# UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, DC 20460



OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

December 17, 2014

Ms. Jennifer M Herzog BASF Corporation 3568 Tree Court Industrial Blvd. St. Louis, MO 63122

Subject: Label Amendment – revised Environmental Hazards and General Labeling for

Pyrethroid Non- Agricultural Outdoor Products

Product Name: TC-262

EPA Registration Number: 499-522 Application Date: May 17, 2013 Decision Number: 496071

Dear Ms. Herzog:

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

A stamped copy of your labeling is enclosed for your records. This labeling supersedes all previously accepted labeling. The next label printing of this product must use this labeling unless subsequent changes have been approved. You must submit one copy of the final printed labeling before you release the product for shipment with the new labeling. In accordance with 40 CFR 152.130(c), you may distribute or sell this product under the previously approved labeling for 18 months from the date of this letter. After 18 months, you may only distribute or sell this product if it bears this new revised labeling or subsequently approved labeling. "To distribute or sell" is defined under FIFRA section 2(gg) and its implementing regulation at 40 CFR 152.3.

Your release for shipment of the product constitutes acceptance of these conditions. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6(e). If you have any questions, please contact Linda A. DeLuise by phone at 703-305-5428, or via email at deluise.linda@epa.gov.

Sincerely,

Richard Gebken Product Manager 10

Invertebrate & Vertebrate Branch 2

Office of Pesticide Programs

### TC 262

[Alternate Brand Name: ULD® BP-300 Contact Insecticide II] {Added via notification 10/23/12}

For indoor or outdoor application as a direct, space, area or contact spray. Dependent upon the insects and areas to be treated, this product may be applied through mechanical aerosol (non-metered), Ultra Low Volume (ULV) generators, as well as thermal and conventional fogging or spraying equipment.

KILLS: Ants (excluding Harvester & Pharaoh), Bed Bugs, Cockroaches, Fleas, Flies, Scorpions, Spiders, Stored Product Pests (Beetles, Mites, Moths) and Ticks

FOR USE IN: Commercial (including Food Handling Establishments, Food Service, Storage, Preparation and Processing Areas), Institutional and Residential Areas

[See inside booklet for additional insects and use sites.]

#### **ACTIVE INGREDIENTS:**

Pyrethrins*, a botanical insecticide	3.0%
Piperonyl butoxide**	
OTHER INGREDIENTS:	<u>82.0%</u>
Contains Petroleum Distillate	TOTAL: 100.0%

<sup>\* 1</sup> gal contains 0.211 lb of pyrethrins and 1.053 lb of piperonyl butoxide

# KEEP OUT OF REACH OF CHILDREN CAUTION

(See inside for First Aid and Precautionary Statements) EPA Reg. No. 499-522 • EPA Est. No. 7969-MO-1

## ACCEPTED

12/17/2014

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

499-522

#### **FIRST AID**

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

**IF SWALLOWED:** Immediately call a poison control center or doctor. Do not induce vomiting unless told to do so by a poison control center or doctor. Do not give **any** liquid to the person. 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 additional information on this product (including health concerns, medical emergencies or pesticide incidents), you may call 1-800-832-HELP.

NOTE TO PHYSICIAN: May pose an aspiration pneumonia hazard. Contains petroleum distillate.

#### PRECAUTIONARY STATEMENTS

#### HAZARDS TO HUMANS AND DOMESTIC ANIMALS

**CAUTION:** Causes moderate eye irritation. Do not get in eyes, on skin or clothing. Wear protective eyewear\*. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet. Remove and wash contaminated clothing before reuse.

\*Protective eyewear includes goggles, face shield and/or safety glasses.

**PERSONAL PROTECTIVE EQUIPMENT (PPE):** Mixers, loaders, applicators and other handlers must wear the following: Long-sleeve shirt, long pants, shoes and socks, and chemical-resistant gloves made of barrier laminate, nitrile rubber, neoprene rubber or Viton.

• In addition to the above PPE, applicators using a high pressure hand wand in an enclosed area must wear at least a NIOSH-approved respirator with: a dust/mist filter with MSHA/NIOSH approval number prefix TC-21C or any R, P, or HE filter.

<sup>\*\* (</sup>butylcarbityl) (6-propylpiperonyl) ether and related compounds

• In addition to the above PPE, applicators fogging this product (applying as a space spray) in an enclosed area must wear a half-face, full-face, or hood-style NIOSH-approved respirator with: a dust/mist filtering cartridge (MSHA/NIOSH approval number prefix TC-21C), or a canister approved for pesticides (MSHA/NIOSH approval number prefix TC-14G), or a cartridge or canister with any R, P or HE filter.

• **USER SAFETY REQUIREMENTS:** Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry.

Discard clothing and other absorbent material that have been drenched or heavily contaminated with the product's concentrate. Do not reuse them.

#### **USER SAFETY RECOMMENDATIONS**

User should:

- Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.
- Remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- Remove PPE immediately after handling this product. As soon as possible, wash thoroughly and change into clean clothing.

#### **ENVIRONMENTAL HAZARDS**

**TERRESTRIAL APPLICATIONS:** This product is toxic to aquatic organisms, including fish and invertebrates. Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas. This product has a potential for runoff for several weeks after application. Poorly draining soils and soils with shallow water tables are more prone to produce runoff that contains this product.

This product is highly toxic to bees exposed to direct treatment on blooming crops or weeds. Do not apply this product or allow it to drift to blooming crops or weeds while bees are actively visiting the treatment area.

To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutters or surface waters. Applying this product in calm weather when rain is not predicted for the next 24 hr will help to ensure that wind or rain does not blow or wash pesticide off the treatment area. Rinsing application equipment over the treated area will help avoid run-off to water bodies or drainage systems.

FOR CONTAINERS > 5 GALLONS: Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans or other water unless in accordance with the requirements of the National Pollutant Discharge Elimination System (NPDES) permit and permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer systems without previously notifying the local sewage treatment plant authority. For guidance, contact your state water board or regional office of the EPA.

#### PHYSICAL AND CHEMICAL HAZARDS

Do not use or store near heat or open flame. Do not apply this product around electrical equipment due to the possibility of shock hazard.

#### **DIRECTIONS FOR USE**

# IT IS A VIOLATION OF FEDERAL LAW TO USE THIS PRODUCT IN A MANNER INCONSISTENT WITH ITS LABELING. USE RESTRICTIONS

- Apply this product only as specified on this label.
- Do not apply more than 1 time/day.
- Only protected handlers may be in the treatment area during application.
- Do not apply this product in a way that will contact workers or other persons, either directly or through drift.
- Do not remain in treated area. Exit area immediately and do not enter or allow others to enter treated area until sprays have dried, until vapors, mists and aerosols have dispersed, and the treated area has been thoroughly ventilated.
- Remove pets, birds and cover fish aguariums before spraying.
- Do not make outdoor applications during rain.
- Do not apply directly to impervious horizontal surfaces such as sidewalks, driveways and patios except as a spot or Crack & Crevice treatment. During application, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutters or surface waters.
- All outdoor applications, if permitted elsewhere on this label, must be limited to spot or Crack & Crevice treatments only, except for the following permitted uses, if allowed elsewhere on this label:
  - 1. Applications to soil or vegetation, as listed on this label, around structures;
  - 2. Applications to lawns, turf and other vegetation, as listed on this label;
  - 3. Applications to the side of a building, up to a maximum height of 3 ft above grade;
  - 4. Applications to underside of eaves, soffits, doors or windows permanently protected from rainfall by a covering, overhang, awning or other structure:
  - Applications around potential pest entry points into buildings, when limited to a surface band not to exceed 1" in width;
  - 6. Applications made through the use of a coarse, low pressure spray to only those portions of surfaces that are directly above bare soil, lawn, turf, mulch or other vegetation, as listed on this label, and not over an impervious surface, drainage or other condition that could result in runoff into storm drains, drainage ditches, gutter or surface waters, in order to control occasional invaders or aggregating pests.
- Not for use in outdoor residential misting systems.

 Except when applying to sewers or drains as instructed on this label, do not apply directly to sewers or drains, or to any area like a gutter where drainage to sewers, storm drains, water bodies, or aguatic habitat can occur.

- Do not use in aircraft cabins.
- Remove or cover exposed food and drinking water, in the treatment area, before application.
- Remove or cover dishes, utensils, food processing equipment, and food preparation surfaces, in the treatment area, or wash them before
  use.
- Do not apply as a space spray in residences.
- For space spray applications in food handling and processing facilities:
  - Do not make space spray applications when facility is in operation.
  - Cover or remove food, in the treatment area, prior to space spray applications.
  - Cover food processing surfaces, in the treatment area, or clean after treatment and before use.
- When used in dairy barns or facilities: Close milk bulk tank lids to prevent contamination from spray and from dead or falling insects. Remove or cover milking utensils before application. Wash teats of animals before milking.
- Do not apply this product in hospital rooms while occupied or in any rooms occupied by the elderly or infirm. Remove patients from room prior to treatment and thoroughly ventilate (2 hr) after application. Do not return patients to room until after ventilation.
- Do not use in patient rooms in hospitals and nursing homes for treatment of bed bugs.
- Do not apply to classrooms when in use.

#### PRODUCT INFORMATION

**Note:** Some furniture finishes, particularly plastics, can be damaged by petroleum based insecticides. To avoid damage, cover those items and do not spray directly. If in doubt, test by applying this material to an inconspicuous area before spraying.

#### **USE IN FOOD HANDLING ESTABLISHMENTS**

Applications are permitted in food/feed areas of food/feed handling establishments as a contact spray, space spray or Crack & Crevice® treatment, including those operating under the Federal meat, poultry, shell egg grading and egg products inspection programs.

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

**FOOD AREAS:** Include areas for receiving, serving, storing (dry, cold, frozen, raw), packing (canning, bottling, wrapping, boxing), preparing (cleaning, slicing, cooking, grinding), edible waste storage and enclosed processing systems (mills, dairies, edible oils, syrups).

**NON-FOOD 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 areas (after canning or bottling).

Apply according to specific directions for pest(s) to be treated under the Indoor Use section below. Do not make space spray applications to food areas when the facility is in operation unless the treatment area is cordoned off, posted and entry prevented. Prior to space spray applications, remove or cover exposed food and drinking water in the treatment area. Remove or cover dishes, utensils, food processing equipment, and food preparation surfaces in the treatment area, or wash them before use.

#### INDOOR USE

SPACE SPRAY –FLYING INSECTS (Flies & Gnats): Use full strength or dilute as desired using the dilution chart below. Prior to treatment, open cabinets, doors and equipment to be treated; turn off air conditioners and fans, extinguish all flames and close windows in the area to be treated. Apply using a mechanical aerosol generator (no droplets > 50 microns in diameter and 80% < 30 microns). Apply undiluted at a rate of approx. 1 fl oz/1,000 ft³ of room space, or apply diluted at the rate of 1 - 2 fl oz/1,000 ft³ of room space. In commercial operations, subtract the space occupied by stored product or equipment from the cubic footage. Disperse toward areas suspected of harboring the greatest infestations of listed pests. Disperse in all locations (including around equipment, appliances and pallets, if desired) contacting as many insects as possible. Do not remain in treated areas after application. Keep area closed for at least 1 hr. Open and thoroughly ventilate treated areas before reoccupying. Do not apply as a space spray in residences.

**DILUTION:** Use a white mineral oil conforming to regulation 21 CFR 178.3620(b) or an odorless light petroleum hydrocarbon conforming to 21 CFR 172.882 or 40 CFR 180.910 (Inert ingredients used pre and post-harvest; exemptions from the requirement of a tolerance) and 180.930 (Inert ingredients applied to animals; exemptions from the requirement of a tolerance.) Combine oil and concentrate as directed below and mix well just prior to application.

Pyrethrin %Desired	Mixture Rate	Application Rate per 1,000 ft³
1.00	1 part Conc. To 2 parts Oil	1 – 2 fl oz
0.50	1 part Conc. to 5 part Oil	1 – 2 fl oz
0.30	1 part Conc. to 9 parts Oil	1 <b>-</b> 2 fl oz
0.15	1 part Conc. to 19 parts Oil	1 <b>-</b> 2 fl oz

SPACE SPRAY – CRAWLING INSECTS (Ants (excluding Harvester & Pharaoh), Bed Bugs, Beetles, Earwigs, Cockroaches, Silverfish, Spiders): Use full strength. Prior to treatment, open cabinets, doors and equipment to be treated; turn off air conditioners and fans, extinguish all flames and close windows in the area to be treated. Apply as a space spray using a mechanical aerosol generator (no droplets >50 microns in

diameter and 80% <30 microns) at a rate of approx. 1 fl oz/1,000 ft³ of room space. In commercial operations, subtract the space occupied by stored product or equipment from the cubic footage. Disperse toward areas suspected of harboring the greatest infestations of listed pests. Disperse in all locations (including around equipment, appliances and pallets, if desired) contacting as many insects as possible. Do not apply as a space spray in residences.

Do not remain in treated area after application and leave area closed for 1 hr. Ventilate thoroughly before occupants are allowed to reenter.

DIRECT SPRAY OR VOID TREATMENTS: Use equipment designed for space or mist treatments. Follow the manufacturer's recommendations for proper equipment set up and operation. Place the tip of the applicator at or into the crack or crevice or opening to the void. Apply in short bursts into area being treated. Apply 1 sec of product for every 3 ft<sup>3</sup> of void area. For Direct Spray, apply the product in short bursts into the area where insects are to be contacted, such as corners of the room, behind and under furniture or other equipment. Apply from a distance of 18 - 24" away from the surface and allow the material to drift to area to be treated. The amount of product applied is not to exceed 0.125 fl oz/2 ft<sup>2</sup>. For Bed Bugs: Direct application into areas where bed bugs harbor. Do not direct this product at mattresses.

HANDTANK OR PINSTREAM APPLICATION: Direct application into cracks and crevices in elements of construction, walls, floors, underneath sinks, behind pipes and other places where insects harbor. Spot treatment is also permitted. For spot treatments, use a coarse low-pressure spray. Limit individual spot treatments to an area no larger than 20% of the surface area. Any individual spot treatment shall not exceed 2 ft<sup>2</sup>. Contact as many insects as possible. Ensure product will not stain surface or leave an unacceptable residue prior to application. The amount of product applied is not to exceed 0.125 fl oz/2 ft<sup>2</sup>.

#### **OUTDOOR USE**

OUTDOOR GROUND FOGGING APPLICATION USING HAND HELD EQUIPMENT (Flies & Gnats): Use in open areas near buildings and in campgrounds. Use preferably at a time when temperature is cool ( $\leq 75^{\circ}$ F) and the wind velocity is approx.  $\leq 5$  mph. When using ULV equipment, apply at the rate of 4 fl oz/acre. Allow spray drift to penetrate dense foliage.

#### FOR USE ON DOMESTIC ANIMALS/LIVESTOCK

Use to protect beef cattle, dairy cattle and horses from horn flies, house flies and gnats, apply a light mist sufficient to wet the tips of the hair. To kill stable flies on beef cattle, dairy cattle and horses, apply 2 fl oz/adult animal, sufficient to wet the hair but not to soak the hide. To kill the motile stages of blood sucking lice on beef and dairy cattle, apply the spray to thoroughly wet the hair. Use 2 fl oz or less/animal and repeat every 2 – 3 weeks as required, but do not apply more than 1 time/day. **Do not use on dogs and cats.** 

Space Treatment Over Animals in Barns and Corrals or in Indoor Misting Systems Used in Commercial Barns, Stables and Animal Quarters: Select proper dilution and treat with ULD equipment over animals, or apply through Indoor Misting Systems.

#### USE RESTRICTIONS FOR INDOOR MISTING SYSTEMS

- Not for use in outdoor residential misting systems (indoor or outdoor).
- Do not apply this product in barns or stables where animals intended for slaughter or human consumption will be maintained.
- Do not apply when food, feed and/or water is present.
- When using this product, installers and service technicians must comply with the license, certification or registration requirements of the state(s), tribe(s) or local authority(ies) where they are installed.
- When applying via a remote activation device, do not apply when people and pets are present. If possible, when applying via automatic timer, set the timing for application when people and pets are unlikely to be present.
- Direct nozzles to spray towards the target area and away from areas where people are typically present.
- Do not use in evaporative cooling system.
- Do not use in misters located within 3 ft of air vents, air conditioner units or windows.
- If used in a system with a reservoir tank for the end use dilution, the system reservoir tank must be locked. Securely attach the end use pesticide label and a dilution statement to the system reservoir tank in a weather protected area or plastic sleeve. The dilution statement must be phrased as follows: this container holds \_\_\_\_ parts /product name/ to \_\_\_\_ parts water.
- If used in a direct injection system, the pesticide container must be locked. Securely attach the end use label to the pesticide container in a weather protected area or plastic sleeve.
- This product must only be used in systems that have been calibrated to apply no more than the maximum application rate of 0.0033 lbs/1,000ft<sup>3</sup> (no animals present) [diluted to 1% = 6.5 fl oz/1,000 ft<sup>3</sup> = 0.0703 lbs/gal] or 0.0008 lbs/1,000 ft<sup>3</sup> (animals present) [diluted to 1% = 0.0005 lbs/fl oz = 0.0703 lbs/gal].

## STORAGE AND DISPOSAL

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

**PESTICIDE STORAGE**: Store in original container in secured, dry storage area. Do not store above 100°F for extended periods of time. Storage below 32°F may cause freezing. If container is damaged or spill occurs, use product immediately or dispose of product and damaged container as indicated below.

PESTICIDE DISPOSAL: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

**CONTAINER DISPOSAL:** Nonrefillable container. Empty container by using the product according to the label directions. Do not reuse or refill this container! Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows:

[(<5 gal) Empty the remaining contents into application equipment or a mix tank and drain for 10 sec after the flow begins to drip. Fill the container 1/4 full with water and recap. Shake for 10 sec. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 sec after the flow begins to drip. Repeat this procedure 2 more times.]

[(>5 gal) Empty remaining contents into application equipment or a mix tank. Fill the container 1/4 full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 sec. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure 2 more times.]

Then offer for recycling, if available, or puncture and dispose of in trash or in a sanitary landfill.

Swine Houses

In addition to previously listed sites, this product is acceptable for use in and around the following sites:

**Auditoriums** 

INDOOR:HospicesStoresAnimal Areas & QuartersIndustrial InstallationsSupermarkets

Bakeries Jails Textile Mills & Warehouses

Beverage PlantsLaboratoriesTheatersBoatsLibrariesTobacco PlantsBottling PlantsLivestock BarnsTobacco Warehouses

Institutions

Brandy Storage Warehouses Loafing Sheds Townhouses Buildings Locker Rooms Trains Buses Mills Trucks Cabins Mausoleums Truck Trailers Meat Packing Plants Utilities Canneries Cattle Barns Milk Rooms **Utility Rooms** 

Churches Missions Voids (Attics, Walls, Ceilings)

Closets Mobile Homes Warehouses Condominiums Museums Wineries

Communication Centers Mushroom Processing Plants Wine Storage Warehouses

Correctional FacilitiesNursing HomesZoosDairy & Livestock BarnsOfficesOUTDOOR:Dried Fruit Processing PlantsOffice BuildingsCampgroundsDrains & SewersPassenger Rail CarsCorrals

Dried Fruit WarehousesPeanut Processing PlantDrive-in RestaurantsDrugstoresPeanut Storage WarehousesDrive-in TheatersDumpstersPoultry HousesDumpsters

Dwellings Poultry Processing Plants Federally II

Dwellings Poultry Processing Plants Federally Inspected Meat and Poultry Facilities
Egg Processing Plants Federally Inspected Meat and Poultry Facilities

Egg Processing Plants Prisons Feedlots
Factories Public Buildings Garbage Dumps
Federally Inspected Meat and Poultry Facilities Rabbit Processing Plants Golf Courses
Flour Mills Rabbit Houses Junkyards
Food Handling Establishments Railroad Cars Kennels

Food Processing Plants Recreational Vehicles Landscapes Freight Containers Research Animal Areas Lath Houses Fruit Packing Sheds Restaurants Manure Piles Garbage Cans Restrooms **Parks Garbage Compactors** Rice Mills **Plantscapes Grain Elevators** Shade Houses Playgrounds . **Grain Mills** Ships Recreational Areas

Grain Handling Equipment Ship holds Sewers
Granaries Stables Swineyards
Homes Stable Bins Zoos

Horse Stables/Barns Stored Seed Warehouses

This product is also effective against the following insects when used according to label directions:

FLYING INSECTS: Pillbuas Flat Grain Beetles Scorpions Foreign Grain Beetles Bees Blow Flies Sowbugs **Fungus Beetles** Hide Beetles FLEAS & TICKS:

**Bottle Flies** Cheese Skippers **Ground Beetles** Brown Dog Ticks Merchants Grain Beetles Deer Flies Fleas

Flies Mexican Grain Beetles **Ticks Fungus Gnats** Red Flour Beetles SPIDERS & MITES: House Flies Red Horned Grain Beetles Cheese Mites Hornets Rusty Grain Beetles Clover Mites Mushroom Flies Sawtoothed Grain Beetles Grain Mites Stable Flies Spider Beetles Mites

Trogoderma Beetles Vinegar Flies **Spiders** White Marked Spider Beetles Yellowiackets

LICE: **GRAIN BORERS:** WEEVILS: Cattle Lice Larger Grain Borers Bean Weevils WORMS: Lesser Grain Borers **Granary Weevils** Dark Mealworms Maize Weevils CRAWLING INSECTS: Lesser Mealworms Rice Weevils Bed Bugs Yellow Mealworms

**Book Lice** MOTHS: **BEETLES:** Almond Moths Cabbage Loopers **Black Carpet Beetles** Cabbage Worms Chocolate Moths Carpet Beetles Cockroaches Clothes Moths Darkling Beetles Crickets Cocoa Bean Moths

Dermestid Beetles Fire Ant Workers Mediterranean Flour Moths **Dried Fruit Beetles Firebrats Drugstore Beetles** 

#### CONDITIONS OF SALE AND WARRANTY

Follow the Directions for Use. It is impossible to eliminate all risks inherently associated with use of this product, and therefore all such risk shall be assumed by the Buyer. Whitmire warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes referred to in the Directions for Use, subject to the inherent risks, referred to above. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW: (A) WHITMIRE MAKES NO OTHER WARRANTIES EXPRESS OR IMPLIED, INCLUDING WARRANTIES OF FITNESS FOR PARTICULAR PURPOSE OR MERCHANTABILITY, (B) BUYER'S EXCLUSIVE REMEDY AND WHITMIRE'S AND SELLER'S EXCLUSIVE LIABILITY, WHETHER IN CONTRACT, TORT, NEGLIGENCE, STRICT LIABILITY, OR OTHERWISE, SHALL BE LIMITED TO REPAYMENT OF THE PURCHASE PRICE OF THE PRODUCT, AND (C) WHITMIRE AND THE SELLER DISCLAIM ANY LIABILITY FOR CONSEQUENTIAL, INCIDENTAL, SPECIAL OR INDIRECT DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT. Whitmire and the Seller offer this product, and the Buyer accepts it, subject to these Conditions of Sale and Warranty which may be varied only by agreement in writing signed by a duly authorized representative of Whitmire.

> Manufactured for: Whitmire Micro-Gen Research Laboratories, Inc. by BASF Corporation 3568 Tree Court Industrial Blvd. St. Louis MO 63122-6682 Questions? Call 1-800-777-8570

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Millipedes