

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

OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

APR 2 4 2009

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

RE: Notification of Alternate Brand Name: Chipco Triton FLO Fungicide

Registration Number: 432-1487 Submission Dated: March 6, 2009

Dear Mr. Gorrell:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated, March 6, 2009, for the product, Triticonazole 3SC Fungicide. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the actions) requested fall within the scope of PRN 98-10. The label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions, please call me directly at 703-305-6249 or Joyce Edwards of my staff at 703-308-5479.

Sincerely yours,

Linda Arrington

Notifications & Minor Formulations Team Leader Registration Division (7505P)

Office of Pesticide Programs

<b>\$EPA</b>	United States  Environmental Protection Agency Washington, DC 20460		y		<b>✓</b>	Registra Amenda Other		OPP Identifier Number	
	P	pplicatio	n for Pe	stici	de - Sec	tion	[		
1. Company/Product Nun 432-1487	nber		l l		Product Mar Waller	nager		3. P	roposed Classification  None Restricted
4. Company/Product (Nar Triticonazole 3SC Fi			Pi	Λ#					
5. Name and Address of	Applicant (Include ZIP Cod	le)	6.	Exp	edited Re	veiw.	In accorda	nce with	FIFRA Section 3(c)(3)
Bayer Environmen 2 T. W. Alexander Research Triangle	Drive Park, NC 27709				ny product Reg. No			icaline R 2 4	emposition and labeling
Check if	this is a new address		F	rodu	ict Name				
			Sectio	ก -	11				
Notification - Expl  Explanation: Use addi  This notification is consis made to the labeling or the statement to EPA. I furth violation of FIFRA and I make the statement is the statement in the statement is the statement in the statement in the statement is the statement in the statement in the statement is the statement in the statement in the statement is the statement in the statement in the statement is the statement in the statement in the statement is the statement in the	esponse to Agency letter o	. (For section R Notices 98-1 ormula of this ification is not et action and	10 and 2007-4 product. I und consistent wil penalties unde	and E dersta th the er sec	Agency let "Me Too"  Other - Exp  EPA regulation that it is a terms of PR tions 12 and	ter dat Application be ons at 4 violation Notice 14 of F	etion. elow. 0 CFR 152.4 on of 18 U.S.0 98-10 and 40	6, and no c	01 to willfully make any fals
			Sectio	n - 1	11				
1. Material This Product	Will Be Packaged In:								
Child-Resistant Packagin Yes No Certification must be submitted	Yes Vo	No. per container	Water Sol  Ye  ✓ No  If "Yes"  Package v	<b>s</b>	Packaging No. per	ər	2. Type of	Metal Plastic Glass Paper	r Specify)
3. Location of Net Conte	1	4. Size(s) Ret	tail Container	'n	<u> </u>	5. Lo	ocation of La	bel Direct	ions
6. Manner in Which Labe	Container	Lithog Paper Stenci			Oth	er			
			Section	n - I	V				
1. Contact Point (Comp.	lete items directly below fo	r identificatio	on of individu	el to l	e contacted	, if nec	essary, to p	rocess thi	s application.)
Name Richard M. Gorrell			Tide Manager, F	Regis	trations			Telepho (919) 54	ne No. (Include Area Code 9-2423
		Certifica	ntion				· · · · · · · · · · · · · · · · · · ·		6. Date Application

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

5. Date

Manager, Registrations

March 6, 2009

EPA Form 8570-1 (Rev. 3-94) Previous editions are obsolete.

Richal M. Harriel

both under applicable law.

2. Signature

4. Typed Name

Richard M. Gorrell

Received

(Stainped)

# Bayer Environmental Science



March 6, 2009

EPA09RMG0106Triticonazole3SCFungABNNotif Fedex

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

RE: Triticonazole 3SC Fungicide (432-1487): Notification of Alternate Brand Name

Dear Ms. Arrington:

Bayer Environmental Science is notifying the EPA of an alternate brand name Chipco Triton FLO Fungicide for Triticonazole 3 SC Fungicide.

The following information is enclosed with this letter:

- 1. 8570-1 Application Form
- 2. 3 copies of the revised label (1 copy is highlighted for your convenience)

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

Incl.

Cc: Karen Shearer Jimmy Johnson Richard Rees Bayer Environmental Science 2 T.W. Alexander Drive RTP, NC 27709

Phone : 919.549.2000

A Business Group of Bayer CropScience

## **GROUP 3 FUNGICIDE**

# CHIPCO® TRITON FLO

For control of diseases on turfgrasses of commercial, institutional and residential turfgrass, such as golf courses, sod farms, commercial lawns, rights of way, parks, recreation areas, cemeteries and sports fields.

ACTIVE INGREDIENT:

Triticonazole:

OTHER INGREDIENTS:

\* Contains 3 lbs triticonazole per US gallon

Total

Total

100.0%

EPA Reg. No. 432-1487

EPA Est. No.

# KEEP OUT OF REACH OF CHILDREN CAUTION

For MEDICAL and TRANSPORTATION Emergencies ONLY Call 24 Hours A Day 1-800-334-7577
For PRODUCT USE Information Call 1-866-99BAYER (1-800-331-2867)

#### **FIRST AID**

IF SWALLOWED:	<ul> <li>Call a poison control center or doctor immediately for treatment advice.</li> <li>Do not induce vomiting unless told to do so by a poison control center or doctor.</li> <li>Have person sip a glass of water if able to swallow.</li> <li>Do not give anything by mouth to an unconscious person.</li> </ul>
IF ON SKIN OR CLOTHING:	<ul> <li>Take off contaminated clothing.</li> <li>Rinse skin immediately with plenty of water for 15-20 minutes.</li> <li>Call a poison control center or doctor for treatment advice.</li> </ul>
Have the product c	cy call toll free the Bayer CropScience Emergency Response Telephone No. 1-800-334-7577. ontainer or label with you when calling a poison control center or doctor or going for treatment. IAN: Treat Symptomatically.

#### NOTIFICATION

APR 2 4 2009



#### PRECAUTIONARY STATEMENTS

# HAZARDS TO HUMANS AND DOMESTIC ANIMALS CAUTION

Harmful if swallowed or absorbed through skin. Avoid contact with skin, eyes, or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Remove and wash contaminated clothing before reuse.

#### Personal Protective Equipment (PPE):

Applicators and other handlers must wear long sleeved shirt and long pants, shoes plus socks, and chemical-resistant gloves made of any waterproof material such as natural rubber ≥ 14 mils (if more options are needed, follow the instructions for category A on an EPA chemical-resistance category selection chart).

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions exist 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.

#### **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 and wash contaminated clothing before reuse.
- 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**

For terrestrial uses: Do not apply directly to water, to areas where surface water is present, or to intertidal areas below the high water mark. Drift and runoff from treated areas may be hazardous to fish and aquatic organisms in adjacent aquatic sites. Do not contaminate water when cleaning equipment or disposing of equipment wash waters.

#### **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 (REI) 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 over long-sleeved shirt and long pants, socks and shoes, and chemical-resistant gloves made of any of any waterproof material such as natural rubber > 14 mils.

#### NON-AGRICULTURAL USE REQUIREMENTS

The requirements in this box only apply to uses of this product that are NOT within the scope of the Worker Protection Standard for agricultural pesticides (40 CFR Part 170). The WPS applies when the product is used to produce agricultural plants on farms, nurseries or greenhouses.

DO NOT enter or allow others to enter treated areas until sprays have dried.

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#### STORAGE AND DISPOSAL

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

**Pesticide Storage:** Store in original container and keep tightly closed when not in use. Store in a cool dry place. Avoid cross contamination with other pesticides.

**Pesticide Disposal:** Pesticide wastes may be toxic. Improper disposal of unused pesticide, spray mixture, or rinse water is a violation of federal law. If these wastes cannot be used according to label instruction, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance in proper disposal methods.

**Container Disposal:** 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. After triple rinsing procedure dispose of container.

#### **GENERAL INFORMATION**

CHIPCO® TRITON FLO is a broad spectrum fungicide with preventive, systemic, residual and curative properties recommended for the control or suppression of certain turf diseases. Disease control is optimal when it is applied in a preventive and scheduled spray program and used in rotation with other fungicides.

Failure to follow these label instructions may result in turfgrass injury and inferior turfgrass quality. This product may cause staining. Avoid off-target sites such as sidewalks, patios, driveways pavers or similar materials. Avoid entry to areas used for recreation and sports until spray deposits are completely dry after application to prevent staining of clothing and shoes.

CHIPCO® TRITON FLO can be used on all commercial, institutional and residential turfgrass, such as golf courses, sod farms, commercial lawns, rights of way, parks, recreation areas, cemeteries and sports fields. Not for use by homeowners.

#### **APPLICATION INFORMATION**

CHIPCO® TRITON FLO may be used alone to control important diseases of turfgrass or alternatively used in tank mix or sequentially with other registered turfgrass fungicides.

Applications using sufficient water volume to provide thorough and uniform coverage generally provide the most effective disease control. Do not make applications when conditions favor drift beyond the target application area. All applications of CHIPCO® TRITON FLO must be made in accordance with the use directions of this label.

CHIPCO® TRITON FLO, when used in conjunction with best turfgrass management practice, will control the diseases listed under TURF-SPECIFIC USE DIRECTIONS.

CHIPCO® TRITON FLO, when combined with other products such as Chipco® Signature®, will relieve the symptoms of summer stress syndrome/decline.

#### **Turfgrass Species:**

Colonial and Creeping Bentgrass
Common and Hybrid Bermudagrass
Annual, Rough and Kentucky Bluegrass
Buffalograss
Centipedegrass
Dichondra
Fine and Tall Fescue
Seashore Paspalum
Annual and Perennial Ryegrass
St. Augustinegrass
Zoysiagrass
Kikuyugrass

DO NOT use on ultra-dwarf bermudagrass varieties.

AVOID the shorter application intervals if the turf is under excessive stress in the summer or under an intensive growth control program.

#### **Ground Application**

For ground application equipment use the appropriate product quantities described in this label in 1 to 5 gallons of water per 1,000 sq ft for turf (44 to 220 gallons per acre).

#### SPRAY MIXING AND COMPATIBILITY

In general, begin with clean spray equipment and add one-half of the required quantity of water to the spray or mixing tank and start agitation. Refer to the product amounts tabulated under **PRODUCT QUANTITY (FL OZ)** by **SPRAY VOLUME** and **TANK CAPACITY** and add the required quantity of fungicide and the tank-mix partner if applicable to the water and complete filling with water to the required total volume. Follow the recommendations of your State Cooperative Extension Service for tank-mixing with other products. In general, follow the order beginning first with water soluble packaging (wait for it to completely dissolve), wettable powders and water-dispersible granular products, liquid flowables and suspension concentrates and emulsifiable concentrates last. Maintain agitation throughout spraying. Do not allow spray mixture to remain in the tank overnight, or for long periods during the day without agitation.

The turf safety of all potential tank-mixes with CHIPCO® TRITON FLO including additives and other pesticides has not been tested on all turf type variants. Before applying any tank-mixture not specifically recommended on this label, safety to the target turf should be confirmed. CHIPCO® TRITON FLO is compatible with most commonly used fungicide, herbicide, insecticide, growth regulator and foliar nutrient products. However, the physical compatibility of CHIPCO® TRITON FLO with all potential tank-mix partners has not been fully investigated. If tank mixing with other pesticides is desirable, conduct a jar test with the volumes and rates typically used in agricultural application. Using a small container of water, add the proportionate amounts of the products: wettable powders and water-dispersible granular products first, then liquid flowables and emulsifiable concentrates last. After thoroughly mixing, let stand for at least 15 minutes. Look for signs of separation, globules, sludge, flakes, or other precipitates. Physical compatibility is indicated if the combination remains mixed or can be remixed readily.

- The use of a soil penetrating adjuvant may improve the movement into the soil when irrigation after treatment is required for disease control.
- Combinations of CHIPCO® TRITON FLO at high labeled rates with PGRs may impact turf quality and reduce turf growth
  particularly during period of heat stress and high humidity.
- When preparing spray mixtures of CHIPCO® TRITON FLO with Bayer Products add the products in the following order: 1) Water dispersible products, 2) CHIPCO® TRITON FLO followed by other suspension concentrates such as Compass™, 26GT™, and lastly 3) Chipco® Signature®.

#### RESISTANCE MANAGEMENT

The active ingredient in CHIPCO® TRITON FLO belongs to the Sterol Inhibitors or Demethylation Inhibitors class of chemistry (Group 3). To maintain long term effectiveness of this fungicide, follow the specific resistance management guidance from a local extension specialist.

To limit the potential for development of disease resistance to this fungicide class do not make more than 3 sequential applications of CHIPCO® TRITON FLO or any Group 3 containing fungicide before rotating with a fungicide from a different group.

#### **GENERAL RESTRICTIONS AND LIMITATIONS**

DO NOT apply more than the maximum seasonal rate from any combination of products containing triticonazole.

DO NOT apply more than 3.3 fl oz of CHIPCO® TRITON FLO per 1,000 sq ft (3.451 lb ai/A) per year.

Follow the TURF-SPECIFIC USE DIRECTIONS for repeat application intervals.

For golf courses only: DO NOT apply to turf cut higher than 1 inch on golf holes where water bodies are present.

This product cannot be used to formulate or reformulate any other pesticide product.

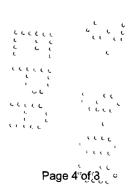
DO NOT apply this product to crops other than turfgrass.

DO NOT apply to areas used for grazing.

DO NOT feed clippings to livestock or poultry.

DO NOT apply through irrigation equipment of any type.

DO NOT use on ultra-dwarf bermudagrass varieties.



## TURF-SPECIFIC USE DIRECTIONS<sup>1</sup>

## CHIPCO® TRITON FLO controls the diseases listed below.

Disease Control	Rate fl oz Product /1,000 sq ft	Use Information
Anthracnose (Colletotrichum cereale)	0.41-1.1	Begin fungicide applications preventively when conditions are favorable for disease development. Continue as needed, on a 14-28 day interval. <b>Under conditions for severe disease or for an early curative application</b> , use the higher rate and shorter interval.
Brown Patch ( <i>Rhizoctonia solani</i> )	0.41-1.1	Begin fungicide applications preventively when conditions are favorable for disease development. Continue as needed, on a 14-28 day interval. <b>Under conditions for severe disease or for an early curative application</b> , use the higher rate and shorter interval.
Brown Patch, Cool weather/Yellow patch ( <i>Rhizoctonia cerealis</i> )	0.55 -1.1	Make 1 to 2 applications in the fall using a 21-28 day interval or when conditions are favorable for disease development.
Brown Ring (Waitea) Patch (Waitea circinata var. circinata)	0.55 -1.1	Begin fungicide applications at the early stage of yellow ring development when conditions are favorable for disease development. Continue as needed, on a 14-28 day interval. Late curative applications will not be effective. Irrigate to move the fungicide beneath the thatch.
Dollar Spot (Sclerotinia homeocarpa)	0.28 -1.1	Begin fungicide applications preventively. Continue as needed, on a 14-28 day interval. <b>Under preventive applications</b> where light disease pressure is anticipated, use the lower rate and longer interval. <b>Under conditions for severe disease or for an early curative application</b> , use the higher rate and shorter interval. Rotation with 26 GT™ Fungicide is suggested for resistance management.
Fusarium Patch ( <i>Microdochium nivale</i> )	0.28 -1.1	Begin fungicide applications preventively in the spring and early summer when the turf stays moist and temperatures are in the range 32-65° F. Repeat applications at 10-14 day intervals when heavy disease pressure is anticipated. <b>Under conditions for severe disease</b> use the higher rate and tank mix with 26 GT Fungicide.
Gray Snow Mold, Typhula Blight ( <i>Typhula</i> spp.)	0.28 -1.1	Begin fungicide applications preventively in the late fall. Make 1-2 applications, repeating at 14-28 day intervals when heavy disease pressure is anticipated. <b>Under conditions for severe disease</b> use the higher rate and tank mix with other fungicides with alternative modes of action that are effective on snow molds.
Necrotic Ring Spot (Ophiosphaerella korrae)	0.28 -0.55	Begin fungicide applications preventively when soil temperatures reach 60° F early spring or summer and continue at 28 day intervals when conditions are favorable for development. Irrigate or aerate to allow movement of fungicide into the root zone.
Pink Patch (Limonomyces roseipellis)	0.55 -1.1	Begin fungicide applications preventively when soil temperatures reach 60° F to 70° F under periods of high rainfall-when conditions are favorable for development. Under preventive applications where light disease pressure is anticipated, use the lower rate and longer interval. Under conditions for severe disease or for an early curative application, use the higher rate and shorter interval.

Disease Control	Rate fl oz Product /1,000 sq ft	Use Information
Red Thread (Laetisaria fuciformis)	0.41 -1.1	Begin fungicide applications preventively when night air temperatures reach 60° F to 70° F under periods of high rainfall when conditions are favorable for development. <b>Under preventive applications</b> where light disease pressure is anticipated. <b>Under conditions for severe disease</b> use the higher rate and shorter interval. Continue as needed, on a 14-28 day interval.
Rust ( <i>Puccinia</i> spp.)	0.28 -0.55	Begin fungicide applications preventively when conditions are favorable for development. Under preventive applications where light disease pressure is anticipated, use the lower rate and longer interval. Under conditions for severe disease or for an early curative application, use the higher rate and shorter interval. Continue as needed, on a 14-28 day interval.
Summer Patch (Magnaporthe poae)	0.55 -1.1	Begin fungicide applications preventively when soil temperatures reach 60° F to 65° F at a 2-inch soil depth unless otherwise advised by local recommendations. Continue as needed, on a 14-28 day interval. Use the higher rate and shorter interval under severe disease pressure or if there is prior history.
Take-all Patch (Gaeumannomyces graminis var. avenae)	0.55 -1.1	Begin fungicide applications preventively in the fall. Make 1-2 applications, repeating at 14-28 day intervals when local disease conditions are favorable for development. Under preventive applications where light disease pressure is anticipated, use the lower rate and longer interval. Under conditions or prior history for severe disease or for an early curative application, use the higher rate and shorter interval.
Large Patch (aka Rhizoctonia Large Patch Zoysia Patch) ( <i>Rhizoctonia solani</i> )	0.55 -1.1	Begin fungicide applications preventatively in the fall. Make 1-2 applications, repeating at 14-28 day intervals when conditions are favorable for development. Under preventative applications where light disease pressure is anticipated, use the lower rate and longer interval. Under conditions or prior history for severe disease or for an early curative application, use the higher rate and shorter interval.



Additional Turfgrass Uses	Rate oz/1,000 sq ft	Use Information
Algae	0.55 -1.1	Use preventively the lower rate for the suppression of algae. Continue as needed, on a 14-28 day interval. Tank mix with chlorothalonil or mancozeb to improve the curative control of algae.
Summer stress syndrome / summer decline	0.55 -1.1	Begin applications prior to the onset of conditions for abiotic stress to reduce symptoms of summer stress/decline. Continue as needed, on a 14-28 day interval. Tank mix Chipco® Signature® to improve the relief in symptoms on turf under moderate to severe stress.

<sup>&</sup>lt;sup>1</sup>DO NOT apply more than 3.3 fl oz per 1,000 sq ft of CHIPCO<sup>®</sup> TRITON FLO per year.

## PRODUCT QUANTITY (FL OZ) by SPRAY VOLUME and TANK CAPACITY

CHIPCO® TRITON FLO at 0.55 fl oz per 1,000 sq ft

**Spray Tank** Capacity

	SPRAY VOLUME (gallons per 1,000 sq ft)						
	1 Gallon	2 Gallons	3 Gallons	4 Gallons	5 Gallons		
25	14	7	4.7	3.5	2.8		
Gallons	fl oz	fl oz	fl oz	fl oz	fl oz		
50	28	14	9.3	7	5.6		
Gallons	fl oz	fl oz	fl oz	fl oz	fl oz		
100	56	28	18.7	14	11.2		
Gallons	fl oz	fl oz	fl oz	fl oz	fl oz		
200	112	56	37.3	28	22.4		
Gallons	fl oz	fl oz	fl oz	fl oz	fl oz		

CHIPCO® TRITON FLO at 1.1 fl oz per 1,000 sq ft

SPRAY VOLUME (gallons per 1,000 sq ft)

1 Gallon 2 Gallons 3 Gallons

Spray Tank Capacity

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	1 Gallon	2 Gallons	3 Gallons	4 Gallons	5 Gallons		
25	28	14	9.3	7	5.6		
Gallons	fl oz	fl oz	fl oz	fi oz	fl oz		
50	56	28	18.7	14	11.2		
Gallons	fl oz	fl oz	fl oz	fl oz	fi oz		
100	112	56	37.3	28	22.4		
Gallons	fl oz	fl oz	fl oz	fl oz	fl oz		
200	224	112	74.6	56	44.8		
Gallons	fi oz	fl oz	fl oz	fl oz	fl oz		





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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 LP. All such risks shall be assumed by the user or buyer.

DISCLAIMER OF WARRANTIES: TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BAYER CROPSCIENCE LP 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 LP 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 LP 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 LP'S ELECTION, THE REPLACEMENT OF PRODUCT.

Chipco is a registered trademark of Bayer. Signature is a registered trademark of Loveland Inc. 26GT is a trademark of Bayer.

**NET CONTENTS:** 

NOTIFICATION

APR 24 2009

Produced for

Bayer Environmental Science A Business Group of Bayer CropScience LP P.O. Box 12014, 2 T.W. Alexander Drive Research Triangle Park, North Carolina 27709

CHIPCO TRITON® FLO (MASTER)ABN 03/06/09

