
	Small		
Dollarweed	(Hydrocotyle spp.)	x	
Doveweed ² 3	(Murdannia nudiflora(L.)Brenan		x
Eclipta	(Eclipta prostrata		×
	(L.))		
Evening primrose Fiddleneck	(Oenothera biennis)		X
Filaree	(Amsinckia spp.) (Erodium spp.)		
Foxtail spp.	(Setaria spp)	x	
Groundsel	(Senecio smallii	x	
Goldenrod	Britt.) (Solidago spp.)	x	
Ground ivy	(Glechema	x	
Henbit	hederacea) (Lamium		
	amplexicaule)	x	
Japanese Stiltgrass	(Microstegium vimineum)		X
Knotweed, prostrate	(Polygonum	x	
Kochia	aviculare) (Kochia scoparia)		
Lambsquarters,	(Chenopodium		
common	album)	x	
Lawn burweed	(Soliva pterosperma)		X
Lespedeza, common	(Lespedeza striata)		X
London Rocket	(Sisybrium irio)	X	
Mallow, common	(Malva neglecta)	X	
Miner Lettuce	(Claytonia perfoliata)	X	
Morningglory Mullein, Common	(Ipomea_spp.) (Verbascum		<u> </u>
	thapsus)	X	
Mustard, Tansy	(Descurainia pinnata brachycarpa)	x	
Mustard, treacle	(Erysimum	x	
Mustard, Tumble	cheiranthoides) (Sisymbrium	x	
	altissimum L.,)		
Parsley piert	(Alchemilla arvensis)	X	
Pennycress, Field Pigweed, Redroot	(Thiaspi arvense) (Amaranthus	X	
Figweed, Rediool	retroflexus)	x	
Pigweed, Smooth	(Amaranthus		
Rigwood Tumblo	hybridus (Amaranthus albus)	x	
Pigweed, Tumble Pineapple weed	(Matricaria	<u>^</u>	
	matricarioides)		X
Plantain, broadleaf	(Plantago major)	X	
Plantain, buckhorn	(Plantago lanceolata)	x	
Prickly Lettuce	(Lactuca serriola)		
Puncture weed	(Tribulus terrestris)		Ŷ
Purslane common	(Portulaca oleracea)		X
Pusley, Florida	(Richardia scabra)		X
Ryegrass"	(Lolium spp.)	X	
Shepardspurse	(Capsella bursa pastoris)		x
Smartweed,	(Polygonum	x	
Pennsylvania	pensylvanicum)	^	
Sorrel, Red	(Rumex acetosella)		<u> </u>
Sowthistle, Annual	(Aonchus oleraceus)	X	
Speedwell	(Veronica spp.) (Euphorbia spp.)	<u> </u>	
Spurge, (annuals) Spurge, prostrate	(Euphorbia	x	·
Spurge, spotted	humistrata) (Euphorbia		
	maculata)	x	
Star of Bethlehem	(Ornithogalum umbellatum)	x	
Sunflower, Common	(Helianthus annus)	X	
Violet, wild	(Viola pratincola)	X	
Virginia Buttonweed ²	(Diodia Virginiana)	' X	
Wild Carrot	(Daucús carota)	X	
Wild Celery	(Cyclospermum	x	
Wild garlic	(Allium vineale)	x	
Wild Lettuce	(Lactuca		
	Canadensis)	X	
Wild Mustard	(Brassica kaber)	<u>X</u>	
Wild onion	(Allium canadense)	<u> </u>	i
Woodsorrel, creeping Woodsorrel, yellow	(Oxalis comiculata) (Oxalis stricta)	<u> </u>	
Yarrow, Common	(Achillea millefolium)	Â.	
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¹Bahiagrass Control: For the selective control of Bahiagrass in Bermudagrass turf, use 2.0 to 3.0 oz of this product per acre. Use the higher rates of the range on Argentine, Common, and Paraguayan Bahiagrass. Apply a repeat treatment in 4 to 6 weeks if necessary. Some chlorosis or stunting of the Bermudagrass may occur following the application.

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³A repeat application may be needed in 4 to 6 weeks

⁴ May aid in overseeded ryegrass transition in Bermudagrass from spring application of F9007. Transition efficacy may be species dependant. Use half the label rate for application in residential and sports turf sites. Not for use on golf course putting greens.

Conditions of Sale and Limitation 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 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.

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 (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 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 RISING 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 LIABLITY 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.]

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