

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

July 21, 2021

Niamh McMahon Regulatory Product Manager AMVAC Chemical Corporation 4695 MacArthur Court, Suite 1200 Newport Beach, CA 92660

Subject: Registration Review Label Mitigation for Bifenthrin

Product Name: WISDOM GC Granular EPA Registration Number: 5481-518

Application Date: 03/24/2021 Decision Number: 577219

Dear Niamh McMahon:

The Agency, in accordance with the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended, has completed reviewing all the information submitted with your application to support the Registration Review of the above referenced product in connection with the Bifenthrin Interim Decision, and has concluded that your submission is acceptable. The label referred to above, submitted in connection with registration under FIFRA, as amended, is acceptable.

Should you wish to add/retain a reference to the company's website on your label, then please be aware that the website becomes labeling under the Federal Insecticide Fungicide and Rodenticide Act and is subject to review by the Agency. If the website is false or misleading, the product would be misbranded and unlawful to sell or distribute under FIFRA section 12(a)(1)(E). 40 CFR 156.10(a)(5) list examples of statements EPA may consider false or misleading. In addition, regardless of whether a website is referenced on your product's label, claims made on the website may not substantially differ from those claims approved through the registration process. Therefore, should the Agency find or if it is brought to our attention that a website contains false or misleading statements or claims substantially differing from the EPA approved registration, the website will be referred to the EPA's Office of Enforcement and Compliance.

A stamped copy of your labeling is enclosed for your records. This labeling supersedes all previously accepted labeling. 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 12 months from the date of this letter. After 12 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.

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If you have any questions about this letter, please contact Quinn Gavin by phone at 703-347-0325, or via email at gavin.quinn@epa.gov.

Sincerely,

Linda Arrington, Branch Chief

Risk Management and Implementation Branch 4

Pesticide Re-Evaluation Division

Office of Pesticide Programs

Enclosure

RESTRICTED USE PESTICIDE

Toxic to Fish and Aquatic Organisms

For retail sale to and use only by Certified Applicators, or persons under their direct supervision and only for those uses covered by the Certified Applicator's certification.

> **BIFENTHRIN GROUP 3A** INSECTICIDE

WISDOM® GC GRANULAR

For use to control Ants (including Imported Fire Ants), Mole Crickets and other listed insect pests on lawns in landscaped areas and perimeters around residential, institutional, public, commercial and industrial buildings, parks, recreational areas, golf courses, sod farms and athletic fields.

For Both Indoor and Outdoor Use

ACTIVE INGREDIENT	AC1	ΓΙΥΕ	Τ	A
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Bifenthrin *	0.2%
INERT INGREDIENTS	99.8%
TOTAL	100.0%

^{*}Cis isomers 97% minimum, trans isomers 3% maximum.

KEEP OUT OF REACH OF CHILDREN

CAUTION

DO NOT USE THIS PRODUCT ON GOLF COURSES AND SOD FARMS IN NASSAU COUNTY OR SUFFOLK COUNTY, NEW YORK.

EPA Reg. No. 5481-518 EPA Est. No
[Made in the U.S.A.]
NET CONTENTS:



Jul 21, 2021

Under the Federal Insecticide, Fungicide and Rodenticide Act as amended, for the pesticide registered under EPA Reg. No. 5481-518



AMVAC Chemical Corporation 4695 MacArthur Court, Suite 1200 Newport Beach, CA 92660 U.S.A.

FIRST AID						
If on skin or	Take off contaminated clothing.					
clothing:	Rinse skin immediately with plenty of water for 15-20 minutes.					
	 Call a poison control center or doctor for treatment advice. 					
EMERGENCY INFORMATION						
Have the product	container or label with you when calling a poison control center or doctor, or going					
for treatment.						
FOR THE FOLLOWING EMERGENCIES, PHONE 24 HOURS A DAY:						
For Medical Emergencies, phone: 1-888-681-4261						
For Transportation Emergencies, including spill, leak or fire, phone: CHEMTREC®1-800-424-9300						
For Product Use Information, phone: AMVAC [®] 1-888-462-6822						
NOTE TO PHYSICIAN						
This product is a pyrethroid. If large amounts have been ingested, milk, cream and other digestible fats						
and oils may increase absorption and so should be avoided.						

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

Caution: Harmful if absorbed through skin. Avoid contact with skin, eyes or clothing. 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.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants.
- Waterproof gloves.
- Shoes plus socks.

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

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

This pesticide is extremely toxic to fish and aquatic invertebrates. Do not apply when weather conditions favor drift from treated areas. Drift and run-off from treated areas may be hazardous to aquatic organisms in neighboring areas.

To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutters or surface waters. Sweeping any product that lands on a driveway, sidewalk, or street, back onto the treated area of the lawn or garden will help to prevent run off to water bodies or drainage systems.

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

DIRECTIONS FOR USE

Restricted Use Pesticide

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

For Both Indoor and Outdoor Use.

All outdoor applications must be limited to spot or crack-and-crevice treatments only, except for the following permitted uses:

- 1. Application to pervious surfaces such as soil, lawn, turf, and other vegetation
- 2. Perimeter band treatments of 7 feet wide or less from the base of a man-made structure to pervious surfaces (e.g. soil, mulch, or lawn)
- For soil or foliar applications, do not apply by ground within 25 feet of lakes, reservoirs, rivers, permanent streams, marshes or natural ponds, estuaries and commercial fish farm ponds.
- Do not spread the product into fish pools, ponds, streams, or lakes.
- Do not apply directly to sewers or storm drains, or to any area like a drain or gutter where drainage to sewers, storm drains, water bodies, or aquatic habitat can occur.
- Do not allow the product to enter any drain during or after application.
- Do not apply or irrigate to the point of runoff.
- Do not make applications during rain.
- Avoid making applications when rainfall is expected within 4 hours.
- Rainfall within 24 hours after application may cause unintended runoff of pesticide application.
- Do not apply when the wind speed is greater than 15 mph.

Not for use on plants being grown for sale or other commercial use, or for commercial seed production, or for research purposes. For use on plants intended for aesthetic purposes or climate modification and being grown in interior plantscapes, ornamental gardens or parks, or lawns or grounds.

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.

Do not apply by air.

Do not apply more than 0.2 lb. active ingredient (a.i.) per acre per application on residential use sites (i.e., around private homes, apartment buildings, condominiums, non-agricultural outbuildings, non-commercial greenhouses, pre-schools or day care facilities). May be applied at up to 0.4 lb. a.i. per acre per application on non-residential use sites (i.e., around institutional, public, commercial or industrial buildings; parks; recreational areas or athletic fields).

Do not broadcast apply more than 0.4 lbs. a.i. (200 lbs. WISDOM GC GRANULAR) per acre per year.

Not for use on nurseries, in commercial greenhouses or on grass grown for seed.

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 intervals. 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 to 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
- Waterproof gloves
- Shoes plus socks

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 agricultural pesticides (40 CFR Part 170). The WPS applies when this product is used to produce agricultural plants on farms, forests, nurseries and greenhouses.

If watering in of the granules is necessary, do not allow people or pets on treated surfaces until the grass or soil is dry.

Do not touch treated surface until dry.

Resistance Management

For resistance management, Wisdom GC Granular contains bifenthrin, a Group 3 insecticide. Any insect population may contain individuals naturally resistant to Wisdom GC Granular and other

Group 3 insecticides. The resistant individuals may dominate the insect population if this group of insecticides are used repeatedly in the same locations. Appropriate resistance management strategies should be followed.

To delay insecticide resistance, take one or more of the following steps:

- Rotate the use of Wisdom GC Granular or other Group 3 insecticides within the year with different groups that control the same pests.
- Adopt an integrated insect management program for insecticide use that includes scouting, uses historical information related to pesticide use record keeping, and which considers cultural, biological and other chemical control practices.
- Monitor after application for unexpected target pest survival. If the level of survival suggests the presence of resistance, consult with your local university specialist or certified pest control advisor.
- Contact your local extension specialist or pest control advisor for any additional pesticide resistance-management and/or IPM recommendations for specific site and pest problems in your area.

For further information or to report suspected resistance contact AMVAC at (1-888-462-6822). You can also contact your pesticide distributor or university extension specialist to report resistance.

GRASS AND PERIMETER APLICATIONS

(Including Golf Courses and Sod Farms)

Grass Application: Broadcast Wisdom GC Granular with suitable application equipment to ensure uniform coverage over the treatment area.

APPLICATION RATES

The application rates listed in the following table will provide excellent control of the respective pests under typical conditions. However, at the discretion of the applicator, Wisdom GC Granular may be applied at up to 0.4 lb. a.i./A to control each of the pests listed in this table. However, for residential lawn use, do not apply more than 0.2 lbs. a.i. per Acre per application.

For applications at rates above 0.34 lb. ai/A (170 lbs product/A), users must water the treated area immediately after application.

Pest	Active ingredient Ibs. per acre	Application Rate Wisdom GC Granular			
Armyworms ¹ Cutworms ¹ Sod Webworm ¹	0.1	50 lbs. per acre	1.15 lbs. per 1,000 sq. ft.		
Annual Bluegrass Weevil (Hyperodes) (Adult) ² Billbugs (Adult) ³ Black Turfgrass Ataenius (Adult) ⁴ Leafhoppers Mealybugs	0.1 - 0.2	50 - 100 lbs. per acre	1.15 - 2.3 lbs. per 1,000 sq. ft.		

Ants	0.2 - 0.4	100-200 lbs.	2.3 - 4.6 lbs.
Centipedes		per acre	per 1,000 sq. ft.
Chinch Bugs ⁵			
Fleas (Adult)			
Fleas (Larvae) ⁶			
Imported Fire Ants (Adult) ⁷			
Imported Fire Ants (Mounds) ⁷			
Millipedes			
Mole Cricket (Adult) ⁸			
Mole Cricket (Nymph) ⁹			
Ticks ¹⁰			
Pillbugs	0.4	200 lbs.	4.6 lbs.
Sowbugs		per acre	per 1,000 sq. ft.

In New York State, this product may NOT be applied to any grass or turf area within 100 feet of a water body (lake, pond, river, stream, wetland, or drainage ditch).

In New York State, do make a single repeat application of Wisdom GC Granular if there are signs of renewed insect activity, but not sooner than two weeks after the first application.

Comments

¹Armyworms, Cutworms, and Sod Webworms: To ensure optimum control, irrigate the treated area with up to 0.1 inches of water immediately after application to activate (release from the granule) the insecticide.

²Annual Bluegrass Weevil (*Hyperodes*) adults: Applications should be timed to control adult weevils as they leave their overwintering sites and move into grass areas. This movement generally begins when *Forsythia* is in full bloom and concludes when flowering dogwood is in full bloom. Consult your State Cooperative Extension Service for more specific information regarding application timing.

³Billbugs: Applications should be made when adult billbugs are first observed during April and May. Degree day models have been developed to optimize application timing. Consult your State Cooperative Extension Service for information specific to your region. In temperate regions, spring applications targeting billbug adults will also provide control of over-wintered chinch bugs.

⁴Black Turfgrass Ataenius: Applications should be made during May and July to control the first and second generation of black turfgrass ataenius adults, respectively. The May application should be timed to coincide with the full bloom stage of Vanhoutte spiraea (Spiraea vanhouttei) and horse chestnut (Aesculus hippocastanum). The July application should be timed to coincide with the blooming of Rose of Sharon (Hibiscus syriacus).

⁵Chinch Bugs: Chinch bugs infest the base of grass plants and are often found in the thatch layer. Irrigate the treated area with up to 0.25 inches of water immediately after application to activate (release from the granule) the insecticide. Chinch bugs can be one of the most difficult pests to control in grasses and the higher application rates may be required to control populations that contain both nymphs and adults during the summer.

⁶Flea Larvae: Flea larvae develop in the soil of shaded areas that are accessible to pets or other

animals. Irrigate the treated area with up to 0.5 inches of water immediately after application to activate (release from the granule) the insecticide.

⁷Imported Fire Ants: Control will be optimized by combining broadcast applications that will control foraging workers and newly mated fly-in queens with mound drenches that will control existing colonies. If the soil is not moist, then it is important to irrigate before application. Broadcast treatments should apply up to 0.4 lb. a.i./A. Mounds should be treated by diluting 1 teaspoon of <u>Wisdom Flowable (EPA Req. No. 5481-519</u>) formulation per gallon of water and applying 1 to 2 gallons of finished spray per mound. The mounds should be treated with sufficient force to break their apex and allow the insecticide solution to flow into the ant tunnels. A 4 foot diameter circle around the mound should also be treated. For best results, apply in cool weather (65-80°F) or in early morning or late evening hours.

Note: A spray rig that is calibrated to apply 0.1 lb. a.i./A (20 oz.) of <u>Wisdom Flowable</u> in 2.5 gallons per 1,000 square feet contains the approximate dilution (1 teaspoon per gallon) that is required for fire ant mound drenches in the spray tank. *Application of 0.25 lb. a.i./A of Wisdom GC Granular will provide six months residual activity for control of foraging Imported Fire Ants and newly mated fly-in queens. *Not applicable in California.

⁸Mole Cricket Adults: Achieving acceptable control of adult mole crickets is difficult because preferred grass areas are subject to continuous invasion during the early spring by this extremely active stage. Applications should be made as late in the day as possible and should be watered in with up to 0.5 inches of water immediately after treatment. If the soil is not moist, then it is important to irrigate before application to bring the mole crickets closer to the soil surface where contact with the insecticide will be maximized. Grass areas that receive pressure from adult mole crickets should be treated at peak egg hatch to ensure optimum control of subsequent nymph populations (see below).

⁹Mole Cricket nymphs: Grass areas that received intense adult mole cricket pressure in the spring should be treated immediately prior to peak egg hatch. Optimal control is achieved at this time because young nymphs are more susceptible to insecticides and they are located near the soil surface where the insecticide is most concentrated. Control of larger, more damaging, nymphs later in the year may require both higher application rates and more frequent applications to maintain acceptable control. Applications should be made as late in the day as possible and should be watered in with up to 0.5 inch of water immediately after treatment. If the soil is not moist, then it is important to irrigate before application to bring the mole crickets closer to the surface where contact with the insecticide will be maximized.

¹⁰Ticks: Do not make spot applications. Treat the entire area where exposure to ticks may occur. Use higher application rates when treating areas with dense ground cover or heavy leaf litter. Ticks may be reintroduced from surrounding areas on host animals. Retreat as necessary to maintain adequate control. Do not allow public use of treated areas during application.

Deer Ticks (Ixodes sp.) have a complicated life cycle that ranges over a two year period and involves four life stages. Applications should be made in mid to late spring to control larvae and nymphs that reside in the soil and leaf litter.

American dog ticks may be a considerable nuisance in suburban settings, particularly where homes are built on land that was previously field or forest. These ticks commonly congregate along paths or roadways where humans are likely to be encountered. Applications should be made as necessary from mid-spring to early fall to control American dog tick larvae, nymphs and adults.

Perimeter Application:

Apply perimeter band treatments of 7 feet wide or less from the base of a man-made structure to pervious surfaces (e.g. soil, mulch, or lawn)

Do not apply directly to impervious horizontal surfaces such as sidewalks, driveways, and patios except as a spot or crack and crevice treatment. Treat surfaces to ensure thorough coverage but avoid runoff. To treat insects harbored in voids and cracks-and-crevices, applications must be made in such a manner to limit dripping and avoid runoff onto untreated structural surfaces and plants.

Spot treatments must not exceed two square feet in size (for example, 2 ft. by 1 ft or 4 ft. by 0.5 ft.).

Application Rate Pounds Per 1,000	Band Width (feet)	Pounds of Wisdom GC Granular for Perimeter Applications Linear Distance (Feet) Around Structure							
sq. ft.		100	150	200	250	300	400	500	1,000
2.3	3.5	0.9	1.3	1.7	2.1	2.5	3.3	4.1	8.1
2.3	7	2.0	2.8	3.6	4.4	5.2	6.8	8.4	16.5
3.0	3.5	1.2	1.7	2.2	2.7	3.3	4.3	5.4	10.6
3.0	7	2.6	3.6	4.7	5.7	6.8	8.9	11.0	21.5
3.5	3.5	1.4	2.0	2.6	3.2	3.8	5.0	6.3	12.4
3.5	7	3.0	4.2	5.4	6.7	7.9	10.3	12.8	25.0
4.6	3.5	1.7	2.5	3.3	4.2	5	6.6	8.2	16.2
4.6	7	3.9	5.5	7.1	8.7	10.3	13.5	16.8	32.9

Note: The amounts of Wisdom GC Granular listed in the above table are based on the total area being treated. This area is determined by multiplying the linear distance by the band width and then adding to that value the area of a circle whose radius is equal to the band width (to account for the area treated at the four corners of a rectangular structure).

INDUSTRIAL NON-AGRICULTURAL APPLICATIONS

(Including Industrial Sites, Parks, Ball Fields and Cemeteries)

Broadcast Application: For the control of actively foraging ants (including Imported Fire Ants) broadcast uniformly 2.3 to 4.6 lbs. Wisdom GC Granular per 1,000 sq. ft. (0.2 to 0.4 lbs. a.i./Acre). See comments section under Grass Applications for additional rates.

Pad Mounted Electrical Sites: To reduce or prevent ant mound building activity on electrical pads, uniformly distribute 1.0 to 1.5 Tablespoons (0.06 to 0.09 lbs.) of Wisdom GC Granular per 4 sq. ft. of mounting pad. Where existing transformers are completely or partially filled with soil excavated by resident ants, remove any excess fill and level the remaining soil prior to application. Food utensils such as tablespoons must not be used for food purposes after use in measuring pesticides.

Note: Electrical transformers appear to be more attractive to ants during the cooler months. For best results treat in the Fall or early Spring.

Wisdom GC Granular Recommended Spreader Settings for Broadcast Applications

	Ground	Spreader Setting							
Equipment	Speed	100 Pound	ds per Acre	200 Pounds per Acre					
	(MPH)	Once Over	Twice Over	Once Over	Twice Over				
Hand-Pushed									
LESCO Rotary	3	B + 1/4	A + 1/2	C + 1/2	B + 1/4				
Scotts R-8A-1 Rotary	3	G	E	Not. Rec.	G				
Gandy Models (42, 36, 30, 24")	3	12	10.5	16	12				
Spyker (all models)	3	2.6	2	3.1	2.6				
Equipment Drawn (PTO=540 RPM)									
Gandy Models (42, 36, 30, 24")	4.5	14	11.5	19	14				
Gandy 6500 Series	4.5	15	11	20	15				
Gandy 10T Series	5.0	16.5	12	24	16.5				
Herd GT-77	4.0			8-H					
Herd GT-77	8.0	8-H			8-H				
Lely 2.3202.000.1	4.5	2	1	3.5	2				
Lely Model L-400	4.5	Not. Rec.	Not. Rec.	2	Not. Rec.				
Vicon PS402	4.5	10	7	16	10				
Vicon PS1002T	4.5	13	9	21	13				

Note: These recommended settings should be used as starting points when calibrating a spreader to achieve the desired application rate of Wisdom GC Granular. After calibration, the technician should regularly observe the amount of Wisdom GC Granular that is applied to a known area and make further setting adjustments, as necessary, to maintain the appropriate application rate. Spreaders should be calibrated periodically to ensure that equipment wear or other factors have not altered the flow rate of Wisdom GC Granular. Calibration instructions are included in the Owner's Manual that was provided by the equipment manufacturer at the time of purchase.

{RECOMMENDED SPREADER SETTINGS (Optional Text)

Note: Following will be a list of application spreaders and appropriate settings. This list will vary depending on the alternate carrier used. (This note will not appear on final printed label.)

Note: These spreader settings were established using standard equipment available from the spreader manufacturer at swath widths and speeds typically used within the industry. It is recommended that all spreader equipment be calibrated at the time of application to achieve the desired application time.}

STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal. Do not pour or dispose down-the-drain or sewer. Call your local solid waste agency for local disposal options.

Pesticide Storage: Keep out of reach of children and animals. Store in original containers only. Store in a cool, dry place and avoid excess heat. Carefully open containers. After partial use, replace lids and close tightly.

In case of spill, avoid contact, isolate area and keep out animals and unprotected persons. Confine spills. Call Amvac: 1-888-462-6822

To confine spill: Cover to prevent dispersal. Place damaged package in a holding container. Identify contents.

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

Container Handling: Nonrefillable container. Do not reuse or refill this container.

Paper and plastic bags: Completely empty bag into application equipment. When completely empty, offer for recycling, if available or dispose of empty bag in a sanitary landfill or by incineration or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

LIMITED WARRANTY AND DISCLAIMER

The manufacturer warrants (a) that this product conforms to the chemical description on the label and (b) that the directions, warnings, and other statements on this label are based upon responsible experts' evaluations of reasonable tests of effectiveness, of toxicity to laboratory animals and to plants and residues on food crops, and upon reports of field experience. Tests have not been made on all varieties of food crops and plants, or in all states or under all conditions. THIS WARRANTY DOES NOT EXTEND TO THE USE OF THIS PRODUCT CONTRARY TO LABEL INSTRUCTIONS, OR UNDER CONDITIONS NOT REASONABLY FORESEEABLE.

THERE ARE NO EXPRESS WARRANTIES OTHER THAN THOSE SET FORTH HEREIN. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW THE MANUFACTURER NEITHER MAKES NOR INTENDS, NOR DOES IT AUTHORIZE ANY AGENT OR REPRESENTATIVE, TO MAKE ANY OTHER WARRANTIES, EXPRESS OR IMPLIED, AND IT EXPRESSLY EXCLUDES AND DISCLAIMS ALL IMPLIED WARRANTIES OF MERCHANTABILITY OF FITNESS FOR A PARTICULAR PURPOSE, OR ANY WARRANTY OF QUALITY OR PERFORMANCE. THIS WARRANTY DOES NOT EXTEND TO, AND THE BUYER SHALL BE SOLELY RESPONSIBLE FOR, ANY AND ALL LOSS OR DAMAGE WHICH RESULTS FROM THE USE OF THIS PRODUCT IN ANY MANNER WHICH IS INCONSISTENT WITH THE LABEL DIRECTIONS, WARNINGS OR CAUTIONS.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW BUYER'S EXCLUSIVE REMEDY AND MANUFACTURER'S OR SELLER'S EXCLUSIVE LIABILITY FOR ANY AND ALL CLAIMS, LOSSES, DAMAGES, OR INJURIES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, WHETHER OR NOT BASED IN TORT, CONTRACT, NEGLIGENCE, STRICT LIABILITY IN TORT OR OTHERWISE, SHALL BE LIMITED, AT THE MANUFACTURER'S OPTION, TO REPLACEMENT OF, OR THE REPAYMENT OF THE PURCHASE PRICE FOR, THE QUANTITY OF PRODUCT WITH RESPECT TO WHICH DAMAGES ARE CLAIMED. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW MANUFACTURER OR SELLER SHALL NOT BE LIABLE FOR SPECIAL, INDIRECT OR CONSEQUENTIAL DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT.

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AMVAC Chemical Corporation 4695 MacArthur Court, Suite 1200 Newport Beach, CA 92660 U.S.A.