UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

October 21, 2022

Deborah Clark
Registration Manager
FMC Corporation
2929 Walnut St.
Philadelphia, PA 19104

Subject: Registration Review Label Mitigation for Fluthiacet-methyl and Carfentrazone-ethyl
Product Name: F9328-1EC
EPA Registration Number: 279-9558
Application Dates: 4/24/2020 and 6/10/2021
Decision Numbers: 562110 and 577077

Dear Deborah Clark:

The Agency, in accordance with the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended, has completed reviewing all the information submitted with your application to support the Registration Review of the above referenced product in connection with the Fluthiacet-methyl and Carfentrazone-ethyl Interim Decisions, and has concluded that your submission is acceptable. The label referred to above, submitted in connection with registration under FIFRA, as amended, is acceptable.

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 Federal Insecticide Fungicide and Rodenticide Act 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 section 12(a)(1)(E). 40 CFR 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 labeling is enclosed for your records. This labeling supersedes all previously accepted labeling. You must submit one copy of the final printed labeling before you release the product for shipment with the new labeling. In accordance with 40 CFR 152.130(c), you may distribute or sell this product under the previously approved labeling for 12 months from the date of this letter. After 12 months, you may only distribute or sell this product if it bears this new revised labeling or subsequently approved labeling. "To distribute or sell" is defined under FIFRA section 2(gg) and its implementing regulation at 40 CFR 152.3.

If you have any questions about this letter, please contact Quinn Gavin by phone at 202-566-2284, or via email at gavin.quinn@epa.gov.

Sincerely,

Linda Arrington, Branch Chief
Risk Management and Implementation Branch 4
Pesticide Re-Evaluation Division
Office of Pesticide Programs

Enclosure

CARFENTRAZONE-ETHYL	GROUP	14	HERBICIDE
FLUTHIACET-METHYL	GROUP	14	HERBICIDE

F9328-1EC

(ABN: Display Cotton Harvest Aid)

NOT FOR SALE OR USE IN CALIFORNIA

EPA Reg. No. 279-9558 **EPA Est. _____**

ACTIVE INGREDIENT:	**By Wt.**
Carfentrazone-ethyl	18.04%
Fluthiacet-methyl	4.75%
Other Ingredients	77.21%
Total:	100.0%

This product contains 0.43 lb. fluthiacet-methyl and 1.62 lbs. carfentrazone-ethyl per gallon.
Contains Petroleum Distillates

KEEP OUT OF REACH OF CHILDREN

WARNING/AVISO

Si usted no entiende esta etiqueta, busque a alguien para que se la explique a usted en detalle.
(If you do not understand this label, find someone to explain it to you in detail.)

FIRST AID

IF IN EYES: Hold eye open and rinse slowly and gently with water for 15 to 20 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. Call a poison control center or doctor for treatment advice.

IF SWALLOWED: Immediately call a poison control center or doctor. **DO NOT** induce vomiting unless told to do so by the poison control center or doctor. **DO NOT** give any liquid to the person. **DO NOT** give anything by mouth to an unconscious person.

IF ON SKIN OR CLOTHING: Take off contaminated clothing. Rinse skin immediately with plenty of water for 15 to 20 minutes. Call a poison control center or doctor for treatment advice.

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.

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.

Note to Physician: F9328-1 EC contains petroleum distillate. Probable mucosal damage may contraindicate the use of gastric lavage. Treatment is otherwise controlled removal of exposure followed by symptomatic and supportive care.

See other panels for additional precautionary information.

Sold By:

FMC Corporation
2929 Walnut Street
Philadelphia, PA 19104

ACCEPTED
Oct 21, 2022
Under the Federal Insecticide, Fungicide and Rodenticide Act as amended, for the pesticide registered under EPA Reg. No. 279-9558

PRECAUTIONARY STATEMENTS

Hazards to Humans (and Domestic Animals)

Warning

Causes substantial, but temporary eye injury. **DO NOT** get in eyes or on clothing. Wear protective eyewear. Harmful if swallowed. Avoid contact with eyes, skin or clothing. Wash thoroughly with soap and water after handling. Prolonged or frequently repeated skin contact may cause allergic reaction in some individuals.

Personal Protective Equipment (PPE)

Mixers, loaders, applicators and other handlers must wear:
Coveralls worn over short-sleeved shirt and short pants
Chemical-resistant gloves made of barrier laminate or viton ≥ 14 mils
Shoes plus socks
Protective eyewear (goggles or face shield)

When mixing and loading wear a chemical-resistant apron. 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.

Engineering Control Statements:
Pilots must use cockpits in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.240(d)(4-6)].

IMPORTANT:
When reduced PPE is worn because a closed system is being used, handlers must be provided all PPE specified above for "applicators and other handlers" and have such PPE immediately available for use in an emergency, including a spill or equipment breakdown.

USER SAFETY RECOMMENDATIONS:

USERS MUST:

- Wash hands thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet.
- Remove clothing/PPE immediately if pesticide gets inside. Then wash-thoroughly and put on clean clothing.
- Remove PPE immediately after handling the product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

ENVIRONMENTAL HAZARDS

F9328-1 EC 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 high water mark. **DO NOT** contaminate water when disposing of equipment wash waters or rinsate.

Ground Water Advisory:
This chemical and its degradation products have properties and characteristics associated with chemicals detected in ground water. This chemical may leach into ground water if used in areas where soils are permeable, particularly where the water table is shallow.

Fish Advisory Statement:
This product may be hazardous to aquatic organisms, particularly in clear, shallow water bodies that are adjacent to treated areas. Transport to water by runoff or spray drift of this product in areas where surface water is present, or intertidal areas below the mean high water mark, should be avoided. **DO NOT** contaminate water when disposing of equipment wash water or rinsate.

Non-target Organism Advisory Statement:
This product is toxic to plants and may adversely impact the forage and habitat of non-target organisms, including pollinators, in areas adjacent to the treated site. Protect the forage and habitat of non-target organisms by minimizing spray drift.

Surface Water Advisory:
This product and its degradation products may impact surface water quality due to runoff of rain water. This is especially true for poor draining soils and soils with shallow ground water. This product is classified as having high potential for reaching both surface water and aquatic sediment via runoff for several months or longer after application.

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.

Only use for sites, pests, and application methods specified on this labeling.

Up to 12 months following application to cotton the subsequent planted crop must only be a registered crop.

Use Restrictions

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.

Endangered Species:
It is a Federal offense to use any pesticide in a manner that results in the death of an endangered species. Use of this product may pose a hazard to endangered or threatened species. When using this product, you must follow the measures contained in the Endangered Species Protection Bulletin for the county in which you are applying the product. To obtain Bulletins, no more than six months before using this product, consult http://www.epa.gov/espp/ or call 1-800-447-3813. You must use the Bulletin valid for the month in which you will apply the product.

WEED RESISTANCE MANAGEMENT

F9328-1 EC contains two Group 14 (carfentrazone-ethyl and fluthiacet-methyl) herbicides based on the mode of action classification system of the Weed Science Society of America.
Proactively implementing diversified weed control strategies to minimize selection for weed populations resistant to one or more herbicides is a best practice. A diversified weed management program may include the use of multiple herbicides with different sites of action and overlapping weed spectrum with or without tillage operations and/or other cultural practices.

Research has demonstrated that using the labeled rate and directions for use is important to delay the selection for resistance.

The continued effectiveness of this product depends on the successful implementation of a weed resistance management program.

To aid in the prevention of developing weeds resistant to this product, users should:

- Scout fields before application to ensure herbicides and rates will be appropriate for the weed species and weed sizes present.
- Start with a clean field, using either a burndown herbicide application or tillage.
- Control weeds early when they are relatively small (less than 4 inches).
- Apply full rates of F9328-1 EC for the most difficult to control weed in the field at the specified time (correct weed size) to minimize weed escapes.
- Scout fields after application to detect weed escapes or shifts in control of weed species.

- Control weed escapes before they reproduce by seed or proliferate vegetatively.
- Report any incidence of non-performance of this product against a particular weed to your FMC representative, local retailer, or county extension agent.
- Contact your FMC representative, crop advisor, or extension agent to find out if suspected resistant weeds to this MOA have been found in your region. If resistant biotypes of target weeds have been reported, use the application rates of this product specified for your local conditions. Tank mix products so that there are multiple effective sites of actions for each target weed.
- If resistance is suspected, treat weed escapes with an herbicide having a site of action other than Group 14 and/or use nonchemical methods to remove escapes, as practical, with the goal of preventing further seed production.
- Suspected herbicide-resistant weeds may be identified by these indicators:
    - Failure to control a weed species normally controlled by the herbicide at the dose applied, especially if control is achieved on adjacent weeds;
    - A spreading patch of non-controlled plants of a particular weed species; and
    - Surviving plants mixed with controlled individuals of the same species.

Additionally, users should follow as many of the following herbicide resistance management practices as is practical:

- Use a broad spectrum soil-applied herbicide with other sites of action as a foundation in a weed control program.
- Utilize sequential applications of herbicides with alternative sites of action.
- Rotate the use of this product with non-Group 14 herbicides.
- Incorporate non-chemical weed control practices, including mechanical cultivation, crop rotation, cover crops and weed-free crop seeds, as part of an integrated weed control program.
- Use good agronomic principles that enhance crop development and crop competitiveness.
- Thoroughly clean plant residues from equipment before leaving fields suspected to contain resistant weeds.
- Manage weeds in and around fields, during and after harvest to reduce weed seed production.

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 24 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, including plants, soil, or water is:

Coveralls worn over short-sleeved shirt and short pants, chemical-resistant gloves made of barrier laminate or viton ≥ 14 mils and shoes plus socks.

PESTICIDE STORAGE AND DISPOSAL

DO NOT contaminate water, food or feed by storage or disposal.

Pesticide Storage

Store product in original container only. **DO NOT** contaminate water, food, or feed by storage or disposal. Store in a cool dry place and avoid excess heat. **DO NOT** store below 32°F degrees.

In Case of Spill

Avoid contact. Isolate areas and keep out animals and unprotected persons.

To Confine Spills

Dike surrounding area; sweep up spillage, Dispose of in accordance with information given under Pesticide Disposal. Wash spill area with water, absorb with sand, cat litter or commercial clay, sweep up and dispose of in an approved manner. Place damaged container in a large holding container. Identify contents per required hazardous waste labeling regulations.

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 of the nearest EPA Regional Office for guidance.

CONTAINER DISPOSAL

Metal or Plastic Containers - **Nonrefillable container. DO NOT** reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows:

For containers greater than 5 gallons: Empty the remaining contents into application equipment or a mix tank. Fill the container 1/4 full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times. Then offer for recycling if available, or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.

For containers 5 gallons or less: 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 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 reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities. **DO NOT** cut or weld metal containers.

Refillable Container: Refill this container with pesticide only. **DO NOT** reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To clean the container before final disposal, empty the remaining contents into application equipment or mix tank. Fill the container about 10% full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times. Then offer for recycling if available or reconditioning if appropriate or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.

PRODUCT INFORMATION

F9328-1 EC is an EC formulation. F9328-1 EC is to be mixed with water, liquid fertilizer or mixtures of water and liquid fertilizer and adjuvants and applied for selective postemergence control of broadleaf weeds and/or for burndown prior to planting in corn (field, pop, and sweet) and soybeans as well as a harvest aid in cotton.

F9328-1 EC is a contact herbicide. Weed control is optimized when the product is applied to actively growing weeds up to 4 inches in height. Within a few hours following application, the foliage of susceptible weeds show signs of desiccation, and in subsequent days necrosis and death of the plant occurs.

Extremes in environmental conditions including temperature, moisture, soil conditions, and cultural practices may affect the activity of F9328-1 EC. Under warm moist conditions, herbicide symptoms may be accelerated. While under very dry conditions, the expression of herbicide symptoms may be reduced as weeds hardened off by drought are less susceptible to F9328-1 EC.

F9328-1 EC is rapidly absorbed through the foliage of plants. To avoid significant crop response, applications should not be made within 6 to 8 hours of either rain or irrigation or when heavy dew is present on the crop. Due to environmental conditions and with certain spray tank additives, some herbicidal symptoms may appear on the crop.

Tank Mixtures
F9328-1 EC may be tank mixed with other herbicides registered for the same uses to control weeds not listed on this label. Follow the most restrictive label limitations and precautions for the products being tank mixed. Tank mixtures of F9328-1 EC with EC formulations of other crop protection products, crop oil concentrates, methylated seed oils, silicone based adjuvants, 28% nitrogen or ammonium sulfate may increase crop response.

Adjuvant Use Requirements
The use of a quality spray adjuvant is required for optimum performance. Refer to the individual crop recommendation sections of this label for specific adjuvant type and use rates.

Methods of Application
F9328-1 EC is a versatile herbicide utilizing several different application methods to achieve the desired results. If F9328-1 EC is being applied in standing crop situations, application methods and adjustments must be precise to prevent undesirable effects to the desirable green stem tissue, foliage, blooms or fruit of the crop.

Aerial Application
1. Use a minimum of 5 gallons of water per acre
2. Take care to ensure that the application does not drift to non-target areas

Ground Applications
1. Use a minimum of 10 gallons of water per acre
2. Use a pump with enough capacity to maintain a rippling or rolling action in the spray tank
3. For a uniform spray mixture, agitation during mixing and application is required.

Mixing and Loading Instructions
Fill the spray tank 3/4 full with clean water. Make sure the agitation system is operating while adding products. Complete filling the spray tank to the desired level. The spray tank agitation should be sufficient to ensure uniform spray mixture during application and must continue until the spray tank has been emptied. When tank mixing with other products, F9328-1 EC should be mixed in the spray tank first. After the F9328-1 EC is thoroughly mixed, add the other products as specified on their label. Ensure the compatibility of other products with F9328-1 EC before mixing them together in the spray tank.

Avoid overnight storage of F9328-1 EC spray mixtures.

Premixing F9328-1 EC spray solutions in nurse tanks is not recommended.

Maintain continuous and adequate spray solution agitation until all the spray solution has been used.

Chemigation: DO NOT apply this product through any type of irrigation equipment.

DO NOT use with tank additives that alter the pH of the spray solution below pH 5 or above pH 8. Buffer spray solution to alter the pH range as appropriate.

SPRAY EQUIPMENT CLEAN-OUT

Many new pesticides are very active at low rates, especially to sensitive crops. Residues left in mixing equipment, spray tanks, hoses, spray booms and nozzles can cause crop effects if they are not properly cleaned. As soon as possible after spraying F9328-1 EC and before using the sprayer equipment for any other applications, the sprayer equipment must be thoroughly cleaned using the following procedure. In addition, users must take appropriate steps to ensure proper equipment clean-out for any other products mixed with F9328-1 EC as required on the other product labels. More complete cleaning can be achieved if the spray system is cleaned immediately following the application.

1. Drain sprayer tank, hoses, spray boom and spray nozzles. Use a high-pressure detergent wash to remove physical sediment and residues from the inside of the sprayer tank and thoroughly rinse. Then thoroughly flush sprayer hoses, spray boom, and spray nozzles with a clean water rinse. Remove and clean spray tips and all filters and screens (tank, spray hose and spray tips) separately in the ammonia solution of Step 2.

2. Next, prepare a sprayer cleaning solution by adding three gallons of ammonia (containing at least 3% active) per 100 gallons of clean water. Prepare sufficient cleaning solution to allow the operation of the spray system for a minimum of 15 minutes to thoroughly flush hoses, spray boom and spray nozzles.

3. Convenient and thorough cleaning of the sprayer can be achieved if the ammonia solution or fresh water is left in the spray tank, hoses, spray booms and spray nozzles overnight or during storage.

4. Before using the sprayer, completely drain the sprayer system. Rinse the tank with clean water and flush through the hoses, spray boom, and spray nozzles with clean water. Remove and clean spray tips and all filters and screens (tank, spray hose and spray tip) separately in an ammonia solution.

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

DO NOT apply sprayer cleaning solutions or rinsate to sensitive crops.

DO NOT store the sprayer overnight or for any extended period of time with F9328-1 EC spray solution remaining in the tank, spray lines, spray boom plumbing, spray nozzles or strainers.

If the sprayer has been stored or idle, purge the spray boom and nozzles with clean water before beginning any application.

Should small quantities of F9328-1 EC remain in inadequately cleaned mixing, loading and/or spray equipment, they may be released during subsequent applications potentially causing effects to certain crops and other vegetation. FMC accepts no liability for any effects due to inadequately cleaned equipment.

APPLICATION INFORMATION

GROUND APPLICATION

Use ground sprayers designed, calibrated, and operated to deliver uniform spray droplets to the targeted plant or plant parts. Adjust sprayer nozzles to achieve uniform plant coverage. Overlaps and slower ground speeds (caused by continuing to spray while starting, stopping or turning) may result in higher application rates.

Conventional Boom and Nozzle Sprayers
Use a boom and nozzle sprayer equipped with the appropriate nozzles, spray tips, and screens, and adjusted to provide optimum spray distribution and coverage at the appropriate operating pressures. Use nozzles that produce minimal amounts of fine spray droplets. **DO NOT** exceed 30 psi spray pressure unless otherwise required by the manufacturer of drift reducing nozzles. Apply a minimum of 10 gallons of finished spray per acre. Use higher spray volumes when there is a dense weed population or crop canopy. Adjust sprayers to position spray tips no lower than 18 inches above the crop. Operate the sprayer to avoid the application of high herbicide rates directly over the rows and/or into the whorl of treated crop plants.

AERIAL APPLICATION

Use nozzle types and arrangements that will provide optimum coverage while producing a minimal amount of fine droplets. Apply at a minimum of 5 gallons of finished spray per acre. Higher aerial spray volumes are required for harvest aid and defoliation treatments. Higher spray volumes are required when there is a dense weed population or crop canopy.

MANDATORY SPRAY DRIFT MANAGEMENT

Ground Boom Applications:

- Apply with the nozzle height recommended by the manufacturer, but no more than 3 feet above the ground or crop canopy.
- For applications prior to the emergence of crops and target weeds, applicators are required to use a Coarse or coarser droplet size (ASABE S572.1).
- For all other applications, applicators are required to use a Medium or coarser droplet size (ASABE S572.1).
- **DO NOT** apply when wind speeds exceed 10 miles per hour at the application site.
- **DO NOT** apply during temperature inversions.

Aerial Applications:

- **DO NOT** release spray at a height greater than 10 feet above the vegetative canopy, unless a greater application height is necessary for pilot safety.
- For applications prior to the emergence of crops and target weeds, applicators are required to use a Coarse or coarser droplet size (ASABE S572.1).
- For all other applications, applicators are required to use a Medium or coarser droplet size (ASABE S572.1).
- The distance of the outer most nozzles on the boom must not exceed 75% of the length of the wingspan or 90% of rotor diameter. To further reduce drift, use on half of the length of the wingspan or rotor diameter at the edge of the field.
- Applicators must use one-half swath displacement upwind at the downwind edge of the field.
- Nozzles must be oriented so the spray is directed toward the back of the aircraft.
- **DO NOT** apply when wind speeds exceed 10 miles per hour at the application site.
- **DO NOT** apply during temperature inversions.

SPRAY DRIFT MANAGEMENT ADVISORIES

THE APPLICATOR IS RESPONSIBLE FOR AVOIDING OFF-SITE SPRAY DRIFT.
BE AWARE OF NEARBY NON-TARGET SITES AND ENVIRONMENTAL CONDITIONS.

Carfentrazone-ethyl and fluthiacet-methyl are contact herbicides. Avoid any drift conditions that would allow the product to contact desirable vegetation. Carfentrazone-ethyl and fluthiacet-methyl are not volatile; however, mist from spray drift may cause injury to sensitive plants.

The interaction of many equipment and weather related factors determine the potential for spray drift. The applicator and the grower are responsible for considering all these factors when making decisions.

The following drift management requirements must be followed to avoid off-target movement from applications to agricultural field crops. These requirements **DO NOT** apply to forestry applications, public health uses or to applications of dry materials.

Where states have more stringent regulations, they must be observed.

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

For all non-aerial applications, wind speed must be measured adjacent to the application site, on the upwind side, immediately prior to application.

Drift Reduction Technology (DRT) - The EPA Drift Reduction Technology (DRT) Program was developed to encourage the manufacture, marketing, and use of spray technologies scientifically verified to significantly reduce pesticide drift. The use of DRTs should result in significantly less pesticide from spray applications drifting and being deposited in areas not targeted by those applications, compared to spray technologies that do not meet the minimum DRT standard. EPA-verified drift reduction technologies (DRTs) and their ratings will be added to the following webpage as they become available: https://www.epa.gov/reducing-pesticide-drift/epa-verified-and-rated-driftreduction-technologies

IMPORTANCE OF DROPLET SIZE

An effective way to reduce spray drift is to apply large droplets. Use the largest droplets that provide target pest control. While applying larger droplets will reduce spray drift, the potential for drift will be greater if applications are made improperly or under unfavorable environmental conditions.

Controlling Droplet Size – Ground Boom

- Volume - Increasing the spray volume so that larger droplets are produced will reduce spray drift. Use the highest practical spray volume for the application. If a greater spray volume is needed, consider using a nozzle with a higher flow rate.
- Pressure - Use the lowest spray pressure recommended for the nozzle to produce the target spray volume and droplet size.
- Spray Nozzle - Use a spray nozzle that is designed for the intended application. Consider using nozzles designed to reduce drift.

Controlling Droplet Size – Aircraft

Adjust Nozzles - Follow nozzle manufacturers recommendations for setting up nozzles. Generally, to reduce fine droplets, nozzles should be oriented parallel with the airflow in flight.

BOOM HEIGHT – Ground Boom

Use the lowest boom height that is compatible with the spray nozzles that will provide uniform coverage. For ground equipment, the boom should remain level with the crop and have minimal bounce.

RELEASE HEIGHT – Aircraft

Higher release heights increase the potential for spray drift.

SHIELDED SPRAYERS

Shielding the boom or individual nozzles can reduce spray drift. Consider using shielded sprayers. Verify that the shields are preventing drift and not interfering with the uniform deposition of the spray on the target area.

TEMPERATURE AND HUMIDITY

When making applications in hot and dry conditions, use larger droplets to reduce effects of evaporation.

TEMPERATURE INVERSIONS

Drift potential is high during a temperature inversion. Temperature inversions are characterized by increasing temperature with altitude and are common on nights with limited cloud cover and light to no wind. The presence of an inversion can be indicated by ground fog or by the movement of smoke from a ground source or an aircraft smoke generator. Smoke that layers and moves laterally in a concentrated cloud (under low wind conditions) indicates an inversion, while smoke that moves upward and rapidly dissipates indicates good vertical air mixing. Avoid applications during temperature inversions.

WIND

Drift potential generally increases with wind speed. AVOID APPLICATIONS DURING GUSTY WIND CONDITIONS. Applicators need to be familiar with local wind patterns and terrain that could affect spray drift.

HANDHELD TECHNOLOGY APPLICATIONS:

Take precautions to minimize spray drift

DRIFT CONTROL ADDITIVES

Using product compatible drift control additives can reduce drift potential. When a drift control additive is used, read and carefully observe cautionary statements and all other information on the additive’s label. If using an additive that increases viscosity, ensure that the nozzles and other application equipment will function properly with a viscous spray solution.

Preferred drift control additives have been certified by the Council of Producers & Distributors of Agrotechnology (CPDA).

Sensitive Areas – F9328-1 EC shall only be applied when the wind is blowing away from adjacent sensitive areas (e.g. residential areas, bodies of water, known habitats for threatened or endangered species and non-target crops).

PREPLANT BURNDOWN in Corn & Soybean

Apply F9328-1 EC no later than one day after planting corn (field, pop, sweet) or soybeans. alone or with other herbicides or liquid fertilizers as a preplant burndown treatment to control or suppress weeds. F9328-1 EC is effective as a burndown treatment for previous crops prior to new plantings. Apply F9328-1 EC at 1.1 - 1.5 fl oz/A (0.0036 - 0.005 lb ai/A fluthiacet-methyl and 0.014 - 0.019 lb ai/A carfentrazone-ethyl)
per application. For optimum performance, make applications to actively growing weeds up to 4 inches high or rosettes less than 3 inches across. Coverage is essential for good control. Optimum broad-spectrum control of annual and perennial weeds requires a tank mix with burndown herbicides such as glyphosate, glufosinate, paraquat, 2, 4-D, or dicamba.

Adjuvant Requirements
A nonionic surfactant or crop oil concentrate or methylated seed oil is required. Use a nonionic surfactant (NIS) at 0.25% v/v (2 pints per 100 gallons of spray solution) having at least 80% active ingredient or a petroleum or oil seed based crop oil concentrate (COC) at 1.5 to 2 % v/v (1.5 to 2.0 gallons per 100 gallons of spray solution) or a methylated seed oil (MSO). A high quality sprayable liquid nitrogen fertilizer at 2 to 4 % v/v (2 to 4 gallons per 100 gallons) or ammonium sulfate at 2 to 4 pounds per acre in addition to the selected NIS, MSO or COC is allowed.

Restrictions
DO NOT apply later than 1 day after planting corn (field, pop, sweet) or soybeans.
DO NOT apply more than 1.5 fl oz/A (0.005 lb ai/A fluthiacet-methyl and 0.019 lb ai/A carfentrazone-ethyl) per application.
For Corn: DO NOT apply more than 2.2 fl oz/A (0.0074 lb ai/A fluthiacet-methyl and 0.0278 lb al/A carfentrazone-ethyl) per year. This includes burndown treatments and all in-season treatments.
For Soybeans: DO NOT apply more than 1.8 fl oz /A (0.006 lb ai/A fluthiacet-methyl and 0.023 lb ai/A carfentrazone-ethyl) per year. This includes burndown treatments and all in-season treatments.

CORN

(Includes Field Corn, Seed Corn, Popcorn, and Sweet Corn for Processing and Fresh Market)

Timing and Method of Application:
Field corn, seed corn and popcorn
F9328-1 EC can be applied from preplant through up to 48 inches in height but before tasseling. F9328-1 EC may be applied broadcast from preplant through V8 stage or 30 inches, whichever comes first. The spray boom should be maintained a minimum of 18 inches above the crop canopy to ensure uniform spray delivery and avoid concentrating spray in corn whorls. For corn from 30-48 inches tall, F9328-1 EC should be applied with drop nozzles capable of directing the spray to the target weeds and away from the whorl and sensitive crop foliage of the corn to improve weed control and reduce potential crop response. Drop nozzles should be aligned between the corn rows and nozzles should be at a height that is sufficiently below the corn whorl and developing ear leaves to avoid concentrating spray into corn whorls and ear shoots. Failure to follow these guidelines in application has the potential to increase crop response.

Sweet Corn
For use in **sweet corn** apply F9328-1 EC from preplant up through up to 48 inches in height but before tasseling.

For optimum performance, make application to actively growing weeds up to 2 to 4 inches tall and rosettes less than 3 inches across. Coverage is essential for good control. Refer to the table below for weeds controlled at labeled rates of F9328-1 EC. Application after weeds have reached the listed maximum height for control could result in commercially unacceptable weed control. F9328-1 EC may be tank mixed with other herbicides registered for use in corn to improve weed spectrum or general weed control unless restricted under the corn crop section.

Adjuvant Requirements
For Field and Popcorn:
Use a nonionic surfactant (NIS) at 0.25% v/v (2 pints per 100 gallons of spray solution) having at least 80% active ingredient. Under dry conditions, the use of a crop oil concentrate (COC) at 1.0% v/v may improve weed control. The use of a crop oil concentrate may increase leaf speckling on the treated corn leaves.
For Sweet Corn:
Use only NIS at 0.25% v/v having at least 80% active ingredient.

To control weeds not listed on this label, F9328-1 EC may be tank mixed with other herbicides registered for use in corn. When tank mixing F9328-1 EC with other products, be sure F9328-1 EC is added to the spray tank water first and thoroughly mixed. For specific mixing instructions, refer to the Mixing and Loading Instructions under the PRODUCT INFORMATION section.

Refer to the other product's label for restrictions on tank mixing, and observe all label precautions, instructions, and rotational cropping restrictions. Adjust sprayers to position spray tips no lower than 18 inches above the crop. Operate the sprayer to avoid the application of high herbicide rates directly over the rows and/or into the whorl of the corn plant. Overlaps and slower ground speeds (caused by continuing to spray while starting, stopping or turning) may result in higher application rates and possible crop response.

F9328-1 EC Use Rates
Use F9328-1 EC at 0.65 to 1.3 fl oz/A (0.002 lb ai/A fluthiacet-methyl and 0.008 lb ai/A carfentrazone-ethyl to 0.0044 lb ai/A fluthiacet-methyl and 0.016 lb ai/A carfentrazone-ethyl) per application. Use higher rates when weeds are under stress or are larger.

Applications shall be made by ground equipment using a minimum finished spray volume of 10 gallons of spray per acre or by air at a minimum finished spray volume of 3 gallons of spray per acre.

Application Precaution
The application of F9328-1 EC to corn may result in temporary crop response such as speckling or necrosis of the leaves. Yields will not be affected. **DO NOT** make applications when air temperatures are abnormally cool or humidity is high or if the corn foliage is wet from dew, rainfall or irrigation.

For additional information regarding potential crop response, refer to the PRODUCT INFORMATION section of the F9328-1 EC label.

Restrictions:
- **DO NOT** apply more than 1.3 fl oz/A (0.0044 lb ai/A fluthiacet-methyl and 0.016 lb ai/A carfentrazone-ethyl) per application and a total of 2.2 fl oz/A (0.0074 lb ai/A fluthiacet-methyl and 0.0278 lb ai/A carfentrazone-ethyl) of F9328-1 EC per year including preplant burndown and post applications.
- **DO NOT** harvest or feed field corn forage until 30 days after the last application of F9328-1 EC.
- **DO NOT** harvest or feed field corn or popcorn grain or stover (fodder) until 70 days after the last application of F9328-1 EC.
- **DO NOT** harvest or feed sweet corn forage or ears until 40 days after the last application of F9328-1 EC. **DO NOT** harvest or feed sweet corn stover (fodder) until 70 days after the last application of F9328-1 EC.

WEEDS CONTROLLED

When used as directed, F9328-1 EC will provide control of the listed weeds up to four (4) inches in height, or as specified.

Weeds Controlled	F9328-1 EC Use Rate
Lambsquarters, common (up to 3 inches tall)	**0.65 fl oz/A** (0.002 lb ai/A fluthiacet-methyl and 0.008 lb ai/A carfentrazone-ethyl)
Morningglory, ivyleaf (up to 3 leaves)	
Morningglory, pitted (up to 3 leaves)	
Nightshade, Eastern black	
Pigweed, redroot	

When used as directed, F9328-1 EC will provide control of the listed weeds up to four (4) inches in height, or as specified.

Weeds Controlled	F9328-1 EC Use Rate
All the weeds controlled at 0.65 fl oz/A plus the weeds listed below:	**1.1 fl oz/A** (0.0036 lb ai/A fluthiacet-methyl and 0.014 lb ai/A carfentrazone-ethyl)
Cheeseweed	
Filaree, redstem	
Flixweed	
Lambsquarters, common	
Mallow, common	
Morningglory, spp.	
Nightshade, hairy	
Pennycress, field	
Pigweed, prostrate	
Pigweed, smooth	
Purslane, common	
Sesbania, hemp	
Tansymustard	
Waterhemp	
Velvetleaf	

When used as directed, F9328-1 EC will provide control of the listed weeds up to four (4) inches in height, or as specified.

Weeds Controlled	F9328-1 EC Use Rate
All the weeds controlled at 1.1 fl oz/A plus the weeds listed below:	**1.3 fl oz/A** (0.0044 lb ai/A fluthiacet-methyl and 0.016 lb ai/A carfentrazone-ethyl)
Amaranth, spiny	
Anoda, spurred	
Bedstraw, catchweed	
Burcucumber	
Carpetweed	
Cocklebur	
Copperleaf, hophornbeam	
Cotton, GMO varieties	
Cotton, volunteer	
Dayflower	
Eclipta	
Fiddleneck, coast	
Groundcherry, smooth (seedling)	
Groundcherry, Wright's	
Jimsonweed	
Kochia	
Pigweed, Spiny	
Rocket, London	
Morningglories, spp.	
Nightshade, American black	
Nightshade, black	
Shepherdspurse	
Smartweed, Pennsylvania	
Spiderwort, tropical	
Thistle, Russian	
Wallflower, bushy	
Wild Buckwheat	

Special Corn Use Applications

Directed Applications
Apply F9328-1 EC with drop nozzles or other sprayers capable of directing the spray to the target weeds and away from the whorl of the corn plant. Apply F9328-1 EC up to the maximum of 2.5 fl oz/A (0.0084 lb ai/A fluthiacet-methyl and 0.031 lb ai/A carfentrazone-ethyl) per year. Rates above 0.65 fl oz/A F9328-1 EC (0.002 lb ai/A fluthiacet-methyl and 0.008 lb ai/A carfentrazone-ethyl) will aid in control of larger weeds as listed under "Control of Weeds". Be aware that weeds growing in and under dense canopies may not receive adequate spray coverage necessitating the use of higher spray volumes for acceptable control. Use appropriate rates of adjuvants such as non-ionic surfactant (NIS), crop oil concentrate (COC) or methylated seed oil (MSO).

Hooded Sprayer Applications
Apply F9328-1 EC with hooded sprayers to control labeled weeds between the rows of the crop. Hooded sprayers must be designed and operated so as to totally enclose the spray nozzles and tips and spray pattern and prevent any spray deposition to the crop being treated.

Seed Corn Production
For seed production fields, apply F9328-1 EC using drop nozzles or other equipment to make a directed spray treatment. Avoid directing spray solution into the whorl.

Seed corn inbreds have generally shown good tolerance to F9328-1 EC. However, all inbreds have not been tested. Broadcast applications may result in spray being concentrated into the whorl of the plant that will increase leaf response. To minimize application into the whorl of the plants, drop nozzles or other type directed sprayers must be used to direct the spray to the targeted weeds.

Sweet Corn Precaution
Broadcast applications may result in spray being concentrated into the whorl of the plant that will increase leaf response. To minimize application into the whorl of the plants, drop nozzles or other type directed sprayers must be used to direct the spray to the targeted weeds.

COTTON HARVEST AID TREATMENT

Harvest Aid Application
Apply F9328-1 EC as a harvest aid to defoliate and desiccate cotton and troublesome weeds that may be present at harvest. Apply F9328-1 EC alone or as a tank mixture with other cotton harvest aids.

Use a quality spray adjuvant, such as nonionic surfactant (NIS) or crop oil concentrate (COC) at the labeled rates. Use NIS adjuvants during warmer periods with COC being the better choice for applications during cooler periods.

Make application when 60 to 70 percent of the bolls are open, or according to the State Agricultural Extension Service guidelines in the use area. Only apply if bolls to be harvested have matured. Assure there are no more than 4 nodes between the highest 1st positioned cracked boll and the highest 1st positioned harvestable boll.
Apply F9328-1 EC as a broadcast spray at a rate of up to 1.0 fl oz/A (0.0033 lb ai/A fluthiacet-methyl and 0.0126 lb ai/A carfentrazone-ethyl) per application in spray volume sufficient to provide complete coverage of cotton foliage. Use a minimum of 10 gallons of finished spray per acre for ground application and 5 gallons per acre for aerial application. **Coverage is essential for good defoliation**. Repeat application if necessary to remove remaining foliage or control regrowth 6 to 10 days after the first application. **DO NOT** apply more than 2.0 fl oz/A F9328-1 EC (0.0067 lb ai/A fluthiacet-methyl and 0.0253 lb ai/A carfentrazone-ethyl) per year as a harvest aid. Dense cotton canopy, large plant size, and environmental conditions not conducive to complete plant coverage may reduce initial application performance and increase the need for a second application.

Apply F9328-1 alone, as a tank mix, or as a sequential application alone or tank mixed with other cotton harvest aid products which contain any of the following actives ingredients; ethephon, cyclanilide, tribufos, thidiazuron, diuron or other registered cotton harvest aid products. Consult with local State Agricultural Extension Service for tank mix recommended guidelines in the use area.

Refer to the other product's label for restrictions on tank mixing, and observe the most restrictive label precautions, instructions and rotational cropping restrictions for the products in mixture.

Restrictions
DO NOT apply within 7 days of harvest.
DO NOT apply more than 1.0 fl oz/A (0.0033 lb ai/A fluthiacet-methyl and 0.0126 lb ai/A carfentrazone-ethyl) per application as a harvest aid.
Maximum of 2 harvest aid applications per season with a minimum of 6 days between applications.

DO NOT apply more than 2.0 fl oz/A (0.0067 lb ai/A fluthiacet-methyl and 0.0253 lb ai/A carfentrazone-ethyl) per year.

SOYBEAN

Timing and Method of Application
Apply F9328-1 EC alone or as a tank mixture with other herbicides to emerged and actively growing weeds. Apply to soybeans in all tillage systems from prior to planting up to emergence. **DO NOT** apply F9328-1 EC during a period from emergence to V2. After plants have reached V3, applications are allowed up to V10. **DO NOT** apply when conditions favoring drift exist.

For optimum performance, make application to actively growing weeds up to 4 inches tall and rosettes less than 3 inches across. Use the higher rates when treating more mature weeds or dense vegetative growth. **Coverage is essential for good control.**

For additional information on crop response refer to the PRODUCT INFORMATION section of the F9328-1 EC label.

Broadcast Postemergence Application
Apply F9328-1 EC at 0.4 fl oz/A (0.0013 lb ai/A fluthiacet-methyl and 0.005 lb ai/A carfentrazone-ethyl) per application for the control of velvetleaf. DO NOT apply F9328-1 EC to soybeans with maturities less than Group 2.0. For soybeans of maturity Group 2.1 to 3.4, apply F9328-1 EC at rates up to 0.4 fl oz/A (0.0013 lb ai/A fluthiacet-methyl and 0.005 lb ai/A carfentrazone-ethyl) per application.

Adjuvant Requirements
Use NIS only as the adjuvant for this treatment at the rate of 0.25% v/v (2 pints per 100 gallons of spray solution).

For later maturing soybeans than Group 3.5, apply F9328-1 EC at rates up to 0.65 fl oz/A (0.002 lb ai/A fluthiacet-methyl and 0.008 lb ai/A carfentrazone-ethyl) per application. Use a nonionic surfactant (NIS) at 0.25% v/v (2 pints NIS per 100 gallons of spray solution) having at least 80% active ingredient.

Broadcast Application Precaution
The application of F9328-1 EC to soybeans may result in crop response. Soybeans may show some burn, speckling or necrosis of crop leaves. Soybeans quickly outgrow initial herbicide effects and yields are not affected. **DO NOT** make applications during conditions of abnormal cool, high humidity or if foliage is wet from dew, rainfall or irrigation. Users should be aware of these potential effects prior to making applications. If the user is not willing to accept these risks, applications should not be made.

For additional information on crop response, refer to the PRODUCT INFORMATION section of this label.

Tank Mixtures
F9328-1 EC may be tank mixed with other herbicides to control weeds listed on this label. **DO NOT** use with diphenylether herbicides. Follow the most restrictive label limitations and precautions for the products being tank mixed.

When tank mixing F9328-1 EC with other products, be sure the F9328-1 EC is added into the spray tank water first. For specific mixing instructions, refer to the Mixing and Loading Instructions under the PRODUCT INFORMATION section. For control of additional broadleaf weeds and grasses, F9328-1 EC may be tank mixed with glyphosate or glufosinate products for use on GMO soybeans. Leaf injury can occur when F9328-1 EC is used with certain formulations of crop protection products and adjuvants. Refer to the Tank Mixtures and Required Adjuvants sections under PRODUCT INFORMATION.

WEEDS CONTROLLED

When used as directed F9328-1 EC, at the rate of 0.65 fl oz/A (0.002 lb ai/A fluthiacet-methyl and 0.008 lb ai/A carfentrazone-ethyl) will provide control of the listed weeds up to four (4) inches in height, or as specified.

Lambsquarters, common (up to 3 inches tall)	Pigweed, redroot
Morningglory, ivyleaf (up to 3 leaves)	Velvetleaf
Morningglory, pitted (up to 3 leaves)	Waterhemp (up to 2 inches tall)
Nightshade, Eastern black (up to 4 inches tall)	

When used as directed F9328-1 EC, at the rate of 1.1 fl oz/A (0.0036 lb ai/A fluthiacet-methyl and 0.014 lb ai/A carfentrazone-ethyl), will provide control of the listed weeds up to four (4) inches in height, or as specified.

All the weeds controlled at 0.65 fl oz/A plus the listed weeds:	
Bindweed, field (Above ground plant parts only)	Pennycress, field
Cheeseweed	Pigweed, smooth
Filaree, redstem	Pigweed, prostrate
Flixweed	Purslane, common
Lambsquarters, common	Sesbania, hemp
Mallow, common	Smartweed, PA (seedling)
Morningglory spp.	Tansymustard
Nightshade, hairy	Waterhemp, common
	Waterhemp, tall

When used as directed F9328-1 EC, at the rate of 1.3 fl oz/A (0.0044 lb ai/A fluthiacet-methyl and 0.016 lb ai/A carfentrazone-ethyl), will provide control of the listed weeds up to four (4) inches in height, or as specified.

All the weeds controlled at 1.1 fl oz/A plus the listed weeds:	
Amaranth, spiny	Groundcherry, Wright's
Anoda, spurred	Groundcherry, smooth (seedling)
Bedstraw, catchweed	Jimsonweed
Buffalobur	Kochia
Carpetweed	Morningglories
Cocklebur	Nightshade, black
Copperleaf, hophornbeam	Nightshade, American black
Cotton, volunteer	Rocket, London
Cotton, GMO Varieties	Spiderwort, tropical
Dayflower	Shepherdspurse
Eclipta	Thistle, Russian
Fiddleneck, coast	Wallflower, bushy

When used as directed F9328-1 EC, at the rate of 1.8 fl oz/A (0.006 lb ai/A fluthiacet-methyl and 0.023 lb ai/A carfentrazone-ethyl), will provide control of the listed weeds up to four (4) inches in height, or as specified.

All the weeds controlled at 1.3 fl oz/A plus the listed weeds:	
Ammannia, purple	Lettuce, prickly
Buckwheat, wild	Mallow, Venice (up to 2 inches tall)
Buffalobur	Meadowfoam
Burclover	Mustard spp.
Filaree, broadleaf	Redmaids
Filaree, white	Spurry, corn

Hooded Sprayer Applications

Apply F9328-1 EC with hooded sprayers to control labeled weeds between the rows of the crop. Hooded sprayers must be designed and operated so as to totally enclose the spray nozzles and tips and spray pattern and prevent any spray deposition to the crop being treated.

Directed Sprayer Application

Use F9328-1 EC at 0.65 to 1.8 fl oz/A (0.002 lb ai/A. to 0.006 lb ai/A fluthiacet-methyl and 0.008 lb ai/A to 0.023 lb ai/A carfentrazone-ethyl). Applications shall be made by ground equipment using a finished volume of 10 to 20 gallons of spray per acre. When soybeans are grown under very dry soil moisture conditions, the use of a high quality sprayable liquid nitrogen fertilizer (2 to 4% v/v) or 2 to 4 gallons per 100 gallon spray solution) used in addition to the nonionic surfactant is allowed. Apply as a post-directed treatment with spray directed toward the base of the plant and avoid contact with soybean foliage. The use of spray shields may reduce spray contact with soybean foliage. F9328-1 EC contact with soybean foliage can result in significant crop response.

Restrictions
DO NOT apply more than 1.8 fl oz/A (0.006 lb ai/A fluthiacet-methyl and 0.023 lb ai/A carfentrazone-ethyl), per application.
DO NOT apply more than 1.8 fl oz/A (0.006 lb ai/A fluthiacet-methyl and 0.023 lb ai/A carfentrazone-ethyl**),** per year.
DO NOT feed treated soybean forage or soybean hay to livestock.
DO NOT use with diphenylether herbicides.
DO NOT apply when conditions favoring drift exist.
DO NOT apply when crop foliage is wet from dew, rainfall or irrigation.

PHI= 60 days: **DO NOT** harvest soybeans for 60 days following the last application of this product

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 of FMC or Seller. To the extent consistent with applicable law, all such risks shall be assumed by Buyer and User, and, to the extent consistent with applicable law, 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 permitted by 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 Condition of Sale and Limitation of Warranty and Liability may not be amended by any oral or written agreement.

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