

432-1389

10/2/2009

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Richard M. Gorrell, Manager
Bayer Environmental Science
2 T.W. Alexander Drive
Research Triangle Park, NC 27709

OCT 2 2009

Subject: Label Notification(s) for Pesticide Registration Notices 2007-4 and 98-10
1. Updated warranty statements

Dear Mr. Gorrell:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 and 98-10 dated August 18, 2009 for:

EPA Registration 432-896
EPA Registration 432-1219
EPA Registration 432-1389

Chipco Choice Insecticide
Ceasefire Fire Ant Bait Insecticide
Fenstar Fungicide

The Registration Division (RD) has conducted a review of this request for applicability under PR Notice 2007-4 and 98-10 and finds that the label changes requested falls within the scope of PR Notice 2007-4 and 98-10. The label has been date-stamped "Notification" and will be placed in our records.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying the batch of the pesticide distributed and sold be placed on nonrefillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.

If you have any questions, please contact me directly at 703-305-6249 or Nicole Williams of my staff at 703-308-5551.

Sincerely,

Linda Arrington
Notifications & Minor Formulations Team Leader
Registration Division (7505P)
Office of Pesticide Programs



United States
Environmental Protection Agency
 Washington, DC 20460

Registration
 Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 432-1389	2. EPA Product Manager Mr. Richard Gebken	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Fenstar Fungicide	PM# PM 10	
5. Name and Address of Applicant (Include ZIP Code) Bayer Environmental Science 2 T. W. Alexander Drive Research Triangle Park, NC 27709 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____	

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input checked="" type="checkbox"/> Final printed labels in response to Agency letter dated _____	NOTIFICATION OCT - 2 2009
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.	
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.	

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

See attachment for certification statements

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Metal	<input checked="" type="checkbox"/> Plastic
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt	No. per container
				<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
				<input type="checkbox"/> Other (Specify) _____	
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 4x1 gallon		5. Location of Label Directions <input type="checkbox"/> on label	
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled			<input type="checkbox"/> Other _____		

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)

Name Richard M. Gorrell	Title Manager, Registrations	Telephone No. (Include Area Code) (919) 549-2423
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Certification

I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.

6. Date Application Received
(Stamped)

2. Signature <i>Richard M. Gorrell</i>	3. Title Manager, Registrations
4. Typed Name Richard M. Gorrell	5. Date August 18, 2009

Container Disposal and Warranty Statement Certification Statements

This notification is consistent with the provisions of PR Notices 98-10 and 2007-4 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

- Container Disposal Statement Revision as per EPA mandate

This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

- Warranty Statement Revised as per EPA mandate

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DR

Bayer Environmental Science



August 18, 2009

EPA09RMG0818FenstarNotifContDisp-Warrant
Fedex

Ms. Linda Arrington
U.S. Environmental Protection Agency
Office of Pesticide Programs (7504P)
Document Processing Desk (Notif)
Room S-4900, One Potmac Yard
2777 South Crystal Drive
Arlington, VA 22202-4501

RE: Fenstar Fungicide(EPA Reg No. 432-1389)Notification to Add Container
Disposal and Warranty Statements

Dear Ms. Arrington:

Bayer Environmental Science (BES) is notifying the Agency of the addition of a revised container disposal and warranty statements for the Fenstar Fungicide label. The label language is exactly as prescribed by the Agency for both statements.

Bayer Environmental Science
2 T.W. Alexander Drive
RTP, NC 27709
Phone : 919.549.2000

The following information is included with this amendment:

- 8570-1 form
- Revised Label (4 paper copies; one highlighted copy)

If you have any questions, contact me at (919) 549-2423 or email me at mike.gorrell@bayercropscience.com.

Sincerely,

Richard M. Gorrell
Manager, Registrations

Cc: Karen Shearer

FENSTAR Fungicide

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A Fungicide used for the Prevention and Control of Certain Diseases of Commercially Grown Ornamentals in greenhouses and saran houses only. Not for Residential Use.

ACTIVE INGREDIENT:

Fenamidone: (5S)-3,5-dihydro-5-methyl-2-(methylthio)-5-phenyl-3-(phenylamino)-4H-imidazol-4-one 44.4 %

INERT INGREDIENTS:..... 55.6 %

Equivalent to 500 g/L or 4.13 lbs. active ingredient per gallon.

EPA Reg. No. 432-1389

EPA Est. No.:

KEEP OUT OF REACH OF CHILDREN
WARNING

NOTIFICATION

OCT - 2 2009

For MEDICAL And TRANSPORTATION Emergencies ONLY Call 24 Hours A Day 1-800-334-7577

For PRODUCT USE Information Call 1-888-283-6847

FIRST AID

IF SWALLOWED:	<ul style="list-style-type: none">• Immediately call a poison control center or doctor for treatment advice.• Do not induce vomiting unless told to do so by a poison control center or doctor.• Have person sip a glass of water if able to swallow.• Do not give anything by mouth to an unconscious person.
IF ON SKIN OR CLOTHING:	<ul style="list-style-type: none">• 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:	<ul style="list-style-type: none">• 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.• Call a poison control center or doctor for treatment advice.

For MEDICAL Emergencies Call 24 Hours A Day 1-800-334-7577.

Have the product container or label with you when calling a poison control center or doctor or going for treatment.

NOTE TO PHYSICIAN: Possible mucosal damage may contraindicate the use of gastric lavage. May pose an aspiration pneumonia hazard.

PRECAUTIONARY STATEMENTS

WARNING

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

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 spray mist. Causes substantial but temporary eye injury. Do not get in eyes or on clothing. Remove contaminated clothing and wash before reuse.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Applicators and other handlers must wear long-sleeved shirt and long pants, chemical resistant-gloves made of any waterproof material, shoes plus socks, and protective eyewear. Remove contaminated clothing and wash before reuse.

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

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.

User Safety Recommendations

- 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 moderately to highly 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 washwater. Drift or run-off from treated areas is hazardous to fish and aquatic invertebrates 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.**

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 of 12 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, chemical resistant gloves made of any waterproof material, shoes plus socks, and protective eyewear.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE:

Store in a cool dry location.

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

PLASTIC CONTAINER: Non-refillable container. Do not reuse or refill this container. Offer for recycling, if available. Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container 1/4 full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or incineration or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

GENERAL INFORMATION

FENAMIDONE 500 SC FUNGICIDE is a sprayable, broad-spectrum foliar fungicide for control of certain plant diseases of ornamentals. It can be applied as a drench or foliar application to greenhouse and saran house grown ornamental plants. Use of FENAMIDONE 500 SC FUNGICIDE should be integrated into an overall disease, pest management, or IPM program. FENAMIDONE 500 SC FUNGICIDE may be used with disease forecasting or Extension advisory programs,

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which recommend application timings, based on environmental factors favorable to disease development. Applications may be made at the longer spray intervals or lower rates under low to moderate disease pressure while the higher rates in the rate range or shorter spray intervals may be required under conditions of heavy infection pressure, highly susceptible varieties, or when disease conducive environmental conditions exist. **FAILURE TO FOLLOW THE DIRECTIONS AND PRECAUTIONS ON THIS LABEL MAY RESULT IN POOR DISEASE CONTROL, AND/OR CROP INJURY.**

Fungicide Resistance Statement

Bayer encourages responsible resistance management to ensure effective long-term control of the fungal diseases on this label.

Fungal pathogens can develop resistance to products with the same mode of action when used repeatedly. Because resistance development cannot be predicted, use of this product should conform to resistance management strategies established for the particular crop and use area. Consult your local or state agricultural authorities for resistance management strategies that are complimentary to those in this label. Resistance management strategies may include rotating and/or tank-mixing with products having different modes of action or limiting the total number of applications per season.

Fenamidone is an imidazolinone fungicide that exhibits no known cross resistance to fungicide chemistry such as sterol inhibitors, dicarboximides, benzimidazoles, anilinopyridines or phenylamides.

Fenamidone is an inhibitor of the Qo (quinone outside) site within the electron transport system (QOI inhibitor) in several plant pathogenic fungal species. Fenamidone does exhibit cross-resistance, in certain plant pathogenic fungi, to fungicides of the QOI group; this includes certain strobilurin compounds such as azoxystrobin and trifloxystrobin.

Do not use a fungicide from The QOI group for more than 1/2 of the total sprays in any one season. Do not use a QOI fungicide for more than 3 sequential applications or more than 6 times per season (including in mixtures). Avoid alternation of fenamidone with other fungicides in the QOI group.

HOW TO USE FENAMIDONE 500 SC FUNGICIDE

GROUND APPLICATION

Apply in a minimum of 15 gallons of water per acre. Thorough uniform coverage is essential for effective disease control.

MIXING INSTRUCTIONS

Prepare no more spray mixture than is needed for immediate operation. Add 1/2 of the required amount of water to the mix tank. Start the agitator running before adding the required amount of FENAMIDONE 500 SC FUNGICIDE. Continue agitation while filling the tank to ensure thorough mixing. Maintain agitation during application and apply with properly calibrated application equipment. Do not allow spray mixture to stand overnight or for prolonged periods. A high quality spreader/sticker, approved for use on growing crops, should be used with FENAMIDONE 500 SC FUNGICIDE. FENAMIDONE 500 SC FUNGICIDE should be added to the tank before the addition of any adjuvant. Consult the adjuvant label or manufacturer for crop tolerance and safety information when used with FENAMIDONE 500 SC FUNGICIDE.

CHEMIGATION INFORMATION

Apply this product only through pressurized drench (flood), sprinkler, or drip (trickle) irrigation systems. Do not apply this product through any other type of irrigation system. Crop injury, lack of effectiveness, or illegal pesticide residues in the crop can result from nonuniform distribution of treated water. If you have questions about calibration, you should contact State Extension Service specialists, equipment manufacturers, or other experts. Do not connect any irrigation system (including greenhouse systems) used for pesticide application to a public water system unless the pesticide label-prescribed safety devices for public water systems are in place. A person knowledgeable of the chemigation system and responsible for its operation or under the supervision of the responsible person, shall shut the system down and make necessary adjustments should the need arise. Pesticide supply tanks are recommended for the application of this product. See label instructions for dilution use rates and timing of application. Agitate continuously during application.

**OVERHEAD, MICROJET,
OR DRIP IRRIGATION APPLICATION**

Fenamidone 500 SC alone or in tank mixture with other pesticides which are registered for overhead, microjet, or drip application may be applied in irrigation water at rates recommended on this label. Follow the label directions for the most restrictive of label limitations and precautions. This product cannot be mixed with any product containing a label prohibition against such mixing. Apply this product only through an overhead, microjet, or drip irrigation system. Do not apply this product through any other type of irrigation system. Plant injury or lack of effectiveness can result from

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nonuniform distribution of treated water. If you have questions about calibration, you should contact State Extension specialists, equipment manufacturers, or other experts. Do not connect an irrigation system (including greenhouse systems) used for pesticide application to a public water system unless the pesticide label-prescribed safety device for public water systems are in place. A person knowledgeable of the chemigation system and responsible for its operation, or under the supervision of the responsible person, shall shut the system down and make necessary adjustments should the need arise. Public water system means a system for the provision to the public of piped water for human consumption if such system has a least 15 service connections or regularly serves an average of at least 25 individuals daily or at least 60 days out of the year.

OPERATION INSTRUCTIONS

- The system must contain a functional check valve, vacuum relief valve, and low pressure drain appropriately located on the irrigation pipeline to prevent water source contamination from back flow. Chemigation systems connected to public water systems must contain a functional, reduced-pressure zone, back-flow preventer (RPZ) or the functional equivalent in the water supply line upstream from the point of pesticide introduction. As an option to the RPZ, the water from the public water system should be discharged into a reservoir tank prior to pesticide introduction. There shall be a complete physical break (air gap) between the outlet end of the fill pipe and the top or overflow rim of the reservoir tank of at least twice the inside diameter of the fill pipe.
- The pesticide injection pipeline must contain a functional, automatic, quick-closing check valve to prevent the flow of fluid back toward the injection pump.
- The pesticide injection pipeline must also contain a functional, normally closed, solenoid-operated valve located on the intake side of the injection pump and connected to the system interlock to prevent fluid from being withdrawn from the supply tank when the irrigation system is either automatically or manually shut down.
- The system must contain functional interlocking controls to automatically shut off the pesticide injection pump when the water pump motor stops.
- The irrigation line or water pump must include a functional pressure switch which will stop the water pump motor when the water pressure decreases to the point where pesticide distribution is adversely affected.
- Systems must use a metering pump, such as a positive displacement injection pump (e.g., diaphragm pump) effectively designed and constructed of materials that are compatible with pesticides and capable of being fitted with a system interlock.
- Do not apply when wind speed favors drift beyond the area intended for treatment.
- Prepare a mixture of Fenamidone 500 SC in water, and inject this mixture into the system. Injecting a larger volume of a more dilute mixture per hour will usually provide more accurate calibration of metering equipment. Maintain sufficient agitation to keep the fungicide in suspension.
- Meter into irrigation water during the beginning of the irrigation cycle.
- With overhead or microjet systems, apply enough water to thoroughly wet the potting media.

Precaution for irrigation applications: Where distribution patterns do not overlap sufficiently, unacceptable control may result. Where distribution patterns overlap excessively, injury to desirable plants may result.

ORNAMENTALS

Use FENAMIDONE 500 SC FUNGICIDE on ornamentals such as Alyssum, Azalea, Bee Balm (Monarda), Easter Lily, English Ivy, Geranium, Hybrid Tea roses, Ivy, Lilac, Pelargonium, Poinsettia, Rhododendron, Spathiphyllum and Vinca, grown in greenhouses and saran houses for control of diseases caused by Pythium, Phytophthora, and downy mildew.

Applications should be made prior to disease development and should be made in conjunction with good cultural management practices. Use the higher rate and/or shorter interval when disease pressure is severe. Do not exceed recommended rates or apply more frequently than at specified intervals or plant injury may occur.

PLANT TOLERANCE: Plant tolerances to FENAMIDONE 500 SC FUNGICIDE have been found to be acceptable in the specific genera and species listed on this label. It is not possible to evaluate every species or variety of ornamental plant for its tolerance to FENAMIDONE 500 SC FUNGICIDE. The user should test for possible phytotoxic responses in other plants on a small area basis using recommended rates prior to commercial use.

APPLICATION INFORMATION

FOLIAR APPLICATIONS (greenhouses and saran houses): For Downy Mildew and foliar Phytophthora control, mix 7.0-14.0 fl. oz. of product with 100 gallons of water and spray to wet. If less than 100 gallons of spray solution is applied per acre then apply 56-fl. oz. of product per acre. Do not exceed 400 gallons per acre. Repeat as necessary on a 28-day spray schedule. Do not apply more than two applications of the maximum rate per crop per season.

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DRENCH APPLICATIONS (greenhouse and saran houses): For Pythium and Phytophthora control, mix 7.0 to 14.0 fl. oz. of product with 50-100 gallons of water and apply to 400 sq. ft. (equivalent to 1-2 pts. solution per sq. ft.) Repeat as necessary on a 28-day spray schedule. Do not apply more than four applications of the maximum rate per crop per season.

PLANT TOLERANCE

Plant tolerances to FENAMIDONE 500 SC FUNGICIDE have been found to be acceptable in the specific genera and species listed on this label. It is not possible to evaluate every species or variety of ornamental plant for its tolerance to FENAMIDONE 500 SC FUNGICIDE. The user should test for possible phytotoxic responses in other plants on a small area basis using recommended rates prior to commercial use.

TANK MIXTURES

Additional Disease Control: If ornamentals are threatened by additional diseases, FENAMIDONE 500 SC FUNGICIDE can be tank mixed with most commonly used fungicides. For control of diseases such as Aerial Web Blight, Alternaria Leaf Blight, Botrytis Blight, Fusarium Leaf Spot, Helminthosporium Leaf Spot, and Ray Blight, FENAMIDONE 500 SC FUNGICIDE can be tank-mixed with 26GT brand fungicide. Consult the 26GT label for a complete listing of diseases controlled and for application rates.

If a tank-mix with other fungicides is used, follow label directions for the use of that product and apply at the recommended rate for control of the target disease organism.

COMPATIBILITY

FENAMIDONE 500 SC FUNGICIDE is compatible with most commonly used fungicides. If a tank mixture is used, follow label directions for the use of that product.

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IMPORTANT: READ BEFORE USE

Read the entire Directions for Use, Conditions, Disclaimer of Warranties and Limitations of Liability before using this product. If terms are not acceptable, return the unopened product container at once.

By using this product, user or buyer accepts the following Conditions, Disclaimer of Warranties and Limitations of Liability.

CONDITIONS: The directions for use of this product are believed to be adequate and must be followed carefully. However, it is impossible to eliminate all risks associated with the use of this product. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or the manner of use or application, all of which are beyond the control of Bayer CropScience. All such risks shall be assumed by the user or buyer.

DISCLAIMER OF WARRANTIES: TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BAYER CROPSCIENCE MAKES NO OTHER WARRANTIES, EXPRESS OR IMPLIED, OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE OR OTHERWISE, THAT EXTEND BEYOND THE STATEMENTS MADE ON THIS LABEL. No agent of Bayer CropScience is authorized to make any warranties beyond those contained herein or to modify the warranties contained herein. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BAYER CROPSCIENCE DISCLAIMS ANY LIABILITY WHATSOEVER FOR SPECIAL, INCIDENTAL OR CONSEQUENTIAL DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT.

LIMITATIONS OF LIABILITY: TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE EXCLUSIVE REMEDY OF THE USER OR BUYER FOR ANY AND ALL LOSSES, INJURIES OR DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, WHETHER IN CONTRACT, WARRANTY, TORT, NEGLIGENCE, STRICT LIABILITY OR OTHERWISE, SHALL NOT EXCEED THE PURCHASE PRICE PAID, OR AT BAYER CROPSCIENCE'S ELECTION, THE REPLACEMENT OF PRODUCT.

NET CONTENTS:

Produced for



Bayer Environmental Science

Bayer Environmental Science
A Business Group of Bayer CropScience LP
PO Box 12014, 2 T. W. Alexander Drive
Research Triangle Park, NC 27709

Fenstar Fungicide (PENDING) 08/17/09