352-776

04-96-7011

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460



APR 06 2011

OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

Tamika Davis-Cannon Dupont de Nemours and Company Stine-Haskell Research Center P.O. Box 30 Newark, Delaware 19717

Dear Ms. Davis-Cannon:

Subject:

Fast Track Amendment to add larger non-refillable plastic bag containers and

change primary brand name to "Dupont Arilon Insecticide"

Dupont Arilon Insecticide EPA Registration No. 352-776

Your Submission Dated: January 20, 2011

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

A stamped copy of the labeling is enclosed for your records. Please submit one final printed copy of the labeling before releasing the product for shipment. If you have any questions regarding this label, please contact Autumn Metzger at (703) 305-5314 or metzger.autumn@epa.gov.

Sincerely,

Venus Eagle

Product Manager 01

Insecticide-Rodenticide Branch Registration Division (7505P)

ACCEPTED APR 06 2011 Under the Federal Insecticide and Rodenticide Act, as amer pesticide registered u

EPA. Reg. No: 352-776

"TerreneTM Bags"]

1007 Market Street

E. I. du Pont de Nemours and Company

Wilmington, Delaware 19898

MASTER DuPont™ Arilon™ INSECTICIDE

Professional Products

INTENDED FOR USE BY COMMERCIAL APPLICA-TORS OR PEST MANAGEMENT PROFESSIONALS ONLY

For use in single and multi-family residential buildings, schools, institutional, commercial and industrial facilities (including warehouses, apartments, supermarkets, restaurants, motels, hotels, hospitals, daycares, and food handling/storage/processing establishments) and transportation equipment such as aircraft, trains, ships, boats and

This product will kill workers and/or winged reproductive forms of termites present at the time of application only. Application of this product will not provide structural protection nor substitute for mechanical alteration, soil or foundation treatment with termiticide. This product is not to be used as sole protection against termites, as it is not designed to offer structural protection and will not prevent future infestations. A professional inspection is recommended.

Active Ingredient		By Weight
Indoxacarb*		
(S)-methyl 7-chloro-2,5-dih	ydro-2-[[(methoxy-	
carbonyl)[4(trifluoromethor	ky)phenyl]amino]-	
carbonyl]indeno[1,2-e][1,3,	4]oxadiazine-4a-	
(3H)-carboxylate		20.0%
Other ingredients		80.0%
TOTAL		100.0%
*Indoxacarb belongs to the ox	adiazine chemical c	lass.
EPA Reg. No. 352-776	EPA Est. No	
Net Contents:	···	
[Nonrefillable Container]		
or		
[Refillable Container]		

[Optional insert logo/statement pertaining to small and large plastic bags/packets: "TerreneTM Pack" or "Packed in Terrene Packs or "Terrene™ Bag" or "Packed in

KEEP OUT OF REACH OF CHILDREN **CAUTION**

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 the poison control center or a doctor. Do not give anything by mouth to an unconscious person.

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: Remove contaminated clothing. Rinse skin immediately with plenty of water for 15-20 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 treatment advice.

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 emergency medical treatment information.

For information on the use of this product call DuPont Professional Products at 1-888-6-DUPONT (1-888-638-7668).



PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION: Harmful if swallowed. Causes moderate eye irritation. Harmful if absorbed through skin. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling. Harmful if inhaled. Avoid breathing (dust, vapor or spray mist). Remove contaminated clothing and wash clothing before reuse.

PERSONAL PROTECTIVE EQUIPMENT

All pesticide handlers (mixers, loaders and applicators) must wear:

- Shirt and long pants
- Water-proof gloves
- · Shoes plus socks

Follow manufacturer's instructions for cleaning/maintaining personal protective equipment (PPE). If no such instructions for washables are available, use detergent and hot water. Keep and wash PPE separately from other laundry.

USER SAFETY RECOMMENDATIONS

USER 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.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish and aquatic invertebrates. 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 contaminate water when disposing of equipment rinsewater. Do not apply where/when conditions could favor runoff. Runoff from treated areas may be hazardous to aquatic organisms in neighboring areas.

DIRECTIONS FOR USE

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

Read entire label before using this product. DuPont will not be responsible for losses or damages resulting from use of this product in any manner not specifically stated on this label or other labels or bulletins published by DuPont. User assumes all risks associated with such non-specified use.

PRODUCT INFORMATION

DuPontTM ARILONTM insecticide is a water dispersible granule concentrate which contains the non-repellent active ingredient Indoxacarb. When applied following label directions ARILONTM insecticide is effective at controlling a wide range of listed insect pests common in urban environments.

ARILON™ insecticide forms a suspension for making applications. ARILON™ is formulated to not stain or cause damage to most building surfaces where water applied alone causes no damage. It is still recommended that before a first application is made, treat a small area and allow to dry to determine whether staining will occur.

APPLICATION MIXING DIRECTIONS Equipment Cleaning:

Prior to application, start with clean, well maintained application equipment. Immediately following application, thoroughly clean all application equipment to reduce the risk of forming hardened deposits that might become difficult to remove. Drain application equipment. Thoroughly rinse application equipment and flush hoses and nozzles with clean water. Clean all other associated application equipment. Take all necessary safety precautions when cleaning equipment. Do not clean equipment near wells, water sources or desirable vegetation. Dispose of waste rinse water in accordance with local regulations.

[Option 1: The following mixing directions are for ARILON $^{\text{IM}}$ insecticide in nonrefillable rigid plastic containers]

Dilution Chart for ARILON™ Insecticide:

Volume of Water to Use	Desired End Use Application Rate	Quantity of ARILON™ (Dry Oz.) insecticide needed
1.0	0.05% 0.10%	0.33 oz. 0.66 oz.
3.0	0.05% 0.10%	1.0 oz. 2.0 oz.
5.0	0.05% 0.10%	1.7 oz. 3.3 oz.
25.0	0.05% 0.10%	8.25 oz. 16.5 oz.
50.0	0.05% 0.10%	16.5 oz. 33.0 oz.

[Option 2: The following mixing directions are for ARILONIM Insecticide in nonrefillable packets]

Dilution Chart for ARILONTM Insecticide:

Volume (gals.) of Water to Use	Desired End Use Application Rate	Quantity of ARILON™ (Dry Oz.) insecticide needed
1.0	0.05% 0.10%	0.33 oz. (1 packet*) 0.66 oz. (2 packets)
3.0	0.05% 0.10%	1.0 oz. (3 packets) 2.0 oz. (6 packets)
5.0	0.05% 0.10%	1.7 oz. (5 packets) 3.3 oz. (10 packets)

^{*} One (1) packet contains 0.33 oz (approximately 9.4 g) of ARILON $^{\text{TM}}$ insecticide

[Option 3: The following mixing directions are for DuPontTM ARILONTM Insecticide packaged in the nonrefillable reclosable large bags or packs.]

Dilution Chart for ARILONTM Insecticide:

Volume (gals.) Water to Use	Desired End Use Application Rate	Quantity of ARILON™ (Dry Oz.) insecticide needed
1.0	0.05%	0.33 oz. 0.66 oz.
5.0	0.05% 0.10%	1.7 oz. 3.3 oz.
25.0	0.05% 0.10%	8.25 oz. (1 bag)* 16.5 oz. (2 bags)
50.0	0.05% 0.10%	16.5 oz. (2 bags) 33.0 oz. (4 bags)

^{*} One bag contains 8.25 oz (approximately 235 g) of APERIONTM insecticide concentrate. Measure out only quantity of product needed for treatment quantities of less than 25 gallons.

[Option]

Steps When Mixing:

IMPORTANT: Do Not pour ARILON $^{\text{TM}}$ insecticide into an empty tank.

[Each [bag][packet] is constructed of plastic Terrene film and contains ARILONTM insecticide concentrate that must first be opened then the contents are poured into the application or mixing tank.]

- 1. Clean application tank prior to using ARILONTM.
- 2. Fill application tank with water to about half of desired volume.
- 3. Appropriate amount of ARILONTM is now poured into tank.
- 4. Agitate.
- Fill tank with remaining half volume of water and agitate again.
- 6. Now ready to apply. If treatment mixture sits in the tank for extended periods, re-agitate prior to application.

APPLICATION VOLUMES

For low to medium infestations or for routine maintenance applications apply a volume of approximately 1 gal. of treatment solution per 1,000 square feet. In order to achieve greater coverage, apply 2 to 4 gals. per 1,000 square feet. Such conditions would include medium to heavy infestations of pests, porous surfaces, complex sites such as thick, heavy perimeter shrubbery, or for maximum residual performance.

APPLICATION DIRECTIONS: PESTS

Cockroaches

ARILONTM insecticide is effective at controlling cockroaches. Apply using a treatment solution containing 0.05% - 0.1% indoxacarb in water(refer to ARILONTM insecticide dilution chart). For heavy infestations of cockroaches and/or extreme environmental conditions, use the higher listed rate.

Indoors: Apply ARILON™ insecticide using a coarse, low pressure water-based spot or crack and crevice treatment that targets areas of cockroach infestation or areas known or suspected to be cockroach harborage sites. Direct applications can be made to areas including, but not limited to, pest entry sites, attics, wall voids, behind cabinets or equipment, under

counters or appliances, along baseboards and reticulation systems.

Outdoors: Apply ARILONTM insecticide using a coarse, low pressure spray as a spot, crack and crevice, general surface or perimeter band-type treatment to control or prevent cockroach infestations. A perimeter band of 10 ft., for example, can include 3 ft. up the exterior wall and out to 7 ft. of horizontal substrate away from the wall base. Treat heavier infestations or more complex substrates such as stone or brick with greater volumes of treatment solution. Refer to volume directions earlier in this label for more information. In addition to exterior structural elements, outdoor breeding sites such as refuse collection areas, loading docks, adjacent tree holes, crawl spaces, or other sources of cockroach infestations should be located and receive a treatment.

Ants (Excluding Fire and Harvester Ants)

ARILONTM insecticide is effective at controlling ants (excluding fire and harvester ants). Apply using a treatment solution containing 0.05% - 0.1% indoxacarb in water (refer to ARILONTM insecticide dilution chart). For heavy infestations of ants (excluding fire and harvester ants) and/or extreme environmental conditions use the higher listed application rate.

Indoors: Apply ARILON™ insecticide using a coarse low pressure spray as a spot or crack and crevice treatment that targets active ant trails, nests, or other infested areas or areas suspected to be infested. Also make direct applications to areas including, but not limited to, pest entry sites, attics, wall voids, behind cabinets or equipment, under counters or appliances, along baseboards and reticulation systems.

Outdoors: Apply ARILONTM insecticide using a coarse, low pressure spray as a spot, crack and crevice, general surface or perimeter band-type treatment to control or prevent ant infestations. A perimeter band of 10 ft., for example, can include 3 ft. up the exterior wall and out to 7 ft. of horizontal substrate away from the wall base. Treat heavier infestations or more complex substrates such as stone or brick with greater volumes of treatment solution. Refer to volume directions earlier in this label for more information. In addition to exterior structural elements, outdoor nesting sites such as refuse collection areas, flower/mulch beds, adjacent tree holes, surrounding turf areas, crawl spaces, or other nest/foraging sites, and foraging trails can be treated. Treat ant nests or mounds directly using 1-2 gals. of treatment dilution per mound. Surfaces commonly used by ants for foraging such as outdoor edges/frames of windows, doors, utility penetrations, roof lines eaves, and other structural edges can also be treated.

Nuisance Pests: Crickets, Pillbugs and Sowbugs

ARILON™ insecticide is effective at controlling crickets, pillbugs and sowbugs. Apply using a treatment solution containing 0.05% - 0.1% indoxacarb in water (refer to dilution chart). For heavy infestations and/or extreme environmental conditions, use the higher listed rate.

Indoors: Apply ARILON™ insecticide using a coarse low pressure spray as a spot or crack and crevice treatment that targets infested areas or areas suspected to be infested. Direct applications can be made to areas including, but not limited to, pest entry sites, attics, wall voids, behind cabinets or equipment, under counters or appliances, along baseboards,

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storage rooms, garage areas, basements and reticulation systems.

Outdoors: Apply DuPont™ ARILON™ insecticide using a coarse, low pressure spray as a spot, crack and crevice, general surface or perimeter band-type treatment to control crickets, pillbugs and sowbugs and to help prevent these nuisance pests from invading the structure. A perimeter band of 10 ft., for example, can include 3 ft. up the exterior wall and out to 7 ft. of horizontal substrate away from the wall base. Treat heavier infestations or more complex substrates such as stone or brick with greater volumes of treatment solution. Refer to volume directions earlier in this label for more information.

Termites

ARILON™ insecticide will kill subterranean termite species of Coptotermes, Heterotermes, Reticulitermes, and Zootermopses. This product will kill workers and/or winged reproductive forms of termites present at the time of application only. Application of this product will not provide structural protection nor substitute for mechanical alteration, soil or foundation treatment with termiticide. This product is not to be used as sole protection against termites, as it is not designed to offer structural protection and will not prevent future infestations, A professional inspection is recommended.

APERION™ can be applied as a spot treatment to kill active termites by applying as a coarse liquid spray at 1 gal. per 10 sq. ft. of infested area. Treat infested sites directly. Apply using a treatment solution containing 0.05% - 0.1% indoxacarb in water(refer to ARILON™ insecticide dilution chart). For heavy infestations of termites and/or extreme environmental conditions, use the higher listed rate.

Food Handling Establishments

(Food handling establishments are places other than private residences in which food is held, processed, prepared or served.)

Specific Restrictions:

- Do not apply to areas or surfaces where food/feed, food utensils or food processing surfaces may come into contact and become contaminated.
- Do not apply to areas that are routinely washed such as cracks and crevices in tops of tables, food/feed preparation and prepared food holding surfaces.

Applications in Nonfood Areas: ARILONTM Insecticide may be used as a spot or crack and crevice treatment to control cockroaches in residential structures and the non-food areas of commercial, industrial, public and institutional buildings/structures, including restaurants, warehouses, food processing plants, supermarkets, hospitals, nursing homes, motels, hotels, schools, daycares, laboratories, computer facilities, aircraft, buses, boats/ships, trains, pet shops and zoos.

Nonfood/non-feed areas include areas such as garbage rooms, lavatories, floor drains (to sewers), entries, and vestibules, offices, locker rooms, machine rooms, boiler rooms, garages, mop closets and storage (after bottling or canning). Refer to section below for use directions and restrictions when making applications in food/feed handling areas of Food/Feed Handling Establishments.

Applications in Food/Feed Handling Areas: Application to food/feed areas of food/feed handling establishments may only be made as a crack and crevice treatment.

Food and feed handling areas include areas for receiving, storage, packing (canning, bottling, wrapping, boxing), preparing edible waste storage, and enclosed processing systems (mills, dairies, edible oils, syrups). Serving areas are also considered a food/feed area when food is exposed and facility is in operation.

Apply into cracks and crevices using equipment designed to deliver a pin stream between different elements of construction, between floor and equipment, openings to voids and hollow spaces in walls, bases and equipment.

Re-treatment Directions

Application to specific areas previously untreated can be treated as necessary. Typical or maintenance applications can be made as frequently as necessary up to a maximum of once per month. For heavy infestations of insect pests that require more than one treatment application to gain control, retreatment is allowed 7 days after initial application.

Use Restrictions:

- Not for use on plants being grown for sale or other commercial use, or for commercial seed production.
- Do not formulate this product into other end-use products without written permission of DuPont Professional Products
- Do not apply this product through any type of irrigation system.
- Do not apply this product in commercial nurseries and greenhouses or on sod farms.
- Keep people and pets away from treated areas until treatment has dried.
- Do not apply a broadcast or general surface application to interior surfaces of residential or commercial structures.
- Do not apply this product to pets, edible crops, or sources of electricity.
- Do not use water base sprays of ARILON™ in or on electrical equipment due to possible shock hazard.
- At residential sites, all food processing surfaces and utensils in the treatment area must be covered during treatment or thoroughly washed before reuse.
- Do not apply this product in patient rooms or in any rooms being occupied including the elderly or infirmed.
- Do not apply when classrooms are in use.
- Do not apply to institutions (i.e., libraries, recreational facilities, etc) when occupants are present in the immediate area/room being treated.

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STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store product in original container only in a location inaccessible to children and pets. Do not contaminate water, other pesticides, fertilizer, food or feed in storage.

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 HANDLING:

Refer to the Net Contents section of this product's labeling for the applicable "Nonrefillable Container" or "Refillable Container" designation.

Nonrefillable Plastic Containers (Capacity Equal to or Less Than 50 Pounds): Nonrefillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. 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, for Plastic Containers, offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration. Do not burn, unless allowed by state and local ordinances. For Metal Containers, 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

Nonrefillable Plastic and Metal Containers, e.g., Intermediate Bulk Containers [IBC] (Size or Shape Too Large to be Tipped, Rolled or Turned Upside **Down):** Nonrefillable container. Do not reuse or refill this container. Clean container promptly after emptying the contents from this container into application equipment or mix tank and before final disposal using the following pressure rinsing procedure. Insert a lance fitted with a suitable tank cleaning nozzle into the container and ensure that the water spray thoroughly covers the top, bottom and all sides inside the container. The nozzle manufacturer generally provides instructions for the appropriate spray pressure, spray duration and/or spray volume. If the manufacturer's instructions are not available, pressure rinse the container for at least 60 seconds using a minimum pressure of 30 PSI with a minimum rinse volume of 10% of the container volume. Drain, pour or pump rinsate into application equipment or rinsate collection system. Repeat this pressure rinsing procedure two more times. Then, for Plastic Containers, offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration. For Metal Containers, 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.

Nonrefillable Paper or Plastic Bags, Fiber Sacks including Flexible Intermediate Bulk Containers (FIBC) or Fiber Drums With Liners: Nonrefillable container. Do not reuse or refill this container. Completely empty paper or plastic bag, fiber sack or drum liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into application or manufacturing equipment. Then offer for recycling if available or dispose of empty paper or plastic bag, fiber sack or fiber drum and liner in a sanitary landfill, or by incineration. Do not burn, unless allowed by state and local ordinances.

Refillable Fiber Drums With Liners: Refillable container (fiber drum only). Refilling Fiber Drum: Refill this fiber drum with DuPont™ ARILON™ insecticide containing indoxacarb only. Do not reuse this fiber drum for any other purpose. Cleaning before refilling is the responsibility of the refiller. Completely empty liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into application or manufacturing equipment. Disposing of Fiber Drum and/or Liner: Do not reuse this fiber drum for any other purpose other than refilling (see preceding). Cleaning the container (liner and/or fiber drum) before final disposal is the responsibility of the person disposing of the container. Offer the liner for recycling if available or dispose of liner in a sanitary landfill, or by incineration. Do not burn, unless allowed by state and local ordinances. If drum is contaminated and cannot be reused, dispose of it in the manner required for its liner. To clean the fiber drum before final disposal, completely empty the fiber drum by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into application or manufacturing equipment. Then offer the fiber drum for recycling if available or dispose of in a sanitary landfill, or by incineration. Do not burn, unless allowed by state and local ordinances.

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All Other Refillable Containers: Refillable container. Refilling Container: Refill this container with DuPontTM ARILONTM insecticide containing indoxacarb only. Do not reuse this container for any other purpose. Cleaning before refilling is the responsibility of the refiller. Prior to refilling, inspect carefully for damage such as cracks, punctures, abrasions, worn out threads and closure devices. If damage is found, do not use the container, contact DuPont at the number below for instructions. Check for leaks after refilling and before transporting. If leaks are found, do not reuse or transport container, contact DuPont at the number below for instructions. Disposing of Container: Do not reuse this container for any other purpose other than refilling (see preceding). Cleaning the container before final disposal is the responsibility of the person disposing of the container. To clean the container before final disposal, use the following pressure rinsing procedure. Insert a lance fitted with a suitable tank cleaning nozzle into the container and ensure that the water spray thoroughly covers the top, bottom and all sides inside the container. The nozzle manufacturer generally provides instructions for the appropriate spray pressure, spray duration and/or spray volume. If the manufacturer's instructions are not available, pressure rinse the container for at least 60 seconds using a minimum pressure of 30 PSI with a minimum rinse volume of 10% of the container volume. Drain, pour or pump rinsate into application equipment or rinsate collection system. Repeat this pressure rinsing procedure two more times. Then, for Plastic Containers, offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration. Do not burn, unless allowed by state and local ordinances. For Metal Containers, 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.

[Following Container Handling directions are for ARILONTM insecticide packaged in nonrefillable plastic bags/packets]

Plastic [Bags] [Packets]: Nonrefillable container. Do not reuse or refill this container. Completely empty plastic [bag] [packet] into application equipment. Then offer for recycling if available, or dispose of empty [bag] [packet] in the trash, a sanitary landfill or by incineration.

Do not transport if this container is damaged or leaking. If the container is damaged, leaking or obsolete, or in the event of a major spill, fire or other emergency, contact DuPont at 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.

The DuPont Oval Logo, DuPontTM, and ARILONTM are trademarks of E.I. duPont de Nemours and Company.

[Optional text for sticker distributed with product]
[RETHINK PEST CONTROL
DuPontTM ArilonTM Insecticide]

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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 may arise from factors such as weather conditions, soil factors, off target movement, unconventional technique, presence of other materials, the manner of use or application, or other unknown factors, all of which are beyond the control of DuPont or Seller. These risks can cause: ineffectiveness of the product or other unintended consequences. DuPont does not agree to be an insurer of these risks. TO THE EXTENT CONSISTENT WITH APPLIC-ABLE 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.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, DUPONT MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF FITNESS OR OF MERCHANTABILITY OR ANY OTHER EXPRESS OR IMPLIED WARRANTY.

TO THE EXTENT CONSISTENT WITH APPLIC-ABLE 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. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW THAT ALLOWS SUCH REQUIREMENT, 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, STRICT LIABILITY OR OTHER LEGAL THEORY) RESULTING FROM THE STORAGE, 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.

To the extent consistent with applicable law that allows such requirement, DuPont or its distributor must have prompt notice of any claim so that an immediate investigation of buyer's or user's claim can be made. Buyer and all users shall promptly notify DuPont or a DuPont distributor 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.