

5481-541

2/9/2012

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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

FEB - 9 2012

Joy Paff
Amvac Chemical Company
4695 MacArthur Court, Suite 1250
Newport Beach, CA 92660

SUBJECT: Notification Label Revision per PR Notice 2007-4
Fruitone L
EPA Reg. No 5481-541
Notification dated January 23, 2011
Decision # 460169

Dear Ms. Paff:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4. The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and finds that the label change(s) requested falls within the scope of PRN-2007-4.

The label submitted with this application has been stamped "Notification" and will be placed in our files. If you have any questions, please call Rose Kearns at 703-305-5611 or you may call me at 703-308-9443.

Sincerely,

A handwritten signature in black ink that reads "Tony Kish". The signature is written in a cursive style with a large, sweeping "T" and "K".

Tony Kish
Product Manger (22)
Fungicide Branch
Registration Division (7504P)

2019



United States
Environmental Protection Agency
Washington, DC 20460

- Registration
- Amendment
- Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 5481-541	2. EPA Product Manager	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Fruitone L	PM#	
5. Name and Address of Applicant (Include Zip Code) Amvac Chemical Corporation 4695 MacArthur Court, Suite 1250 Newport Beach, CA 92660 <input type="checkbox"/> Check if this is a new address		6. Expedited Review. In accordance with FIFRA Section 3(c)(3)(b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. <u>NOTIFICATION</u> Product Name <u>FEB - 9 2012</u>

Section - II

- Amendment - Explain below
- Final printed labels in response to Agency letter dated _____
- Resubmission in response to Agency letter dated _____
- "Me Too" Application
- Notification - Explain below
- Other - Explain below

Explanation: Use additional page(s) if necessary. (For Section I and Section II.) Notification of Removal of Web Address and Storage and Disposal Statements.

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:			
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	2. Type of Container <input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input checked="" type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____
* Certification must be submitted		If "Yes" No. per Unit Packaging wt. container	If "Yes" No. per Package wt. container
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 1 gallon	5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithographed <input type="checkbox"/> Stenciled <input checked="" type="checkbox"/> Paper glued <input type="checkbox"/> Other _____			

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Joy Paff	Title Regulatory Specialist	Telephone No. (Include Area Code) (949) 221-6123
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.		8. Date Application Received (Stamped)
2. Signature <i>Joy Paff</i>	3. Title Regulatory Specialist	
4. Typed Name Joy Paff	5. Date January 23, 2012	



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January 23, 2012

Ms. Sherada Hobgood
Document Processing Desk
Office of Pesticide Programs (Notif)
U.S. Environmental Protection Agency
One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202

**Subject: Notification of Minor Label Revision and Storage and Disposal Language Per
PR Notice 2007-4
Fruitone L (EPA Reg. No. 5481-541)**

Dear Sherada:

Please find enclosed the notification to revise labeling for the above listed product. We have updated the Storage and Disposal Statement to comply with the language outlined in the Agency's PR Notices.

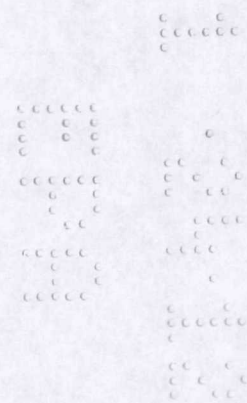
In support of this request, enclosed please find the following:

1. Application for Pesticide Registration (EPA Form 8570-1).
2. ~~Three~~ ^{One} copies of the label (Ref. No 541-20120123r3).
3. One highlighted copy of the label.

It is my understanding that this satisfies the requirements of the Agency's PR Notice and will require no further action. If you have any questions or require additional information, please do not hesitate to contact me at 949-221-6123 or email joyp@amvac-chemical.com. Thank you for your attention to this matter.

Best regards,

Joy Paff
Regulatory Specialist



Fruitone® L

FOR THINNING, RETURN BLOOM AND STOP DROP IN APPLES AND PEARS

ACTIVE INGREDIENT:

1-Naphthaleneacetic Acid, Sodium Salt* 3.5%

INERT INGREDIENTS:..... 96.5%

TOTAL: 100.0%

*Equivalent to 3.1% of 1-Naphthaleneacetic Acid (NAA).

KEEP OUT OF REACH OF CHILDREN CAUTION

FIRST AID	
If swallowed:	<ul style="list-style-type: none"> • Call a poison control center or doctor immediately for treatment advice. • Have person sip a glass of water if able to swallow. • Do not induce vomiting unless told to do so by a poison control center or doctor. • Do not give anything by mouth to an unconscious person.
If in eyes:	<ul style="list-style-type: none"> • Hold eye open and rinse slowly and gently with water for 15-20 minutes. • Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. • Call a poison control center or doctor for treatment advice.
If on skin or clothing:	<ul style="list-style-type: none"> • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15-20 minutes. • Call a poison control center or doctor for treatment advice.
If inhaled:	<ul style="list-style-type: none"> • 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 further 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:	
Transportation: CHEMTREC.....	1-800-424-9300
Other: AMVAC.....	1-323-264-3910
NOTE TO PHYSICIAN	
No specific antidote is available. All treatments should be based on observed signs and symptoms of distress in the patient. Overexposure to materials other than this product may have occurred.	

SEE SIDE/BACK PANEL FOR ADDITIONAL PRECAUTIONARY STATEMENTS AND DIRECTIONS FOR USE.

EPA Reg. No. 5481-541
EPA Est. No. 5481-CA-1

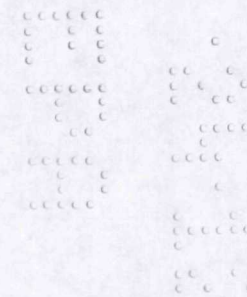
Net Contents:

NOTIFICATION

FEB - 9 2012



4100 E. Washington Blvd.
Los Angeles, CA 90023 U.S.A
1-323-264-3910 • www.amvac-chemical.com



PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION: Harmful if absorbed through the skin or eyes, swallowed or inhaled. Avoid contact with skin, eyes, or clothing. Avoid breathing spray mist.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Chemical-resistant gloves made of any waterproof material
- Shoes plus socks

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 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 the mean high water mark. Do not contaminate water when disposing of equipment washwaters. Do not contaminate irrigation ditches or water used for irrigation or domestic purposes. Do not apply when weather conditions favor drift from treated areas.

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. Do not apply this product through any type of irrigation system.

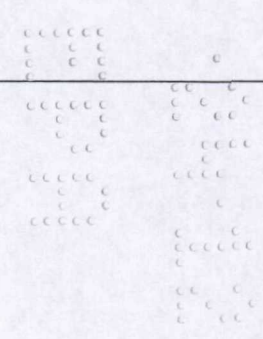
Do not Use in a greenhouse.

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). **The REI is 48 hours.** The PPE required for early entry to treated areas which is permitted under the Worker Protection Standard (WPS) and that involves contact with anything that has been treated, such as plants, soil or water, is:

- Long-sleeved shirt and long pants
- Chemical-resistant gloves made of any waterproof material
- Shoes plus socks



GENERAL INFORMATION

Fruitone L contains a synthetic auxin (1-Naphthaleneacetic acid) which mimics the natural plant hormone, 1-indoleacetic acid and has been widely used in commercial fruit production. The major uses include: thinning to increase fruit size and quality, prevention of pre-harvest fruit drop and for promoting return bloom on varieties that have alternate bearing tendencies. The response of fruit trees to a Fruitone L application may vary in different years. Therefore the grower needs to review the previous year's performance in the orchard and take into consideration the existing varieties, prevailing and anticipated climatic conditions, location, tree vigor, fruit set potential, pollination and other factors before choosing the desired rate and timing of application.

Importance of Spray Volume: It is important to use sufficient water to ensure uniform spray coverage. The appropriate spray volume (e.g. tree row volume) is determined by the type of equipment used, density of the foliage, tree spacing, coverage desired and intended spray pattern. Applications may be made by ground in up to 500 gallons of water per acre and aerial applications may also be made at 5-20 gallons of water per acre. Consider all variables in rate and application timing for each variety and orchard location prior to establishing the spray program.

Product Compatibility: Fruitone L, when diluted with the recommended amount of water, is physically compatible with a wide range of commonly used spray products. However, the full range of compatibility under local conditions should be established by the grower. It is recommended that growers premix a small quantity of the desired tank mix and observe for possible adverse changes (settling out, flocculation, etc.). Avoid mixtures of several materials and very concentrated spray mixtures. Observe all precautions and limitations on labeling of all products used in any tank mix and ensure that there is always proper agitation in the tank. Please consult your local Extension agent or Pomologist for local recommendations or when tank mixing any product you have not previously used with Fruitone L. In addition, to ensure plant safety, always test spray a small area prior to the general use of a tank mix that you have not previously used.

CHEMICAL THINNING OF APPLES

Tree response to Fruitone L applications varies greatly based on the type of variety (see **Table-1**), climatic factors before and after application, tree vigor, pollination, fruit set and fruitlet size at time of application. Therefore, the level of thinning can vary greatly from year to year. Previous orchard history and prior year's performance can help a grower determine the best spray program unique for that orchard. A typical rate for a moderate-to-thin apple variety in an orchard which requires 100 gallons of water per acre to achieve drip is 2 fl oz of Fruitone L per acre. For an acre requiring 200 gallons to achieve drip, 4 fl oz per acre may be more suitable (alternatively, see **Table-2** for use rates based on ppm and tree row volume). Higher rates may be needed for more difficult-to-thin varieties or for large, vigorous trees with high fruit set potential which would need aggressive thinning, or when applications are made towards the end of the thinning window. Lower rates may be best for weaker trees with poor pollination and lower fruit set potential. Application timing typically ranges from full bloom to 30 days after full bloom. Thinning applications with Fruitone L are typically most effective when the king fruitlets are 5 to 10 mm in diameter. The preferred application temperature is between 70°F and 75°F under slow drying conditions. Applications are not recommended below 60°F or above 80°F. Over-thinning may occur when daytime temperature exceeds 85°F. Satisfactory thinning can be obtained under such conditions with lower rates. Spray applications should be directed to the top two-thirds of the tree canopy for optimal performance. Under normal conditions, one application for thinning should be adequate. However, if a second application is desired, it should not be made earlier than 7 days after the first application.

Varietal Advisory: Certain varieties can be sensitive to Fruitone L and therefore growers should exercise caution prior to large scale use. In addition, application of Fruitone L to trees younger than five years of age should be made with caution as damage to the trees may occur. Pygmy, or misshapen fruit formation, or even phytotoxicity, may occur on some varieties at higher rates, or when temperatures exceed 85°F, and/or when applications are made when fruit size exceeds 15 mm. The *Delicious* or *Fuji* apple varieties are particularly susceptible and care should be exercised when using Fruitone L on such varieties.

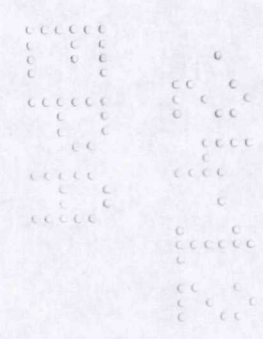


Table 1

Apple Varieties	Thinning Rates ¹ (fl oz per 100 gallons of tree row volume ²)	Typical Application Timing
Easy-to-thin: Granny Smith, Braeburn, Pink Lady, Cortland, Delicious Baldwin, Idared, Jonathan, Northern Spy, MacIntosh, Red Delicious, Rome Beauty, Stayman, Rhode Island Greening, and others.	0.5 – 3.0	Petal fall (3-7 mm fruit size) and/or early fruit set (8-10 mm fruit size). Note: Thinning becomes increasingly difficult as fruit size increases.
Moderately difficult-to-thin: Gala, Golden Supreme, Honeycrisp, Cameo, Gingergold, Jerseymac, Rome, Jonagold, Empire, Olenberg (Duchess) Red Astrachan, Spartan, Mutsu, Yellow Transparent, Williams Early and others.	1.0 - 4.0	Adjust the rate of Fruitone L to obtain desired results. Application to fruit >15 mm may result in misshapen or pygmy fruit in sensitive varieties.
Difficult-to-thin: Fuji, Golden Delicious, Jonamac, Lodi, Macoun, York, York Imperial, Yellow Newton, PaulaRed, Early Macintosh, and others.	1.5 - 4.0	

- Note: The rate ranges supplied are intended only as a general guide. Your intended results may require rates above or below those in the table. When Fruitone L is used in combination with a non-ionic surfactant such as Regulaid®, or in a tank mix with another apple thinning product, the application rate of Fruitone L should be appropriately reduced.
- Volume of water required per acre required to achieve drip at the time of application.

Note on Tank Mix Combinations and Phytotoxicity: Tank mixtures of reduced-rate combinations of Fruitone L and products such as Carbaryl (e.g. Sevin® 4F and Sevin® XLR Plus), or MaxCel™ have been used to enhance thinning. However, Fruitone L should not be mixed with any product containing a label restriction against such mixing. Always apply in accordance with the limitations and precautions of the most restrictive label, and always test any tank-mix for efficacy, compatibility and phytotoxicity.

TO PROMOTE RETURN BLOOM ON APPLE TREES THE FOLLOWING SEASON

Fruitone L can effectively promote return bloom during an off year in young trees that are slow to bear or on mature trees that are likely to produce only a limited number of blossoms in the following year. Fruitone L acts as a return bloom enhancer to certain apple varieties such as, but not limited to: *Fuji, Jonagold, Mutsu, Braeburn and Golden Delicious*. The recommended application rate range is between 2 to 8 fl oz per acre, applied six to eight weeks after petal fall in sufficient water to ensure good coverage based on tree row volume. Repeat applications made at 2 to 8 fl oz per acre can improve results and may be made at 7 to 14 day intervals. These applications made during the summer months, may also provide an additional benefit of aiding pre-harvest fruit drop in certain varieties of apples (see above).

Spray Advisory: Even when used at low rates, reduced fruit quality such as early ripening or water core or leaf drop can result on certain varieties which are sensitive to Fruitone L, (such as *Early MacIntosh* or other early summer varieties). Application of Fruitone L at rates higher than 8 fl oz per acre can also affect fruit quality and tree vigor on any variety and growers should exercise caution.

CONTROL OF PRE-HARVEST DROP OF APPLES

Fruitone L also controls pre-harvest drop of apples leading to a larger harvest and a reduction of losses from wind and mechanical knockdown. Typical applications should be made within one to four weeks of anticipated harvest. Fruitone L becomes effective 1 to 3 days after application and can prevent fruit drop up to two weeks, depending upon use rates and environmental conditions. For maximum effectiveness, apply only when orchard temperature is 70°^F or higher. Fully wet the entire canopy to ensure complete coverage. Varietal type, climatic conditions and other factors may determine the actual rate and timing. Do not delay harvest beyond optimum maturity. Improvement in fruit size and color may be expected in certain varieties. Pre-harvest interval (PHI) is 2 days.

Apply by ground or by air in sufficient water to ensure good coverage. Aerial applications must be made using at least 5 gallons of water per acre. Ground applications should be made in sufficient water to ensure adequate coverage. Apply only when weather conditions favor minimal spray drift. A typical application for controlling pre-harvest drop is 8 to 32 fl oz per acre, made one to four weeks prior to harvest. If needed, repeat applications may be made at weekly intervals.

CHEMICAL THINNING OF PEARS

Tree response to Fruitone L applications varies greatly based on the type of variety treated, climatic factors before and after application, tree vigor, pollination, fruit set and fruit size at time of application. Therefore, results can vary greatly from year to year. Previous orchard history, good record keeping, and evaluating use rates prior to large scale use can help a grower determine the best spray program for that orchard. As a guide only, a typical rate for thinning Bosc or Bartlett pears is 4 fl oz of Fruitone L per acre when applied in 100 gallons of water per acre to achieve drip or 8 fl oz when applied in 200 gallons to achieve drip (alternatively, see Table-2 for use rates based on ppm and tree row volume). Large, vigorous trees with high fruit-set potential or for applications made towards the end of the thinning window may require higher rates to obtain optimum results. Weaker trees with poor pollination and lower fruit set potential generally require lower rates. Spray application timing can range from full bloom to 30 days after full bloom, but optimum results are obtained when sprayed within 2 to 3 weeks after full bloom. Under normal conditions, one application for thinning should be adequate. However, if a second application is desired, it should not be made earlier than 7 days after the first application. The preferred application temperature range is between 70°F and 75°F. Applications are not recommended below 60°F or above 80°F.

Varietal Advisory: Some varieties of pears (such as *D'Anjou*) are easy to over-thin, and under certain conditions susceptible to the formation of pygmy fruit. Consult your local extension agent or pomologist for specific regional recommendations.

CONTROL OF PRE-HARVEST DROP ON PEARS

Fruitone L can be used effectively to prevent pre-harvest drop of many pear varieties. However, since varietal response to Fruitone L can be different, evaluations for efficacy and post-harvest fruit quality should be done on a small scale in an orchard setting prior to large-scale use. Treatments become effective within 3 to 4 days after application and pre-harvest fruit drop can be minimized for up to two weeks, depending on rates and environmental conditions. Improvement in fruit size is generally observed. Do not make more than two applications per season for this use and do not delay harvest beyond optimum maturity. Pre-harvest interval (PHI) is 2 days.

Apply by ground or air in sufficient water to ensure good coverage. Aerial applications must be made using at least 5 gallons of water per acre. Apply only when weather conditions favor minimal spray drift. Ground applications should be made in sufficient water (typically based on tree row volume) to ensure adequate coverage. A typical rate range for controlling pre-harvest drop is between 8 to 32 fl oz per acre, made one to four weeks prior to harvest. Higher rates may be needed for varieties such as *D'Anjou*. Large, vigorous trees with high fruit-set should be treated at the higher recommended rate and smaller less vigorous trees with low fruit-set potential should be treated at the lower recommended rate. If needed, additional applications may be made at weekly intervals.

Drift Advisory: Do not make Fruitone L applications on apples or pears when wind speeds favor drift on to non-target crops or foliage.

MAXIMUM USE RATE PER APPLICATION FOR APPLES AND PEARS:

- Do not exceed 54 fl oz Fruitone L per acre per application.

MAXIMUM SEASONAL APPLICATION RATES FOR APPLES AND PEARS

- 150 grams of NAA (161 fl oz of Fruitone L) per acre per season. (Maximum seasonal quantity and per application is based on NAA acid equivalent of the active ingredient).
- **In California only:** Do not exceed 50 grams of NAA (54 fl oz of Fruitone L) per acre per season.

Table - 2

Spray Preparation Chart For High Volume Application (in parts per million)				
Target Rate (ppm NAA acid basis)	Tree row volume expressed as gallons per acre*			
	100	200	300	400
	fl oz of Fruitone L	fl oz of Fruitone L	fl oz of Fruitone L	fl oz of Fruitone L
5	2.0	4.0	6.1	8.1
10	4.0	8.1	12.1	16.2
15	6.1	12.1	18.2	24.2
20	8.1	16.2	24.3	32.4

*Use the appropriate Fruitone L rates from this chart to prepare the desired final Tree Row Volume spray per acre.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Do not store in the same area with food or feed. Do not freeze.

PESTICIDE DISPOSAL: Open dumping is prohibited. 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. Do not reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. 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. ~~Do not reuse empty container. Triple rinse (or equivalent).~~ Then offer for recycling or reconditioning, or puncture and dispose of 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; (b) that this product is reasonably fit for the purposes set forth in the directions for use, subject to the inherent risks referred to herein, when it is used in accordance with such directions; and (c) 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.

THERE ARE NO EXPRESS WARRANTIES OTHER THAN THOSE SET FORTH HEREIN. 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 TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, 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 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, IN NO EVENT, SHALL MANUFACTURER OR SELLER BE LIABLE FOR SPECIAL, INDIRECT OR CONSEQUENTIAL DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT.

AMVAC offers this product, and Buyer accepts it, subject to the foregoing Limited Warranty which may be varied only by agreement in writing signed by an authorized representative of AMVAC.

Fruitone® is a registered trademark of Amvac Chemical Corporation.

MaxCel™ is a trademark of Valent USA Corporation.

Sevin® is a registered trademark of Bayer CropScience.

Regulaid® is a registered trademark of Kalo Corp.

Amvac Chemical Corporation

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