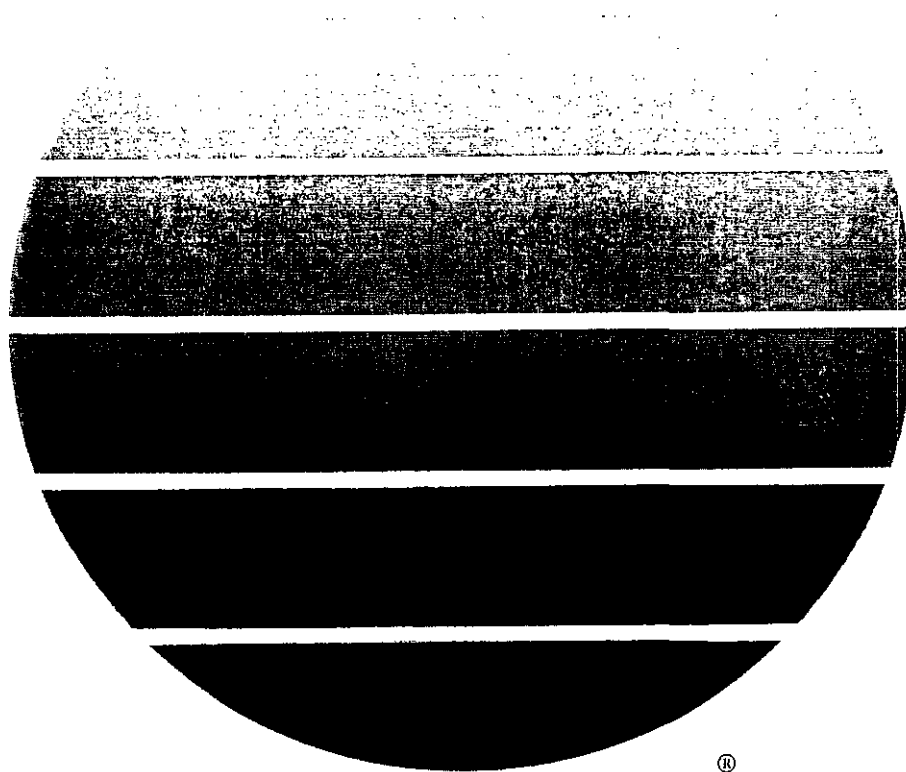




DuPont™ K-4™

herbicide

DRAFT LABEL



“..... A Growing Partnership With Nature”

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DuPont™

K-4™

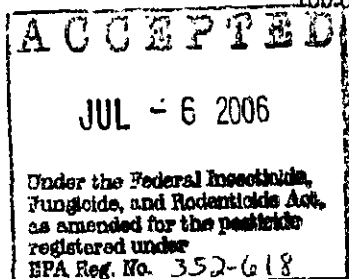
herbicide

For Use in Florida, Louisiana and Texas

Dispersible Granules

Active Ingredient	By Weight
Hexazinone [3-cyclohexyl-6-(dimethylamino) -1-methyl-1,3,5-triazine-2,4(1H,3H)-dione]	13.2%
Diuron 3-(3,4-dichlorophenyl)-1,1-dimethylurea	46.8%
Inert Ingredients	40.0%
TOTAL	100.0%

EPA Reg. No. 352-618



KEEP OUT OF REACH OF CHILDREN CAUTION

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.)

FIRST AID

IF SWALLOWED: Call a poison control center or doctor immediately for treatment advice. Have person sip a glass of water if able to swallow. Do not induce vomiting unless told to do so by a poison control center or doctor. Do not give anything by mouth to an unconscious person.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-800-441-3637 for medical emergencies involving this product.

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS CAUTION

Harmful if swallowed. Wash thoroughly with soap and water after handling.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

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

Pilots, flaggers and groundboom applicators must wear:

- Long-sleeved shirt and long pants.
- Shoes plus socks.

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

- Long-sleeved shirt and long pants.
- Shoes plus socks.
- Chemical resistant gloves made of any waterproof material such as polyethylene or polyvinylchloride.
- A NIOSH approved dust/mist filtering respirator with any N, R, P, or HE filter or with approval number prefix TC-21C.
- Chemical resistant apron when mixing, loading, or cleaning equipment or spills.

Discard clothing and 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.

ENGINEERING CONTROL STATEMENT

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

Pilots must use an enclosed cockpit that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.240(d)(6)].

Flaggers supporting aerial applications must use an enclosed cab that meets the definition in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.240(d)(5)] for dermal protection.

USER SAFETY RECOMMENDATIONS

USERS SHOULD: 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 this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

4 8 9

ENVIRONMENTAL HAZARDS

For terrestrial uses, do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment washwaters.

The active ingredient, hexazinone, in this product is known to leach through soil into ground water under certain conditions as a result of agricultural use. Use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in ground-water contamination.

GENERAL INFORMATION

DuPont™ K-4™ herbicide is a water dispersible granule used at the rate range of 2 to 4 lbs per acre for preemergence control of annual grass and broadleaf weeds in newly planted sugarcane, stubble (ratoon) sugarcane, and fallow land intended for future sugarcane planting.

Caution should be exercised when applying K-4™ near desirable trees and shrubs as they can absorb K-4™ through roots extending into treated areas.

If K-4™ is used in a tank mixture with other herbicides, read and follow all use instructions, warnings and precautions on companion herbicide labels.

K-4™ should only be used in accordance with recommendations on this label.

ENVIRONMENTAL CONDITIONS AND BIOLOGICAL ACTIVITY

K-4™ is absorbed through the roots and foliage. Moisture is required to activate K-4™ in the soil. Best results are obtained when the applications are made to a firm, well-prepared seed bed that is moist at the time of application and 0.5 to 1.0 inches of rainfall is received within 2 weeks of application.

Temporary leaf yellowing may result from applications of K-4™ over emerged sugarcane.

INTEGRATED PEST MANAGEMENT

This product may be used as part of an Integrated Pest Management (IPM) program that can include biological, cultural, and genetic practices aimed at preventing economic pest damage. IPM principles and practices include 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

When herbicides that affect the same biological site of action are used repeatedly over several years to control the same weed species in the same field, naturally-occurring resistant biotypes may survive a correctly applied herbicide treatment, propagate, and become dominant in that field. Adequate control of these resistant weed biotypes cannot be expected. If weed control is unsatisfactory, it may be necessary to retreat the problem area using a product affecting a different site of action.

To better manage herbicide resistance through delaying the proliferation and possible dominance of herbicide resistant weed biotypes, it may be necessary to change cultural practices within and between crop seasons such as using a combination of tillage, retreatment, tank-mix partners and/or sequential herbicide applications that have a different site of action. Weed escapes that are allowed to go to seed will promote the spread of resistant biotypes.

It is advisable to keep accurate records of pesticides applied to individual fields to help obtain information on the spread and dispersal of resistant biotypes. Consult your agricultural dealer, consultant, applicator, and/or appropriate state agricultural extension service representative for specific alternative cultural practices or herbicide recommendations available in your area.

APPLICATION INFORMATION

K-4™ may be applied by aerial or ground equipment that is properly calibrated to deliver a finished spray volume that is sufficient to provide uniform coverage of the soil surface.

Minimum spray volumes are 10 GPA by ground and 5 GPA by air.

Continuous agitation in the spray tank is required to keep K-4™ in suspension.

Four pounds of K-4™ herbicide contains 1.87 lbs of the active ingredient diuron and 0.53 lbs of the active ingredient hexazinone.

When applying K-4™ alone or in combination with other hexazinone-containing products, do not exceed a total annual application of 1.0 lbs of hexazinone per acre in Florida, 1.5 lbs of hexazinone in Louisiana, or 1.5 lbs of hexazinone in Texas.

When applying K-4™ alone or in combination with other diuron-containing products, do not exceed a total annual application of 6 lbs of diuron per acre.

LOUISIANA AND TEXAS

Do not apply more than 11.00 lbs of K-4™ per acre per year.

Do not apply K-4™ within 140 days of harvest.

FLORIDA

Do not apply more than 7.5 lbs of K-4™ per acre per year.

Do not apply K-4™ within 234 days of harvest in Florida.

DIRECTIONS FOR USE

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

DuPont™ K-4™ should be used only in accordance with recommendations on this label, or in supplemental DuPont 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.

Proper mixing/loading site considerations and application procedures must be followed to minimize potential for hexazinone movement into ground water. Users are encouraged to consult with their state Department of Agriculture, Extension Service, or other pesticide lead agency for information regarding soil permeability, aquifer vulnerability, and best management practices for their area.

AGRICULTURAL USES

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 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.

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, such as plants, soil, or water, is:

Coveralls

Shoes plus socks

SUGARCANE

K-4™ may be applied in sugarcane in Florida, Louisiana, and Texas.

NEWLY PLANTED SUGARCANE

Preemergence applications of K-4™ at the use rate of 3.75 to 4 lbs per acre may be made to newly planted sugarcane for control of annual grass and broadleaf weeds.

Applications should be made immediately following planting and row packing and prior to crop and weed emergence. For best weed control, applications should be made to a firm, well-prepared seedbed that is free from clods or excess plant residue.

STUBBLE (RATOON) SUGARCANE

Preemergence applications of K-4™ at the use rate of 3.75 to 4 lbs per acre may be made to stubble (ratoon) sugarcane following harvest. For best weed control, applications should be made immediately following harvest and prior to subsequent weed germination. Excess plant residue on the soil surface may decrease the effectiveness of K-4™ and should be removed or minimized.

K-4™ may also be applied postemergence to stubble sugarcane until the crop reaches a height of 18 inches or in Florida within 234 days of harvest, whichever is more restrictive.

Postemergence applications of K-4™ to actively growing sugarcane may result in crop injury when daily temperatures exceed 80 degrees F. When daily temperatures exceed 80 degrees F, post-directed applications are recommended in order to minimize spray contact with sugarcane foliage.

If weeds are present at application, a tank mix partner is recommended for improved postemergence control. If K-4™ is used in a tank mixture with other herbicides, read and follow all use instructions, warnings and precautions on companion herbicide labels.

If weeds are present at the time of application a non-ionic surfactant at the use rate of 0.25% v/v or a crop oil concentrate at the use rate of 1% v/v is recommended. If a tank mix partner is being used, follow the most restrictive adjuvant recommendation.

POST-DIRECTED/LAYBY (LOUISIANA AND TEXAS ONLY)

Apply K-4™ post-directed/layby application at the use rates of 2 to 3 pounds per acre. For best weed control, post-directed/layby applications should be made prior to weed emergence and should include an appropriate tank mixture partner for improved grass and broadleaf weed control.

Post-directed/layby applications of K-4™ should be applied to sugarcane that is 30 inches tall or greater. These applications should be directed at the base of the sugarcane plants so that the spray solution does not contact new, emerging leaves in the whirl of the sugarcane.

If an application of K-4™ was made in the spring, apply no more than 2 pounds per acre as a post-directed/layby treatment. Allow at least 8 weeks between the spring and post-directed/layby application.

If weeds are present at application, a tank mix partner herbicide, registered for use on sugarcane, is recommended. When DuPont™ K-4™ is tank mixed with other herbicides, read and follow the use instructions, restrictions and precautions on the companion label(s). If weeds are present at application, also include a non-ionic surfactant at the use rate of 0.25% v/v or a crop oil concentrate at the use rate of 1% v/v. If a tank mix partner is being used with K-4™, follow the most restrictive adjuvant recommendation.

Do not apply within 140 days of harvest.

Do not apply more than one post-directed layby application per crop season.

FALLOW (TO BE PLANTED TO SUGARCANE)

K-4™ may be applied to fallow sugarcane fields at the use rate of 3.75 to 4 lbs per acre. For best weed control, applications should be made to newly prepared seedbeds that are free of clods and existing vegetation. If weeds are present at application, either a separate application of a contact herbicide or a tank mix partner is recommended for improved post emergence control. If K-4™ is used in a tank mixture with other herbicides, read and follow all use instructions, warnings and precautions on companion herbicide labels.

Make fallow applications of K-4™ at least 60 days prior to sugarcane planting.

TANK MIXTURES

K-4™ may be applied in tank mixtures with other preemergence or postemergence products labeled for use on sugarcane. Refer to the tank mixture product label(s) for information on weeds, application information, application conditions and use restrictions (follow the label guidelines that are the most restrictive).

K-4™ + 2,4-D

A tank mixture of K-4™ at 3.75 to 4 lbs per acre plus 2,4-D (4 lb ai/gal) at 1 to 2 quarts per acre may be applied as a postemergence spray for improved control of existing annual broadleaf weeds. Postemergent applications of this tank mixture may be made until sugarcane reaches a height of 18 inches or is within 234 days of harvest, whichever is most restrictive. Refer to the 2,4-D label for additional instructions and/or restrictions. The use of a non-ionic surfactant or a crop oil concentrate is required.

K-4™ + "Weedmaster"

A tank mixture of K-4™ at 3.75 to 4 lbs per acre plus "Weedmaster" at 1 to 2 pints per acre may be applied as a postemergence spray for improved control of existing annual broadleaf weeds. Postemergent applications of this tank mixture may be made until sugarcane reaches a height of 18 inches or is within 234 days of harvest, whichever is most restrictive. Refer to the "Weedmaster" label for additional instructions and/or restrictions. The use of a non-ionic surfactant or a crop oil concentrate is required.

K-4™ + "Gramoxone" Extra (Louisiana Only)

For improved control of annual ryegrass and other emerged grass and broadleaf weeds, a tank mixture of K-4™ at 3.75 to 4 lbs per acre plus "Gramoxone" Extra at 1.5 to 3 pints per acre may be applied as a postemergence spray to sugarcane with no more than 4 leaves or 18 inches in height, or is within 234 days of harvest, whichever is more restrictive. The use of a non-ionic surfactant or a crop oil concentrate is required.

WEEDS CONTROLLED

K-4™ is recommended for the control or suppression of the following species. (Use higher rates for heavier infestation.)

- | | |
|----------------------------------|--|
| Ageratum* | Johnsongrass (from seed) |
| Alexandergrass | Junglerice |
| Amaranth (slender) | Lambsquarter |
| American burnweed (fireweed) | Morningglory (annual, hairy, pitted, red [scarlet], smallflower threelobe) |
| Balsam apple | Oxalis |
| Barnyardgrass | Panicum (brownleaf, browntop, Texas millet) |
| Bermudagrass* | Paspalum (ricegrass, sour) |
| Bluegrass, annual | Pigweed (common, smooth) |
| Broadleaf signalgrass | Popolo |
| Canarygrass | Purslane |
| Carolina geranium | Redweed |
| Carpetweed | Sandbur |
| Chickweed | Sedge, annual |
| Crabgrass (hairy, large, smooth) | Sensitive plant (hila hila) |
| Crotalaria (fuzzy, showy) | Smellmelon |
| Cuphea (tarweed) | Sowthistle |
| Cutleaf eveningprimrose | Spanish needle |
| Dallisgrass | Sprangletop |
| Fingergrass (radiate, swollen) | Spurge (prostrate, graceful) |
| Flora's paintbrush | Swinecress |
| Foxtail (bristly, yellow) | Sunflower |
| Goosegrass | Toadflax |
| Groundcherry, annual | Vaseygrass |
| Guineagrass | Waltheria (hialoa) |
| Henbit | Wild mustard |
| Italian Ryegrass | |
| Itchgrass* | |
| Jobs tears | |

* Partial control

Note: For improved suppression of bermudagrass in newly planted sugarcane, make applications of K-4™ to a well-prepared seedbed immediately following row packing. Best results have been observed when bermudagrass has been managed either mechanically or with herbicides in the fallow program preceding sugarcane planting.

In stubble (ratoon) sugarcane, best results for bermudagrass suppression are obtained when applications are made in late winter when bermudagrass is dormant.

USE PRECAUTIONS

Do not plant any crop other than sugarcane within 24 months of last application of K-4™.

Do not feed sugarcane forage to livestock.

In Florida, do not apply K-4™ within 234 days of harvest.

In Louisiana and Texas do not apply K-4™ within 140 days of harvest.

Do not apply as a postemergence (over-the-top) application to sugarcane beyond a height of 18 inches.

To avoid injury to sugarcane, observe the following precautions:

- Do not use DuPont™ K-4™ on cane that shows poor vigor because of insect damage, disease, or winter injury, or shows symptoms of other stress conditions such as drought stress.
- Do not add a surfactant in applications unless otherwise specified.
- Do not use K-4™ on gravelly or rocky soils, thinly covered subsoils, or coarse-textured soils (sands to sandy loams) with less than 1% organic matter.
- Temporary chlorosis of the crop may result from application over emerged cane. Applications during active cane growth should be directed to cover the weeds and soil while minimizing crop contact.

Extremely heavy rainfall after application may result in poor weed control and/or crop injury, especially if the application is made to dry soil.

ADDITIONAL USE INFORMATION

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 (greater than 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 the Wind, Temperature and Humidity, and Temperature Inversions sections below.

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 AND HEIGHT

- Boom Length (aircraft) - The boom length should not exceed 3/4 of the wing length, using shorter booms decreases drift potential. For helicopters use a boom length and position that prevents droplets from entering the rotor vortices.
- Boom Height (aircraft) - Application more than 10 feet above the canopy increases the potential for spray drift.
- Boom Height (ground) Setting the boom at the lowest labeled height (if specified) which provides uniform coverage reduces the exposure of droplets to evaporation and wind. 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 variable direction and 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 effect 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.

SURFACE TEMPERATURE INVERSIONS

Drift potential is high during a surface temperature inversion. Surface inversions restrict vertical air mixing, which causes small suspended droplets to remain close to the ground and move laterally in a concentrated cloud. Surface 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 a surface 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.

pump, hoses, and boom with several changes of water after removing nozzle tips and screens (clean these parts separately). Dispose of the equipment wash water by applying it to a use-site listed on this label.

Caution should be exercised when cleaning equipment used to apply K-4™. Desirable plants such as trees and shrubs can absorb K-4™ through roots which extend beyond the plant canopy.

or feed in storage. Store in a cool, dry place.

Product Disposal: Do not contaminate water, food, or feed by disposal. Waste resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

Container Disposal: For Fiber Sacks: Completely empty fiber sack by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into manufacturing or application equipment. Then dispose of sack in a sanitary landfill or by incineration if allowed by State and local authorities. **For Fiber Drums With Liners:** Completely empty liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into application equipment. Then dispose of liner in a sanitary landfill or by incineration if allowed by State and local authorities. If drum is contaminated and cannot be reused, dispose of in the same manner. **For Paper and Plastic Bags:** Completely empty bag into application equipment. Then dispose of empty bag in a sanitary landfill or by incineration, or, if allowed by State and local authorities, by burning. If burned, stay out of smoke.

Container Refilling and Disposal (For Containers up to 250 gal): This is a refillable container. If the container is to be refilled, do not rinse with any material or introduce any pesticide other than K-4™. Reseal and return the container to any authorized DuPont refilling facility. If the container is not to be refilled, triple rinse (or equivalent) and offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by incineration, or by open burning, if allowed by state and local authorities. If burned, keep out of smoke. For minor spills, leaks, etc., follow all precautions indicated on this label and clean up immediately. Take special care to avoid contamination of equipment and facilities during cleanup procedures and disposal of wastes. In the event of a major spill, fire or other emergency, call 1-800-441-3637 day or night.

Container Disposal for Bulk Containers: When this container is empty, replace the cap and seal all openings that have been opened during use, and return the container to the point of purchase or to a designated location named at time of purchase of this product. The container must only be refilled with this pesticide product. **DO NOT REUSE THE CONTAINER FOR ANY OTHER PURPOSE.** Prior to refilling, inspect carefully for damage such as cracks, punctures, abrasions, worn out threads and closure devices. Check for leaks after refilling and before transporting. Do not transport if this container is damaged or leaking. If the container is damaged, leaking or obsolete, contact DuPont at 1-800-441-3637. If not returned to the point of purchase or to a designated location, triple rinse emptied container and offer for recycling. Disposal of this container must be in compliance with state and local regulations. For minor spills, leaks, etc., follow all precautions indicated on this label and clean up immediately. Take special care to avoid contamination of equipment and facilities during cleanup procedures and disposal of wastes. In the event of a major spill, fire or other emergency, call 1-800-441-3637 day or night.

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

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"Weedmaster" is a trademark of BASF Ag Products

"Gramoxone" is a trademark of Syngenta Crop Protection Inc.

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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. TO THE FULLEST EXTENT PERMITTED BY LAW, 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.

TO THE FULLEST EXTENT PERMITTED BY LAW, 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 Ag 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 Ag 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.

For product information call: 1-888-6-DUPONT

Internet address: <http://cropprotection.dupont.com/>

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