

1381-98

09/11/2008

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

SEP 11 2008

Alice Walker, Ph.D.
Agent for Winfield Solutions
3094 Country Club Road
Senatobia, MS 38668

Subject: Label Notifications for Pesticide Registration Notices 2007-4

Dear Dr. Walker:

The Agency is in receipt of your Applications for Pesticide Notification under Pesticide Registration Notices (PRN) 2007-4 dated August 7, 2008 for:

EPA Registration 1381-104
EPA Registration 1381-98
EPA Registration 1381-103

MCPA Amine
Agrisolutions MCPE Phenoxy Herbicide
2,4-D Amine 4

The Registration Division (RD) has conducted a review of this request for applicability under PR Notice 2007-4 and finds that the label changes requested falls within the scope of PR Notice 2007-4. 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,

A handwritten signature in black ink, appearing to be "Linda".

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

	United States Environmental Protection Agency Washington, DC 20460	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number
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Application for Pesticide - Section I

1. Company/Product Number 1381-98	2. EPA Product Manager Joanne Miller	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Agrisolutions MCPE Phenoxy Herbicide	PM# 23	
5. Name and Address of Applicant (Include ZIP Code) Winfield Solutions, LLC, c/o Alice Walker 3094 Country Club Rd. Senatobia, MS 38668 <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: <div style="text-align: center;">NOTIFICATION</div> EPA Reg. No. _____ <div style="text-align: center; font-size: 1.2em;">SEP 1 1 2008</div> Product Name _____

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<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.)

Notification of label change per PR Notice 2007-4. This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the Confidential Statement of Formula for 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 the amended label is not consistent with the requirements of 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156, 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.

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 checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____		
* Certification must be submitted		If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt No. per container		
3. Location of Net Contents Information		4. Size(s) Retail Container		5. Location of Label Directions	
<input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		1, 2.5, 30, 55 gallons		<input checked="" type="checkbox"/> On label	
6. Manner in Which Label is Affixed to Product				<input type="checkbox"/> Lithograph Paper, glued Stenciled <input checked="" type="checkbox"/> Other Self-adhesive bookler	

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Alice Walker, Ph.D.	Title Registration Specialist	Telephone No. (Include Area Code) 662-562-5995
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 	3. Title Registration Specialist	
4. Typed Name Alice Walker, Ph.D.	5. Date 8-7-08	

August 7, 2008

Document Processing Desk (Notif)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Ave., NW
Washington, DC 20460


**Re: Notification of Revised Container Disposal Language per PRN 2007-4
Agrisolutions MCPE Phenoxy Herbicide, EPA Reg. No. 1381-98**

This correspondence will constitute notification from Winfield Solutions, LLC of new container disposal language as required by PRN 2007-4.

This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the Confidential Statement of Formula for 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 the amended label is not consistent with the requirements of 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156, 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.

Thank you for adding this notification to the registration record for this product.

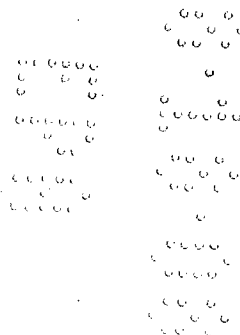
Sincerely,



Alice Walker, Ph.D.
Registration Specialist

Enclosures
cc: Gary Halvorson

winfieldsolutionsllc.com
MAIL: 3094 Country Club Road | Senatobia, MS 38668
P: 662-562-5995 | F: 662-560-5391
EMAIL: acwalker@landolakes.com
Winfield Solutions, LLC | A Land O'Lakes Company





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MCPE

Phenoxy Herbicide

For Wheat, Barley, Oats and Rye

ACTIVE INGREDIENT:

2-methyl-4-chlorophenoxyacetic acid isooctyl (2-ethylhexyl) ester* 68.7%

INERT INGREDIENTS: 31.3%

Total..... 100.0%

Equivalent to 44.1% of 2-methyl-4-chlorophenoxyacetic acid or no less than 3.7 lbs. of MCPA acid per gallon at 68° F. Isomer specific by AOAC Method No. 6.A18-22 (13th ed.). Product contains petroleum distillates.

KEEP OUT OF REACH OF CHILDREN

WARNING AVISO

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle.
(If you do not understand the label, find someone to read it to you in detail.)

FIRST AID

IF SWALLOWED: Immediately call a poison control center or doctor. Do not induce vomiting unless told to 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.

IF IN EYES: Hold eyelids 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.

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

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

Note to Physician: Contains petroleum distillate – vomiting may cause aspiration hazard.

Have the product number or label with you when calling a poison control center or doctor or going for treatment. You may also contact 1-877-424-7452 for emergency medical treatment information.

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

WARNING

May be fatal if absorbed through skin. Causes skin irritation. Harmful if swallowed. Do not get in eyes, on skin, or on clothing. Prolonged or frequently repeated skin contact may cause allergic reaction in some individuals.

Personal Protective Equipment (PPE):

Some materials that are chemical-resistant to this product are neoprene, nitrile rubber, barrier laminate, or viton. If you want more options, follow the instructions for category E on an EPA chemical resistance category selection chart.

Mixers, loaders, applicators, flaggers, and other handlers must wear:

- Long-sleeved shirt and long pants,
- Chemical-resistant gloves when mixing, loading, or using any hand-held equipment,
- Shoes plus socks, and
- Protective eyewear.

EPA REG. No. 1381-98

EPA Est. No.

NET CONTENTS 2.5 GALS. (9.46 L)

Distributed by Winfield Solutions, LLC
P.O. Box 64589, St. Paul MN 55164-0589

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Additional PPE requirements for mixers and loaders supporting aerial application to rangelands, pasture lands, or noncropland. These mixers/loaders also must wear:

- A chemical-resistant apron.
- A NIOSH-approved respirator with a dust/mist filter with MSHA/NIOSH approval number prefix TC-21C or any R, P, or HE filter.

See Engineering Controls for additional requirements.

Discard clothing or other materials that have become drenched or heavily contaminated with this product's concentrate. Do not reuse them. Follow manufacturer's instructions for cleaning or maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry.

Engineering Controls Statement:

If the mechanical system is used 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.

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.

Pilots must use an enclosed cockpit that meets the requirements listed in the WPS for agricultural pesticides [40 CFR 170.240(d)(6)].

USER SAFETY RECOMMENDATIONS

Users should:

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

ENVIRONMENTAL HAZARDS

Do not apply directly to water, to areas where surface water is present, or to intertidal areas below mean high water mark. Do not contaminate water when disposing of equipment washwater or rinsate. Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas. Runoff of this product will be reduced by avoiding applications when rainfall is forecasted to occur within 48 hours.

~~This chemical has properties and characteristics associated with chemicals detected in groundwater. The use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination.~~

Most cases of groundwater contamination involving phenoxy herbicide such as MCPA have been associated with mixing/loading and disposal sites. Caution should be exercised when handling MCPA pesticides at such sites to prevent contamination of groundwater supplies. Use of closed systems for mixing and transferring this pesticide will reduce the probability of spills. Placement of mixing/loading equipment on an impervious pad to contain spills will help prevent groundwater contamination.

DIRECTIONS FOR USE

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

Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application. For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation.

AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR Part 170. This standard contains requirements for the protection of agricultural workers on farms, forest, 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 statements on this label about personal protective equipment (PPE) and restricted-entry interval. The requirements of this box apply only to those 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.

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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:

- Coveralls,
- Chemical-resistant gloves made of any waterproof material,
- Shoes plus socks, and
- Protective eyewear.

NON-AGRICULTURAL USE REQUIREMENTS

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

Do not enter or allow others to enter the treated area until sprays have dried.

This product is recommended for controlling the following as well as many other plants susceptible to MCPA.

ANNUAL AND BIENNIAL WEEDS

Annual sowthistle, Beggarticks, **Chervil, Cocklebur, Fanweed (pennycress), *Goatsbeard, *Hempnettle, Lambsquarter, *Marshelder, Miner's lettuce, Mustards (except blue), Pepperweed (field), Poison hemlock, *Puncturevine, Pigweed, *Purslane, Ragweed, **Russian thistle, *Shepherdspurse, Stinkweed, Sunflower, Wild radish.

PERENNIAL WEEDS*

Buttercup, Canada thistle, Dandelion, Dragonhead mint, Stinging nettle, Perennial sowthistle, Plantains, Vetch, Whitetop (Hoary cress), Yellow rocket (Wintercress).

*Use the higher rate for control. Repeat treatments may be necessary. Refer to specific crop Restrictions and Limitations.
**Regrowth may occur after repeat treatment.

USE PRECAUTIONS

Unless otherwise noted under individual **DIRECTIONS** section, for aerial application, apply the recommended amount in a minimum of 2 gallons of water per acre. For ground application, apply the recommended amount in a minimum of 10 gallons of water per acre. Use more water for both methods when adverse growing conditions are present. **DO NOT** apply with high spray pressures, hollow cone or other nozzle types that produce small spray droplets which may drift. Avoid spray drift by making applications when conditions such as wind, air stability and temperature inversions are not a factor. The use of a suitable drift control agent at the proper rate will aid in the reduction of spray drift. Do not apply this product through any type of irrigation system.

SPRAY DRIFT MANAGEMENT

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

Apply only as a medium or coarser spray (ASAE standard 572) or a volume mean diameter of 300 microns or greater for spinning atomizer nozzles.

Apply only when the wind speed is 2-10 mph at the application site.

Additional requirements for aerial application:

The boom length must not exceed 75% of the wingspan or 90% of the rotor blade diameter.

Release spray at the lowest height consistent with efficacy and flight safety. Do not release spray at a height greater than 10 feet above the crop canopy.

When applications are made with a crosswind, the swath will be displaced downwind. The applicator must compensate for this displacement at the downwind edge of the application area by adjusting the path of the aircraft upwind.

Do not make applications into temperature inversions.

Additional requirements for ground boom application:

Do not apply with a nozzle height greater than 4 feet above the crop canopy.

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MIXING INSTRUCTIONS

WATER BASED SPRAY -- Fill the equipment half full of water, agitate while adding this product, then add the rest of the water.

Wash spray equipment thoroughly with **PROTANK™** cleaner after using this product. When cleaning, do not pour washwater on the ground: spray or drain over a large area away from wells or other water sources.

Consult local agricultural experiment station or extension service weed specialists for use recommendations in your area.

Note: When stored at temperatures below freezing, it may be necessary to warm contents to 70° F and mix thoroughly before using.

WHEAT, BARLEY, OATS, AND RYE

WEEDS	AMOUNT OF MCPE PER ACRE	DIRECTIONS
Annual weeds Annual and biennial weeds Perennial weeds	1/2 pint 1 to 1-1/2 pints * 1-5/8 pints*	Apply when weeds are small. Apply after crop has reached the 3 to 5 leaf stage up to early boot stage (Zadoks 1 ₃ to 4 ₀). For less susceptible weeds, use the 1-5/8 pint rate after the crop has tillered and up to early boot stage (Zadoks 2 ₅ to 4 ₀). Do not spray from boot stage to dough stage (Zadoks 4 ₀ to 8 ₀).

* The higher rate may cause grain injury. Any legumes present may be killed.

RESTRICTIONS AND LIMITATIONS FOR SMALL GRAINS

Do not forage or graze treated areas for 7 days after application. Do not apply more than 1-5/8 pints (3/4 lb. ae) MCPE Phenoxy Herbicide per acre per year.

PASTURES, RANGELAND, CONSERVATION RESERVE PROGRAMS AND SET-ASIDE ACRES

WEEDS	AMOUNT OF MCPE PER ACRE	DIRECTIONS
Established grasses * Annual and biennial weeds	1 to 3 pints	Apply to established grasses before the head comes into boot stage and on seedling grasses after the grass has at least 5-leaves (tillered).
Canada thistle and Whitetop (Hoary cress)	3 pints	Use higher rate for Whitetop, Canada thistle, and other less susceptible weeds. Spray perennial in early bud to full bloom stage and during active regrowth in the fall.

* Do not use on alfalfa, clover, other legumes or newly seeded areas.

RESTRICTIONS AND LIMITATIONS FOR PASTURES, RANGELAND, CONSERVATION RESERVE PROGRAMS AND SET-ASIDE ACRES

Do not forage or graze treated areas for 7 days after application. Do not apply more than 3¼ pints (1-1/2 lbs. ae) MCPE Phenoxy Herbicide per acre per year. Do not apply more than 2 applications per year with a minimum retreatment interval of 21 days.

GRASSES GROWN FOR SEED

Do not use on alfalfa, clover, other legumes or newly seeded areas.

WEEDS	AMOUNT OF MCPE PER ACRE	DIRECTIONS
Annual and perennial weeds	1 to 2 pints **	Apply to established grasses before the head comes into boot. Do not spray in boot stage. Apply to seedling grasses after grass has at least 5 leaves. Use the higher

rate where red stands are heavy.

** Repeat treatment may be needed for less susceptible weeds. In some cases, Bent, Buffalo, Carpet and St. Augustine grasses may be injured by this treatment.

RESTRICTIONS AND LIMITATIONS FOR SEED GRASSES
Do not forage or graze treated areas for 7 days after application. Do not apply more than 3¼ pints (1-1/2 lbs. ae) MCPE Phenoxy Herbicide per acre per year. Do not apply more than 2 applications per year with a minimum retreatment interval of 21 days.

NON-CROP AREAS

Fence Rows, Roadsides, and Rights-of-Way

WEEDS	AMOUNT OF MCPE PER ACRE	DIRECTIONS
Extensive areas	3¼ pints	Apply in a minimum of 2 gallons of water per acre by air and 20 to 100 gallons of water by ground. Spray when weeds are in bud to early bloom and again during active fall regrowth.
Spot treatment - Canada thistle, Whitetop (Hoary cress) and buttercup	1/2 pint	Apply in 3 to 4 gallons of water. Spray to thoroughly wet weeds.

RESTRICTIONS AND LIMITATIONS FOR NON-CROP AREAS
Do not forage or graze treated areas for 7 days after application. Broadcast Treatment: Do not apply more than 3¼ pints (1-1/2 lbs. ae) MCPE Phenoxy Herbicide per acre per year. Do not apply more than 2 applications per year with a minimum retreatment interval of 21 days. Spot Treatment: Do not apply more than 6.5 pints (3 lbs. ae) MCPE Phenoxy Herbicide per acre per year.

STORAGE AND DISPOSAL

PESTICIDE STORAGE: Store in a secure area, in original container only, away from fertilizers, food, or feed. Do not contaminate water, food, or feed by storage or disposal.

PESTICIDE DISPOSAL: Pesticide waste are toxic. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal Law. If these wastes cannot be disposed of 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: Use label language appropriate for container size and type.

Nonrefillable containers. Do not reuse or refill this container. Clean container promptly after emptying.

Nonrefillable container equal to or less than 5 gallons. 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 ¼ 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 by other procedures approved by state and local authorities such as burning of plastic containers. If burned, stay out of smoke.

Nonrefillable container greater than 5 gallons. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container ¼ 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 seconds. 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 two more times. Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities such as burning of plastic containers. If burned, stay out of smoke.

Refillable container. Refill this container with pesticide only. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To clean the container before final disposal, empty the remaining contents from this container into application equipment or mix tank. Fill the container about 10 percent full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times. Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities such as burning of plastic containers. If burned, stay out of smoke.

WARRANTY DISCLAIME.

The directions for use of this product must be followed carefully. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, (1) THE GOODS DELIVERED TO YOU ARE FURNISHED "AS IS" BY MANUFACTURER OR SELLER AND (2) MANUFACTURER AND SELLER MAKE NO WARRANTIES, GUARANTEES, OR REPRESENTATIONS OF ANY KIND TO BUYER OR USER, EITHER EXPRESS OR IMPLIED, OR BY USAGE OF TRADE, STATUTORY OR OTHERWISE, WITH REGARD TO THE PRODUCT SOLD, INCLUDING, BUT NOT LIMITED TO MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, USE, OR ELIGIBILITY OF THE PRODUCT FOR ANY PARTICULAR TRADE USAGE. UNINTENDED CONSEQUENCES, INCLUDING BUT NOT LIMITED TO INEFFECTIVENESS, MAY RESULT BECAUSE OF SUCH FACTORS AS THE PRESENCE OR ABSENCE OF OTHER MATERIALS USED IN COMBINATION WITH THE GOODS, OR THE MANNER OF USE OR APPLICATION, INCLUDING WEATHER, ALL OF WHICH ARE BEYOND THE CONTROL OF MANUFACTURER OR SELLER AND ASSUMED BY BUYER OR USER. THIS WRITING CONTAINS ALL OF THE REPRESENTATIONS AND AGREEMENTS BETWEEN BUYER, MANUFACTURER AND SELLER, AND NO PERSON OR AGENT OF MANUFACTURER OR SELLER HAS ANY AUTHORITY TO MAKE ANY REPRESENTATION OR WARRANTY OR AGREEMENT RELATING IN ANY WAY TO THESE GOODS.

LIMITATION OF LIABILITY

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, IN NO EVENT SHALL MANUFACTURER OR SELLER BE LIABLE FOR SPECIAL, INCIDENTAL, OR CONSEQUENTIAL DAMAGES, OR FOR DAMAGES IN THEIR NATURE OF PENALTIES RELATING TO THE GOODS SOLD, INCLUDING USE, APPLICATION, HANDLING, AND DISPOSAL. MANUFACTURER OR SELLER SHALL NOT BE LIABLE TO BUYER OR USER BY WAY OF INDEMNIFICATION TO BUYER OR TO CUSTOMERS OF BUYER, IF ANY, OR FOR ANY DAMAGES OR SUMS OF MONEY, CLAIMS OR DEMANDS WHATSOEVER, RESULTING FROM OR BY REASON OF, OR RISING OUT OF THE MISUSE, OR FAILURE TO FOLLOW LABEL WARNINGS OR INSTRUCTIONS FOR USE, OF THE GOODS SOLD BY MANUFACTURER OR SELLER TO BUYER. ALL SUCH RISKS SHALL BE ASSUMED BY THE BUYER, USER, OR ITS' CUSTOMERS, BUYER'S OR USER'S EXCLUSIVE REMEDY, AND MANUFACTURER'S OR SELLER'S TOTAL LIABILITY SHALL BE FOR DAMAGES NOT EXCEEDING THE COST OF THE PRODUCT.

If you do not agree with or do not accept any of directions for use, the warranty disclaimers, or limitations on liability, do not use the product, and return it unopened to the Seller, and the purchase price will be refunded.