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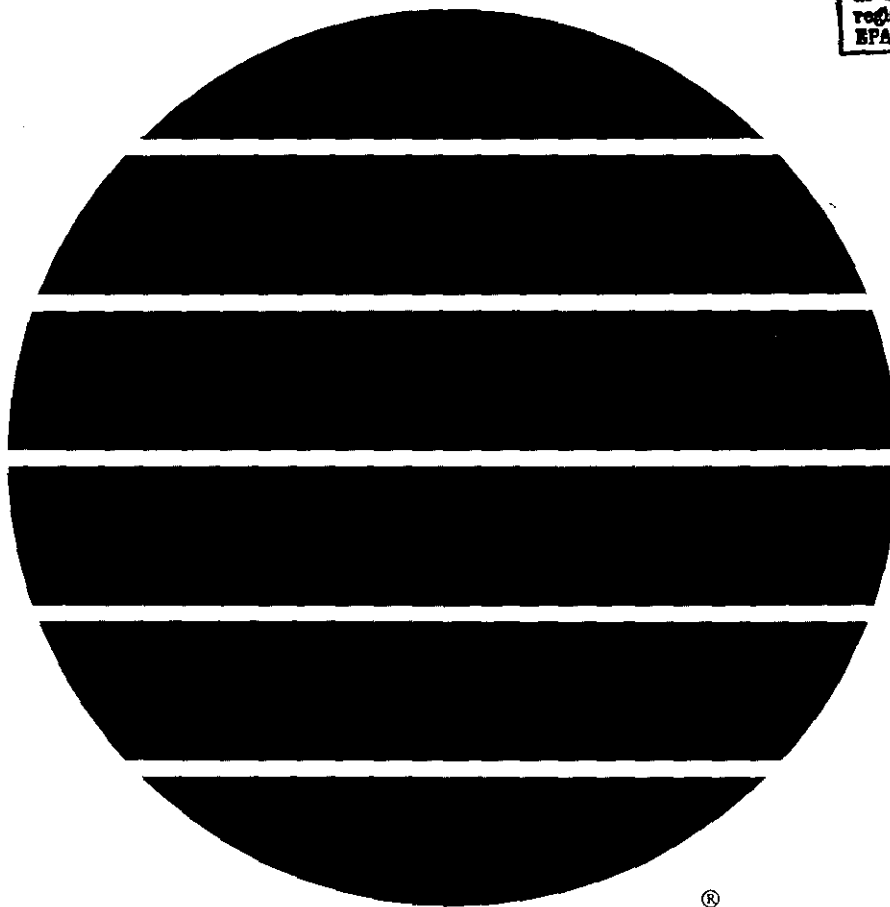
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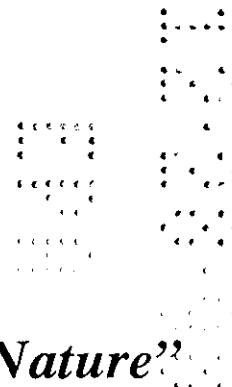
# Vydate® C-LV

insecticide

**ACCEPTED**  
 MAR 18 1999  
 Under the Federal Insecticide,  
 Fungicide, and Rodenticide Act,  
 as amended, for the pesticide  
 registered under  
 EPA Reg. No. 352-532



®



*"..... A Growing Partnership With Nature"*

# RESTRICTED USE PESTICIDE

Due to Acute Toxicity And Toxicity to Birds and Mammals.

For retail sale to and use only by Certified Applicators or persons under their direct supervision and only for those uses covered by the Certified Applicator's certification.



## Vydate® C-LV

### insecticide

*Water Soluble Liquid*

3.77 LBS. ACTIVE INGREDIENT PER GALLON.

| Active Ingredient  | By Weight |
|--|-----------|
| Oxamyl<br>[Methyl N'N'-dimethyl-N-[(methyl carbamoyloxy)-1-thiooxamimidate ] | 42%       |
| Inert Ingredients  | 58%       |
| TOTAL  | 100%      |

EPA Reg. No. 352-532

EPA Est. No. 352-TX-1

### KEEP OUT OF REACH OF CHILDREN

## DANGER



## POISON

## PELIGRO

Si usted no entiende la 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.)

### STATEMENT OF PRACTICAL TREATMENT

This product is an N-Methyl Carbamate insecticide.

**IF SWALLOWED** -- Call a physician or Poison Control Center. Drink 1 or 2 glasses of water and induce vomiting by touching back of throat with finger. Do not induce vomiting or give anything by mouth to an unconscious person.

**IF INHALED** -- Remove from exposure and have patient lie down and keep quiet. If patient is not breathing, start artificial respiration immediately. NEVER GIVE ANYTHING BY MOUTH TO AN UNCONSCIOUS PERSON.

**IN CASE OF CONTACT** -- Wash skin with plenty of soap and water; for eyes, flush with water for 15 minutes and get medical attention; remove and wash contaminated clothing before re-use.

**ATROPINE IS AN ANTIDOTE - SEEK MEDICAL ATTENTION AT ONCE IN ALL CASES OF SUSPECTED POISONING**

If warning symptoms appear (see WARNING SYMPTOMS under PRECAUTIONARY STATEMENTS section), get medical attention.

For medical emergencies involving this product, call toll free 1-800-441-3637.

### PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

**DANGER-POISON!** FATAL IF SWALLOWED OR INHALED. MAY BE FATAL IF ABSORBED THROUGH THE EYES. CAUSES IRREVERSIBLE EYE DAMAGE. MAY BE HARMFUL IF ABSORBED THROUGH THE SKIN. DO NOT BREATHE VAPORS. DO NOT GET IN EYES, ON SKIN, OR ON CLOTHING.

Pilot should not assist in the mixing and loading operation.

**WARNING SYMPTOMS** -- Oxamyl poisoning produces effects associated with anticholinesterase activity which may include weakness, blurred vision, headache, nausea, abdominal cramps, discomfort in the chest, constriction of pupils, sweating, slow pulse, muscle tremors.

#### NOTE TO PHYSICIAN

Treatment: Atropine sulfate should be used for treatment. Administer repeated doses, 1.2 to 2.0 mg. intravenously every 10 to 30 minutes until full atropinization is achieved. Maintain atropinization until the patient recovers. Artificial respiration or oxygen may be necessary. Allow no further exposure to any cholinesterase inhibitor until recovery is assured. Do not use morphine or 2-PAM.

For medical emergencies involving this product, call toll free 1-800-441-3637.

#### PERSONAL PROTECTIVE EQUIPMENT

Some materials that are chemical-resistant to this product are listed below. If you want more options, follow the instructions for category B on an EPA chemical-resistance category selection chart.

#### Applicators and other handlers must wear:

- Coveralls over short-sleeved shirt and short pants.
- Chemical-resistant gloves, such as barrier laminate or butyl rubber.
- Chemical-resistant footwear plus socks.
- Protective eyewear.
- Chemical-resistant headgear for overhead exposure.
- Chemical-resistant apron when cleaning equipment, mixing, or loading.

A respirator with an organic vapor-removing cartridge with a prefilter approved for pesticides (MSHA/NIOSH approval number prefix TC-23C), or a canister approved for pesticides (MSHA/NIOSH approval number prefix TC-14G) or a NIOSH approved respirator with an organic vapor (OV) cartridge or canister with any R, P or HE prefilter.

Discard clothing or other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. 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.

**PRECAUTIONARY STATEMENTS**  
(continued on next page)

### PRECAUTIONARY STATEMENTS

#### HAZARDS TO HUMANS AND DOMESTIC ANIMALS

#### ENGINEERING CONTROL STATEMENTS

##### Human flaggers must be in enclosed cabs.

When handlers use closed systems, enclosed cabs, or aircraft in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR part 170.240 (d)(4-6)], the handler PPE requirements may be reduced or modified as specified in the WPS.

The enclosed cabs must be used in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR part 170.240 (d)(4-6)]. The handler PPE requirements may be reduced or modified as specified in the WPS.

#### USER SAFETY RECOMMENDATIONS

**USERS SHOULD:** Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.

Remove clothing immediately if pesticide gets inside.

Then wash thoroughly and put on clean clothing.

Remove personal protective equipment immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

#### ENVIRONMENTAL HAZARDS

This pesticide is toxic to aquatic organisms (fish and invertebrates) and extremely toxic to birds. Cover or disc spill areas. Birds in treated areas may be killed. Do not apply directly to water, or to areas where surface water is present, or to intertidal areas below the mean high water mark. Drift and runoff may be hazardous to aquatic organisms in neighboring areas. Do not contaminate water when disposing of equipment washwaters.

This product is highly toxic to bees exposed to direct treatment or residues on blooming crops or weeds. Do not apply this product or allow to drift to blooming crops or weeds if bees are visiting the treatment area.

**GROUND WATER ADVISORY** -- Residues of "VYDATE" C-LV can seep or leach through soil and can contaminate ground water which may be used for drinking. Users are advised not to apply "VYDATE" C-LV where the water table is close to the surface and where soils are very permeable, i.e., well-drained soils such as loamy sands. Local agricultural Agencies can provide information on the soil type in your area and the location of the ground water.

#### PHYSICAL AND CHEMICAL HAZARDS

Keep container closed. Use with adequate ventilation.

### DIRECTIONS FOR USE

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

Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application.

For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation.

#### AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR part 170.

This Standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal 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 48 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 short-sleeved shirt and short pants.
- Chemical-resistant gloves, such as barrier laminate or butyl rubber.
- Chemical-resistant footwear plus socks.
- Protective eyewear.
- Chemical-resistant headgear for overhead exposure.

Du Pont VYDATE C-LV Insecticide should be used only in accordance with recommendations on this label or in separate Du Pont recommendations available through local dealers.

Du Pont will not be responsible for losses or damages resulting from use of this product in any manner not specifically recommended by Du Pont. User assumes all risks associated with such non-recommended use.

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

#### GENERAL INFORMATION

VYDATE C-LV is a water soluble liquid to be diluted with water or mixed with refined vegetable oil (cotton only) for application. Do not plant crops other than cotton, carrots, celery, cucumber, cantaloupe, honeydew melon, watermelon, squash, pumpkin, eggplant, pepper, potatoes, sweet potatoes, tomatoes, peanuts, soybeans or tobacco within 4 months after the last application.

Use only in commercial and farm plantings; do not use in home plantings.

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Do not formulate this product into other End-use products without written permission.

### **INTEGRATED PEST MANAGEMENT**

DuPont recommends the use of Integrated Pest Management (IPM) programs to control pests. This product may be used as part of an Integrated Pest Management (IPM) program which can include biological, cultural, and genetic practices aimed at preventing economic pest damage. Application of this product should be based on IPM principles and practices including field scouting or other detection methods, correct target pest identification, population monitoring, and treating when target pest populations reach locally determined action thresholds. Consult your state cooperative extension service, professional consultants or other qualified authorities to determine appropriate action treatment threshold levels for treating specific pest/crop systems in your area.

### **RESISTANCE**

Some insects are known to develop resistance to products used repeatedly for control. When this occurs, the recommended dosages fail to suppress the pest population below the economic threshold. Because the development of resistance cannot be predicted, the use of this product should conform to resistance management strategies established for the use area. These strategies may include incorporation of cultural and biological control practices, alternation of active classes of insecticides on succeeding generations and targeting the most susceptible life stage. Consult your local agricultural authorities for details.

### **COMPATIBILITY**

Since formulations may be changed and new ones introduced, it is recommended that users premix a small quantity of a desired tank mix and observe for possible adverse changes (settling out, flocculation, etc.). Avoid mixtures of several materials and very concentrated spray mixtures. Do not use VYDATE C-LV in highly alkaline mixtures. Use mildly alkaline mixtures immediately after mixing to prevent loss of activity.

Before mixing large quantities of VYDATE C-LV in vegetable oil for use on cotton, do a jar test to determine compatibility.

- Mix proper proportions of VYDATE C-LV and vegetable oil in a jar, seal and shake mixture. Allow to stand for 1 to 2 hours.
- View jar to determine if crystals have formed.
- If no crystals have formed, no compatibility problems exist with this vegetable oil.
- If crystals have formed, add an equal volume of water to the volume of VYDATE C-LV, reduce the volume of vegetable oil in the final mix by the volume of water added.

### **SPRAY PREPARATION**

Fill spray tank 1/4 to 1/2 full of water. Add VYDATE C-LV directly to tank. Mix thoroughly while adding remaining water. No further agitation is necessary with water. Continuous agitation is required for mixing and application in refined vegetable oil. Spray mix should not be stored overnight in spray tank.

### **SPRAY TANK CLEANOUT**

Immediately following application of VYDATE C-LV, thoroughly clean all mixing and spray equipment. Flush the tank, pump, hoses and boom with several changes of water after removing nozzle tips and screens (clean these parts separately). Take all necessary safety precautions when cleaning equipment. Do not clean near wells, water sources or desirable vegetation. Dispose of waste rinse water in accordance with local regulations.

### **CROP USES**

#### **COTTON**

Apply VYDATE C-LV in sufficient water or refined vegetable oil (minimum 3 pints per acre) to obtain thorough coverage.

When oil-based applications are made, aircraft should be outfitted with a delivery system designed to apply droplets with a VMD of 150 to 220 microns. Swath width should not exceed wingspan plus 10 percent. When using conventional hydraulic nozzle systems, the nozzles should be oriented 90 degrees to the laminar airflow. Equipment should be adjusted to distribute spray uniformly over the spray swath, and wind conditions and other factors such as temperature and humidity should be such that the spray mixture is delivered to the target area. Maintain continuous agitation.

#### **Cotton Leaf Perforator\***

Apply 8.5 to 34 fluid oz. VYDATE C-LV per acre. Make initial applications when damaging populations begin to build, and continue on a 6 to 8 day schedule.

#### **Pink bollworm\* (early season)**

Apply 12.7-17.0 fluid oz VYDATE C-LV per acre. Early season treatments (pinhead square program) should begin just prior to first susceptible squares and before damaging populations begin to build. For best results, apply 2 to 4 applications on a 6 to 8 day interval, depending on insect pressure.

#### **Pink bollworm\*: (mid to late season)**

Apply 12.7-17.0 fluid oz VYDATE C-LV. Begin applications before damaging populations begin to build. For best results, apply on a 6 to 8 day spray interval, depending on insect pressure.

#### **Lygus hesperus\*: (early season)**

Apply 12.7-17.0 fluid oz VYDATE C-LV per acre. Begin applications before damaging populations begin to build. For best results, apply on a 6 to 8 day spray interval, depending on insect pressure. Migrating target insects following treatment may not be controlled.

#### **Lygus hesperus\*: (mid to late season)**

Apply 17.0-34.0 fluid oz VYDATE C-LV per acre. Begin applications before damaging populations begin to build. For best results, apply on a 6 to 8 day spray interval, depending on insect pressure. Migrating target insects following treatment may not be controlled.

### Cotton Aphids\*

Apply 17.0-34.0 fluid oz VYDATE C-LV per acre. Begin applications before damaging populations begin to build. For best results, apply on a 6 to 8 day spray interval, depending on insect pressure.

\*Do not apply more than 136 fluid oz.(4 lb ai) per acre per growing season.

### Boll Weevil, Cotton Fleahopper and Tarnished Plant Bug

Apply 4.25 to 17 fluid oz. VYDATE C-LV per acre. Begin applications when damaging populations appear. For best results, apply on a 6 to 8 day spray interval, depending on insect pressure. Do not apply more than 85 fluid oz.(2.5 lb ai) per acre per growing season.

### Reniform Nematode Suppression (AL,AR,GA,LA & MS)

Following the at - planting or infurrow treatment of TEMIK<sup>1</sup> 15 G at 3.5 to 7 lbs of product per acre, apply VYDATE C-LV as a broadcast foliar treatment at the rates of 8.5 to 17 fluid oz. per acre in sufficient water to give thorough coverage (minimum 8 gpa ground & 5 gpa air). Make the first application when cotton is in the 5 to 7 true-leaf stage of growth. Make a second application 7 to 14 days later. For banded applications, use proportionately less material based on row spacing and band width applied.

Foliar applications of VYDATE C-LV must follow the at - plant or infurrow application of TEMIK 15 G to effectively reduce reniform nematode populations in cotton. This treatment is intended to supplement early season nematode suppression from TEMIK 15 G and is restricted to use on low to moderate infestations of reniform nematode.

Do not apply more than 136 fluid oz. ( 4 lb.a. i.) VYDATE C-LV per acre per growing season.

Note: Do not apply within 14 days of harvest. Do not graze or feed treated cotton to livestock.

## PEANUTS

Use not registered in California

### Root Knot(except Javanese),Sting, Ring, and Lesion Nematodes, and Thrips

**Soil Treatment** - - Apply 34 to 102 fluid oz. of VYDATE C-LV in a 7 to 12 inch band using a minimum of 10 gals of water per acre. Thoroughly incorporate with a rotary tiller to a depth of 3 to 5 inches immediately after application. Use the higher rate and wider band for severe infestations. Peanuts should be planted within 24 hours after application. Alternatively, VYDATE C-LV may be applied in a 7 inch band immediately behind planting. Use 34 to 102 fluid oz. in a minimum of 10 gals. water per acre.

**Foliar Treatment** - - Foliar treatment is to be used only following soil fumigation, or following preplant or at planting soil application of VYDATE C - LV or other contact nematicides. Make 2 foliar applications of VYDATE C - LV at 17 to 34 fluid oz. per acre in 20 to 40 gals. of water. Apply first spray 3 weeks after emergence

and the second spray 6 weeks after emergence. For best results, concentrate the spray on the row using 3 cone - type nozzles positioned over and to each side of the row. Thorough spray coverage is important.

Note: Do not apply more than 170 fluid oz. (5 lbs. a.i. ) VYDATE C-LV per acre per season.

## SOYBEANS

Use not registered in California

### Root Knot(except Javanese ),Lesion, Ring, Stunt, Lance, and Cyst Nematodes

**Infurrow band Treatment** - - Apply 17 to 34 fluid oz. VYDATE C - LV in 10 to 20 gals. of water per acre (based on 36 inch row spacing) at planting. Spray over open drill row at the juncture where the seed is covered with soil to assure mixing of VYDATE C - LV with the soil around the seed.

**Incorporated Band Treatment** - - Apply 17 to 34 fluid oz. VYDATE C-LV in 10 to 20 gals. water per acre to a 7 to 10 inch band in the drill area (based on 36 inch row spacing) as a preplant treatment (up to 1 week before planting) or as a treatment at planting. Incorporate the VYDATE C-LV 2 to 4 inches into the soil in the seed zone.

**Incorporated Broadcast Treatment** - - Apply 68 to 136 fluid oz. of VYDATE C-LV in 10 to 20 gals. of water per acre as a preplant treatment (up to 1 week before planting) or as a treatment at planting. Incorporate the VYDATE C-LV 2 to 4 inches into the soil in the seed zone.

Note: Do not cut for hay or feed treated forage to livestock. Do not apply VYDATE C - LV to areas with severe infestations of nematodes such as where injury to plants is manifested by severe stunting and chlorosis, as VYDATE C-LV will not control severe infestations.

Note: Do not apply more than 136 fluid oz. (4 .0 lbs. a. i.) VYDATE C-LV per acre per season.

## TOBACCO

### Root Knot (except Javanese) and Lesion Nematodes and Flea Beetles

**Soil Treatment** - - VYDATE C-LV may be applied to the soil as a band treatment or it may be broadcast, disced, and bedded. For best results, the tobacco should be transplanted within 24 hours after soil treatment.

**Row Treatment** - - Apply 68 fluid oz. VYDATE C-LV in an 18 to 24 inch band in a minimum of 20 gals. of water per acre of tobacco (12,000 row feet). Thoroughly incorporate with a rotary tiller to a depth of 4 to 6 inches.

**Broadcast and Bed treatment** - - Apply a broadcast spray of 68 fluid oz. per acre in a minimum of 40 gals. of water. Thoroughly incorporate to a depth of 4 to 6 inches and bed the field in such a manner that only treated soil is used to form the beds.

Note: Do not apply more than 68 fluid oz. VYDATE C-LV per acre per season.

## SPRAY DRIFT MANAGEMENT

The interaction of many equipment and weather-related factors determines the potential for spray drift. The applicator is responsible for considering all these factors when making application decisions.

**AVOIDING SPRAY DRIFT IS THE RESPONSIBILITY OF THE APPLICATOR.**

### IMPORTANCE OF DROPLET SIZE

The most effective way to reduce drift potential is to apply large droplets (>150 - 200 microns). The best drift management strategy is to apply the largest droplets that provide sufficient coverage and control. The presence of sensitive species nearby, the environmental conditions, and pest pressure may affect how an applicator balances drift control and coverage. **APPLYING LARGER DROPLETS REDUCES DRIFT POTENTIAL, BUT WILL NOT PREVENT DRIFT IF APPLICATIONS ARE MADE IMPROPERLY OR UNDER UNFAVORABLE ENVIRONMENTAL CONDITIONS!** See **Wind, Temperature and Humidity, and Temperature Inversions** sections of this label.

### Controlling Droplet Size - General Techniques

- **Volume** - Use high flow rate nozzles to apply the highest practical spray volume. Nozzles with higher rated flows produce larger droplets.
- **Pressure** - Use the lower spray pressures recommended for the nozzle. Higher pressure reduces droplet size and does not improve canopy penetration. **WHEN HIGHER FLOW RATES ARE NEEDED, USE A HIGHER-CAPACITY NOZZLE INSTEAD OF INCREASING PRESSURE.**
- **Nozzle Type** - Use a nozzle type that is designed for the intended application. With most nozzle types, narrower spray angles produce larger droplets. Consider using low-drift nozzles.

### Controlling Droplet Size - Aircraft

- **Number of Nozzles** - Use the minimum number of nozzles with the highest flow rate that provide uniform coverage.
- **Nozzle Orientation** - Orienting nozzles so that the spray is emitted backwards, parallel to the airstream will produce larger droplets than other orientations.
- **Nozzle Type** - Solid stream nozzles (such as disc and core with swirl plate removed) oriented straight back produce larger droplets than other nozzle types.
- **Boom Length** - The boom length should not exceed 3/4 of the wing or rotor length - longer booms increase drift potential.
- **Application Height** - Application more than 10-ft above the canopy increases the potential for spray drift.

### BOOM HEIGHT

Setting the boom at the lowest labeled height (if specified) which provides uniform coverage reduces the exposure of droplets to evaporation and wind. For ground equipment, the boom should remain level with the crop and have minimal bounce.

## WIND

Drift potential increases at wind speeds of less than 3 mph (due to inversion potential) or more than 10 mph. However, many factors, including droplet size and equipment type determine drift potential at any given wind speed. **AVOID GUSTY OR WINDLESS CONDITIONS.**

**Note:** Local terrain can influence wind patterns. Every applicator should be familiar with local wind patterns and how they affect spray drift.

## TEMPERATURE AND HUMIDITY

When making applications in hot and dry conditions, set up equipment to produce larger droplets to reduce effects of evaporation.

## TEMPERATURE INVERSIONS

Drift potential is high during a temperature inversion. Temperature inversions restrict vertical air mixing, which causes small suspended droplets to remain close to the ground and move laterally in a concentrated cloud. Temperature inversions are characterized by increasing temperature with altitude and are common on nights with limited cloud cover and light to no wind. They begin to form as the sun sets and often continue into the morning. Their presence can be indicated by ground fog; however, if fog is not present, inversions can also be identified 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.

## SHIELDED SPRAYERS

Shielding the boom or individual nozzles can reduce the effects of wind. However, it is the responsibility of the applicator to verify that the shields are preventing drift and not interfering with uniform deposition of the product.

## AIR ASSISTED (AIR BLAST) FIELD CROP SPRAYERS

Air assisted field crop sprayers carry droplets to the target via a downward directed air stream. Some may reduce the potential for drift, but if a sprayer is unsuitable for the application and/or set up improperly, high drift potential can result. It is the responsibility of the applicator to determine that a sprayer is suitable for the intended application, is configured properly, and that drift is not occurring.

**Note:** Air assisted field sprayers can affect product performance by affecting spray coverage and canopy penetration. Consult the application equipment section of this label to determine if use of an air assisted sprayer is recommended.

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### STORAGE AND DISPOSAL

**STORAGE:** Do not subject to temperatures below 32 degrees F. Store product in original container only. Do not contaminate water, other pesticides, fertilizer, food or feed in storage. Not for use or storage in or around the home.

**PESTICIDE DISPOSAL:** Do not contaminate water, food, or feed by storage or disposal. Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal Law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

**CONTAINER DISPOSAL:** Triple rinse (or equivalent) the container. Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

**NOTICE TO BUYER** -- Purchase of this material does not confer any rights under patents of countries outside of the United States.

1 Registered trademark of RHONE - POULENC AG COMPANY.

**D-664 121698**

### LIMITATION OF WARRANTY AND LIABILITY

**NOTICE:** Read This 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.

It is impossible to eliminate all risks associated with the use of this product. Such risks arise from weather conditions, soil factors, off target movement, unconventional farming techniques, presence of other materials, the manner of use or application, or other unknown factors, all of which are beyond the control of DuPont. These risks can cause: ineffectiveness of the product; crop injury. or, injury to non-target crops or plants.

DuPont does not agree to be an insurer of these risks. **WHEN YOU BUY OR USE THIS PRODUCT, YOU AGREE TO ACCEPT THESE RISKS.**

DuPont warrants that this product conforms to the chemical description on the label thereof and is reasonably fit for the purpose stated in the Directions for Use, subject to the inherent risks described above, when used in accordance with the Directions for Use under normal conditions.

DUPONT MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF FITNESS OR OF MERCHANTABILITY OR ANY OTHER EXPRESS OR IMPLIED WARRANTY.

IN NO EVENT SHALL DUPONT OR SELLER BE LIABLE FOR ANY INCIDENTAL, CONSEQUENTIAL OR SPECIAL DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT. BUYER'S OR USER'S BARGAINED-FOR EXPECTATION IS CROP PROTECTION. THE EXCLUSIVE REMEDY OF THE USER OR BUYER AND THE EXCLUSIVE LIABILITY OF DUPONT OR SELLER, FOR ANY AND ALL CLAIMS, LOSSES, INJURIES OR DAMAGES (INCLUDING CLAIMS BASED ON BREACH OF WARRANTY OR CONTRACT, NEGLIGENCE, TORT OR STRICT LIABILITY), WHETHER FROM FAILURE TO PERFORM OR INJURY TO CROPS OR OTHER PLANTS, AND 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 DUPONT OR SELLER, THE REPLACEMENT OF THE PRODUCT.

DuPont or its Authorized Retailer must have prompt notice of any claim so that an immediate inspection of buyer's or user's growing crops can be made. Buyer and all users shall promptly notify DuPont or a DuPont Authorized Retailer of any claims, whether based on contract, negligence, strict liability, other tort or otherwise or be barred from any remedy.

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