



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

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OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

SEP 29 2006

Kristi A. Barnett
U.S. Product Registration Coordinator
DuPont Crop Protection
P.O. Box 30
Newark, DE 19714-0030

Subject: Orbit 45WP Agpak®/DuPont™ Super Tin® 80WP Agpak®
EPA Reg. No. 352-699
Amendment dated August 17, 2006
EPA Decision Number 370195

Dear Ms Barnett:

The amended label referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act as amended is acceptable provided the following changes are made:

1. In the section "LIMITATION OF WARRANTY AND LIABILITY":
 - a. In the third paragraph, change "DuPont does not agree to be an insurer of these risks." To "DuPont does not agree to be an insurer of these risks beyond what is expressly warranted by this label."
 - b. In the third paragraph, change "TO THE FULLEST EXTENT PERMITTED BY LAW..." To "TO THE EXTENT CONSISTENT WITH APPLICABLE LAW..."
 - c. In the sixth paragraph, change "TO THE FULLEST EXTENT PERMITTED BY LAW..." to "TO THE EXTENT CONSISTENT WITH APPLICABLE LAW..."
 - d. In the sixth paragraph, change "THE EXCLUSIVE REMEDY..." to "TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE EXCLUSIVE REMEDY..."
 - e. In the seventh paragraph, change "DuPont or its Ag Retailer must have prompt..." to "To the extent consistent with applicable law that allows such requirement, DuPont or its Ag Retailer must have prompt..."

One copy of the label stamped "Accepted with comments" is enclosed for your records. This label supersedes all labels previously accepted for this product. Please submit one copy of the final printed label that incorporates the required changes before the product is released for shipment.

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If you have any questions, please contact Robert Westin by phone at (703) 305-5721 or via email at westin.robert@epa.gov.

Sincerely,



Mary L. Waller
Product Manager (21)
Fungicide Branch
Registration Division (7505P)

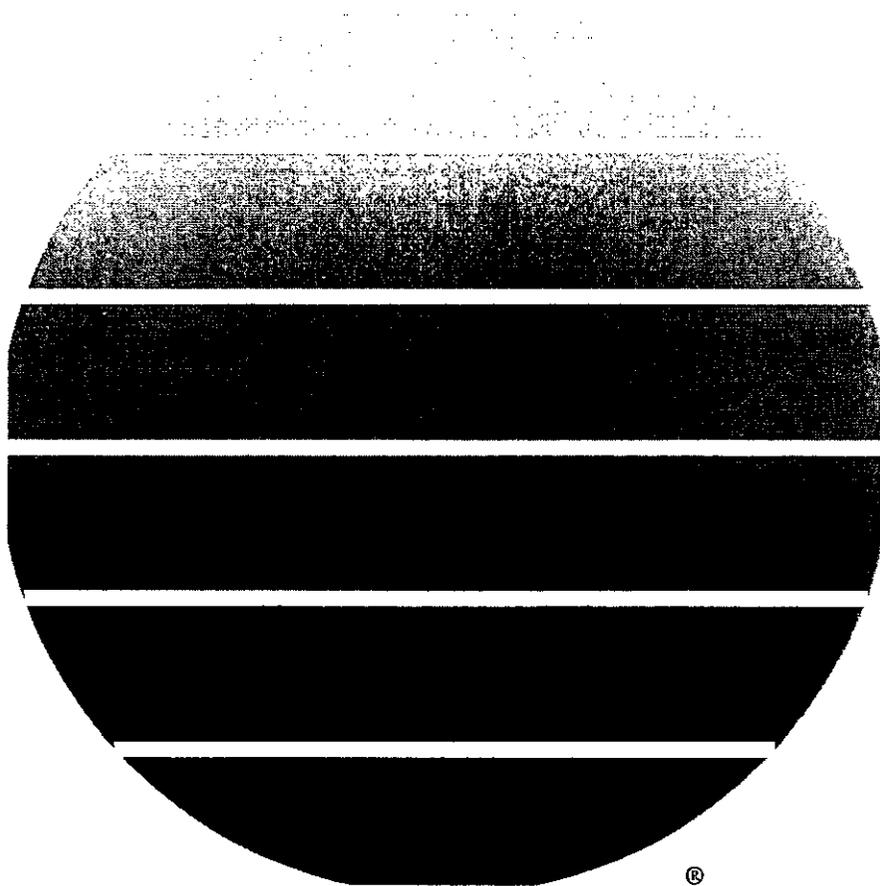
Enclosure



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**“Orbit” 45WP Agpak[®] /
DuPont[™] Super Tin[®] 80WP
Agpak[®]
fungicide**



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

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RESTRICTED USE PESTICIDE

RESTRICTED USE PESTICIDE due to carcinogenicity, potential for affecting fetal development, and high acute toxicity to humans. For retail sale to and use by Certified Applicators or persons under their direct supervision, and only for those uses covered by the Certified Applicators Certification.

A co-pack containing propiconazole and triphenyltin hydroxide for control of certain diseases of pecans

EPA Reg. No. 352-699
EPA Est. No. _____



“Orbit” 45WP Agpak®

fungicide

<i>Active Ingredient</i>	<i>By Weight</i>
Propiconazole: 1-[[2-(2,4-dichlorophenyl)-4-propyl-1,3-dioxolan-2-yl]Methyl]-1H-1,2,4-triazole	45.0%
Inert Ingredients	55.0%
TOTAL	100.0%

Contains 9 ounces Propiconazole per 20 ounce Water Soluble Pack.

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 the label, find someone to explain it to you in detail.)

FIRST AID

IF INHALED: Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth, if possible. Call a poison control center or doctor for further treatment advice.

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

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

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

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. **For medical emergencies involving this product, call toll free 1-800-441-3637.**

NOTE TO PHYSICIAN: If ingested, induce emesis or lavage stomach. Treat symptomatically.

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION

Causes eye irritation. Harmful if swallowed or absorbed through the skin. Do not get in eyes, on skin or on clothing.

DuPont™ Super Tin®

80WP Agpak®

fungicide

<i>Active Ingredient</i>	<i>By Weight</i>
Triphenyltin Hydroxide	80.0%
Inert Ingredients	20.0%
TOTAL	100.0%

Contains 15 ounces Triphenyltin Hydroxide per 18.75 ounce Water Soluble Pack.

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 the label, find someone to explain it to you in detail.)

FIRST AID

IF INHALED: Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth, if possible. Call a poison control center or doctor for further treatment advice.

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

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

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

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. **For medical emergencies involving this product, call toll free 1-800-441-3637.**

NOTE TO PHYSICIAN: Probable mucosal damage may contraindicate use of gastric lavage.

See Label for Additional Precautions and Directions for Use.

PRECAUTIONARY STATEMENTS

CON'TD NEXT PAGE

**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS
AND DOMESTIC ANIMALS**

DANGER-PELIGRO! Fatal if inhaled. Corrosive, causes irreversible eye damage and skin burns. May be fatal if swallowed or absorbed through the skin. Do not get in eyes, on skin, or on clothing. Do not breathe dust, vapor, or spray mist.

The United States Environmental Protection Agency has determined that triphenyltin hydroxide, the active ingredient of this product, affects fetal development in laboratory animals. Exposure to this product during pregnancy should be avoided. .

**ACCEPTED
with COMMENTS
In EPA Letter Dated
SEP 29 2006**

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

352-699

**PERSONAL PROTECTIVE EQUIPMENT
(PPE)**

Some materials that are chemical-resistant to this product are made of any waterproof material such as butyl rubber, nitrile rubber, or neoprene rubber. If you want more options, follow the instructions for Category A on an EPA chemical-resistant category selection chart.

Handlers exposed to the concentrate or diluted product must wear:

- Coveralls over long-sleeved shirt and long pants
- Chemical-resistant gloves, such as butyl rubber, nitrile rubber, or neoprene rubber
- Chemical-resistant footwear plus socks
- Goggles or face shield
- Chemical resistant apron for mixing and loading or equipment maintenance
- Chemical-resistant headgear for overhead exposure
- 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 N,P,R, or HE filter.

Handlers, mixers, loaders, applicators, flaggers, and others using engineering controls must wear:

- Long-sleeved shirt and long pants
- Shoes plus socks
- Chemical resistant gloves and chemical resistant apron, such as butyl rubber, nitrile rubber, or neoprene rubber, during mixing and loading

Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them. Follow the 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 STATEMENTS: 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 170.240 (d)(4-6)], the handler PPE requirements may be reduced or modified as specified in the WPS.

Applicators and human flaggers must be in enclosed cabs. Mixers and loaders using intact water-soluble packaging are using a closed mixing and loading system that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides[40 CFR 170.240 (d)(4)].

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)].

Ground-equipment applicators and flaggers must use an enclosed cab that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides[40 CFR 170.240 (d)(5)].

All mixers, loaders, applicators and flaggers must wear the personal protection equipment specified above for the task they are performing and all (except aerial applicators) must be provided and must have immediately available for use in an emergency, such as a spill or equipment failure, the PPE specified above for handlers not using engineering controls.

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PRECAUTIONARY STATEMENTS (CONT'D)

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 PPE 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 fish and wildlife. Do not apply directly to water, to areas where surface water is present or to intertidal areas below the mean high water mark. Do not allow this product to drift from the target site. Do not apply with aircraft within 300 feet or with groundboom equipment within 100 feet of any natural body of water such as rivers, streams, ponds, lakes and reservoirs. Do not apply with aircraft when wind speed is greater than 10 mph. Apply this pesticide only as specified on this label. Do not contaminate water when cleaning equipment or disposing of equipment washwaters.

PHYSICAL OR CHEMICAL HAZARDS

Do not use, pour, spill or store near heat or open flame.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. Do not apply this product 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 protection of agricultural workers on farms, forests, nurseries, and greenhouses and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE), notification to workers and restricted-entry intervals. 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 for all crops.

PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil, or water, is:

- Coveralls over long-sleeved shirt and long pants
- Chemical-resistant gloves made of any waterproof material, such as butyl rubber, nitrile rubber, or neoprene rubber
- Chemical-resistant footwear plus socks
- Protective eyewear
- Chemical-resistant headgear for overhead exposure

Notify workers of the application by warning them orally and by posting warning signs at entrances to treated areas.

APPLICATION DIRECTIONS

GENERAL INFORMATION

This product is a co-pack of two fungicides which provide broad spectrum control of certain diseases in pecans. The product consists of two water soluble packages which must be used together. Do not use separately.

Important: Do not use in nurseries, on landscape plantings, or as a tree injection.

FAILURE TO FOLLOW DIRECTIONS AND PRECAUTIONS ON THIS LABEL MAY RESULT IN CROP INJURY, POOR DISEASE CONTROL, OR ILLEGAL RESIDUES.

GROUND AND AERIAL APPLICATION: This product can be applied as a ground or aerial spray to control fungal infestations on listed crops. Application rates are for general use and must not be exceeded. The state agricultural extension or agricultural experiment station specialist should be consulted for specific application and timing recommendations. Apply this product only as specified on this label.

Do not allow this product to drift from the target site. Apply this product only as specified on this label.

In case of accidental exposure, see First Aid section of the label.

AERIAL SPRAY DRIFT MANAGEMENT

Avoiding spray drift at the application site is the responsibility of the applicator. The interaction of many equipment and weather-related factors determine the potential for spray drift. The applicator and grower are responsible for considering all these factors when making decisions.

The following drift management requirements must be followed to avoid off-target drift movement from aerial applications to agricultural field crops.

1. The distance of the outermost nozzles on the boom must not exceed 3/4 the length of the wingspan or rotor.
2. Excluding helicopters, nozzles must always point backward parallel with the airstream and never be pointed downward more than 45 degrees.

Where states have more stringent regulations, they should be observed. The applicator should be familiar with and take into account the information covered in the Aerial Drift Reduction Advisory Information (below).

Aerial Drift Reduction Advisory Information:

This section is advisory in nature and does not supersede the mandatory label requirements.

INFORMATION ON DROPLET SIZE: The most effective way to reduce drift potential is to apply large droplets. The best drift management strategy is to apply the largest droplets that provide sufficient coverage and control. Applying larger droplets reduces drift potential, but will not prevent drift if applications are made improperly or under unfavorable conditions (see Wind, Temperature and Humidity, and Temperature Inversions).

CONTROLLING DROPLET SIZE:

- Volume - Use high flow rate nozzles to apply the highest practical spray volume. Nozzles with higher rated flows produce larger droplets.
- Pressure - Do not exceed the nozzle manufacturer's recommended pressures. For many nozzle types, lower pressure produces larger droplets. When higher flow rates are needed, use higher flow rate nozzles instead of increasing pressure.
- Number of nozzles - Use the minimum number of nozzles that provide uniform coverage.
- Nozzle orientation - Orienting nozzles so that the spray is released parallel to the airstream produces larger droplets than other orientations and is the recommended practice. Significant deflection from horizontal will reduce droplet size and increase drift potential.
- 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. Solid stream nozzles oriented straight back produce the largest droplets and the lowest drift potential.

BOOM LENGTH: For some use patterns, reducing the effective boom length to less than 3/4 of the wingspan or rotor length may further reduce drift without reducing swath width.

APPLICATION HEIGHT: Applications should not be made at a height greater than 10 feet above the top of the largest plants unless a greater height is required for aircraft safety. Making applications at the lowest height that is safe reduces exposure of droplets to evaporation and wind.

SWATH ADJUSTMENT: When applications are made with a crosswind, the swath will be displaced downwind. Therefore, on the up and downwind edges of the field, the applicator must compensate for this displacement by adjusting the path of the aircraft upwind. Swath adjustment distance should increase, with increasing drift potential (higher wind, smaller drops, etc.)

WIND: Drift potential is lowest between wind speeds of 2 to 10 mph. However, many factors, including droplet size and equipment type determine drift potential at any given speed. Application should be avoided below 2 mph due to variable wind direction and high inversion potential. **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 low relative humidity, set up equipment to produce larger droplets to compensate for evaporation. Droplet evaporation is most severe when conditions are both hot and dry.

TEMPERATURE INVERSIONS: Applications should not occur during a temperature inversion because drift potential is high. Temperature inversions restrict vertical air mixing, which causes small suspended droplets to remain in a concentrated cloud. This cloud can move in unpredictable directions due to the light variable winds common during inversions. Temperature inversions are characterized by increasing temperatures 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 lateral in a concentrated cloud (under low wind conditions) indicates an inversion, while smoke that moves upward and rapidly dissipates indicates good vertical air mixing.

SENSITIVE AREAS: This pesticide should only be applied when the potential for drift to adjacent sensitive areas (e.g. residential areas, bodies of water, known habitat for threatened or endangered species, non-target crops) is minimal (e.g. when wind is blowing away from the sensitive areas).

Spray Equipment

Thorough coverage is necessary to provide good disease control.

To avoid spray drift, do not apply when conditions favor drift beyond the target area. Avoid spray overlap, as crop injury may occur.

Equip sprayers with nozzles that provide accurate and uniform application. Be certain that nozzles are the same size and uniformly spaced across the boom. Calibrate

sprayer before use. Use a pump with capacity to: (1) maintain a minimum of 35 psi at nozzles, and (2) provide sufficient agitation in tank to keep mixture in suspension - this requires recirculation of 10% of tank volume per minute. Use a jet agitator or liquid sparge tube for agitation. Do not air sparge.

Use screens to protect the pump and to prevent nozzles from clogging. Screens placed on suction side of pump should be 16-mesh or coarser. Do not place a screen in the recirculation line. Use 50-mesh or coarser screens between the pump and boom, and where required, at the nozzles. Check nozzle manufacturer's recommendations.

For more information on spray equipment and calibration, consult sprayer manufacturers and state recommendations. For specific local directions and spray schedules, consult the current state agricultural experiment station recommendations.

MIXING PROCEDURES

Prepare no more spray than is needed for the immediate operation. Thoroughly clean spray equipment before using this product. Vigorous agitation is necessary to maintain uniformity of the spray mixture. Maintain maximum agitation throughout the spraying operation. **Do not let the spray mixture stand overnight in the spray tank. Flush the spray equipment thoroughly following each use and apply the rinsate to a previously treated area.**

When using co-packaged "Orbit" 45WP AGPAK® and DuPont™ SUPER TIN® 80WP AGPAK® alone, open outer bag(s) and place both unopened water soluble packs from each outer bag into the filled spray tank and close tank immediately. **Do not open water soluble packs.**

Tank Mixtures

When using this product with other tank mix partners, observe all directions for use, use rates, dilutions ratios, precautions, and limitations which appear on the tank mix product labels. No dosage rate should be exceeded and the most restrictive label precautions and limitations should be followed. This product should not be mixed with any product which prohibits such mixing. Tank mixtures or

other applications of products referenced on this label are permitted only in those states in which the referenced products are registered.

If boron or other micronutrients, fertilizers or other crop protection chemicals are to be used, fill spray tank 2/3 full, with agitation running add the "Orbit" 45WP AGPAK® and SUPER TIN® 80WP AGPAK® and close lid. **Do not open water soluble packs.** Allow approximately 10 minutes for the water soluble packages to dissolve. After packages have dissolved, add other products and remaining water. Continue agitation during sprayout. See PRECAUTIONS below before mixing with any other product.

Aerial Application

Avoid application under conditions where uniform coverage cannot be obtained or where excessive spray drift may occur. Do not apply directly to humans or animals.

CHEMIGATION

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

PRECAUTIONS

Do not graze livestock in treated areas or cut treated cover crops for feed.

We do not recommend mixture with surfactants, spreaders, stickers, or buffers, unless testing or prior experience has shown the mixture to be non-phytotoxic to the crop. Combinations with some pesticides, micro-nutrients, spreaders, stickers, surfactants, or buffering agents can increase phytotoxicity. **Phytotoxicity may be severe.** Emulsifiable concentrate insecticides can be especially injurious in combination.

Water soluble bags must be completely dissolved and dispersed in plain water before any other tank mix partners, including micronutrients or other liquid or dry fertilizers, are added to the spray solution. Boron, especially in the form of a micronutrient additive, such as "Solubor", etc., or as a natural component of the mix water, may prevent water soluble bags from dissolving.

GENERAL INSTRUCTIONS FOR APPLICATION OF CO-PACKAGED "ORBIT" 45WP AGPAK® AND DUPONT™ SUPER TIN® 80WP AGPAK®			
Crop	Disease	Acres per AGPAK®	Use Instructions
Pecan (bearing or non-bearing)	Scab, Brown Leaf Spot, Downy Spot, Powdery Mildew, Liver Spot, Sooty Mold, Leaf Blotch, Vein Spot, Zonate Leaf Spot, Fungal Leaf Scorch	5 acres/ 20 oz "Orbit" 45WP AGPAK® + 18.75 oz SUPER TIN® 80WP AGPAK®	Ground (Enclosed Cabs Only): Apply in sufficient water to provide for full coverage. Aerial: Apply in a minimum of 20 gallons of water. Diluted spray should be directed to all parts of the tree. Application should begin at pre-pollination stages when the young leaves are unfolding, and a second application made when the small nuts are forming. For those pecans grown in areas WEST of Interstate 35, apply a maximum of 6 treatments (30 oz. of SUPER TIN® 80WP per acre) during a single growing season at 2-4 week intervals as needed to maintain control. For those pecans grown EAST of Interstate 35, apply a maximum of 9 treatments (45 oz. of SUPER TIN® 80WP per acre) during a single growing season at 2-4 week intervals as needed to maintain control. Do not apply within 30 days of harvest.

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ENDANGERED SPECIES RESTRICTIONS

The use of any pesticide in a manner that may kill or otherwise harm an endangered or threatened species, or adversely modify their habitat, is a violation of Federal Laws. The use of this product in pecans is controlled to prevent death or harm to endangered species. Do not use this product in the following counties:

"Orbit" is a registered trademark of Syngenta Crop Protection, Inc. and is licensed to DuPont.
"Solubor" is a registered trademark of U. S. Borax Inc.

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State	Counties		
Alabama	Colbert	Lauderdale	Morgan
	Greene	Limestone	Pickens
	Jackson	Madison	Sumter
	Lamar	Marshall	
Arkansas	Clark	Dallas	Sharp
	Clay	Hot Springs	St. Francis
	Cross	Randolph	
Kentucky	Ballard	Hart	Taylor
	Butler	Livingston	Warren
	Green	McCracken	
Tennessee	Bedford	Lincoln	Perry
	Decatur	Marshall	Sequatchie
	Hardin	Maury	
Missouri	Gasconade	Osage	Wayne
	Jefferson	Ripley	
	Miller	St. Louis	
Mississippi	Lowndes	Monroe	Noxubee

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store in a clean, dry area. Store above 0° C and below 35°C. Keep out of reach of children and animals. Store in original containers only, and do not open outer bag until ready to use. Do not over stack pallets. When opening and handling or when cleaning up spilled or leaked material, personnel should be wearing clothing and equipment listed under the Personal Protective Equipment heading on this label. Sweep up material that has spilled or leaked and place in suitable fiberboard containers for disposal.

PESTICIDE 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: Completely empty outer 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.

The DuPont Oval Logo; DuPont™, SUPER TIN® and AGPAK® are trademarks or registered trademarks of E. I. du Pont de Nemours and Company

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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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