



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

August 23, 2023

Bill Washburn
Registration Manager
Helena Agri-Enterprises, LLC
d/b/a Helena Chemical Company
225 Schilling Boulevard, Suite 300
Collierville, TN 38017

Subject: Registration Review Label Amendments Incorporating Mitigation from the Fish and Wildlife Services (FWS) and the National Marine Fisheries Services (NMFS) Biological Opinions on the Effects of Malathion on Endangered and Threatened Species and Designated Critical Habitat
Product Name: FYFANON ULV CONCENTRATE INSECTICIDE
EPA Registration Number: 5905-112
Application Dates: 5/25/2022 and 9/12/2022
Decision Numbers: 584978 and 589924

Dear Bill Washburn:

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 FWS and NMFS' Biological Opinions on the effects of Malathion on federally listed endangered and threatened species and designated critical habitat in accordance with section 7 of the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. 1531 et seq.). The Agency 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.

If you have any questions, please contact Carolyn Smith by phone at (202) 566-2273 or via email at smith.carolyn@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Kelly Sherman", with a long horizontal flourish extending to the right.

Kelly Sherman
Chief, Risk Management Implementation Branch 3
Pesticide Re-evaluation Division
Office of Pesticide Programs

Enclosure

FYFANON[®] ULV CONCENTRATE INSECTICIDE

ACTIVE INGREDIENTS:
 Malathion: O,O-diethyl phosphorodithioate of diethyl mercaptosuccinate..91.00%

INERT INGREDIENTS:9.00%

TOTAL100.00%

One gallon contains 9.7 pounds of malathion

**KEEP OUT OF REACH OF CHILDREN
CAUTION**

See Inside Panel for Additional Precautionary Statements and Directions For Use

EPA REG. NO. 5905-112
 EPA EST. NO.

AD 062810
 NET CONTENTS:

**MANUFACTURED FOR
 HELENA AGRI-ENTERPRISES, LLC
 225 SCHILLING BOULEVARD, SUITE 300
 COLLIERVILLE TENNESSEE 38017**



A C C E P T E D

08/23/2023

Under the Federal Insecticide, Fungicide
 and Rodenticide Act as amended, for the
 pesticide registered under
 EPA Reg. No. 5905-112

FIRST AID	
Organophosphate	
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 by a poison control center or doctor. • Do not give anything by mouth to an unconscious or convulsing person.
IF INHALED	<ul style="list-style-type: none"> • Move person to fresh air. • If person is not breathing, call 911 or ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible. • Call a poison control center or doctor for further treatment advice.
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
Have the product container or label with you when calling a poison control center or doctor, or going for treatment.	
NOTE TO PHYSICIAN	
Contains an organophosphate that inhibits cholinesterase. This product may cause cholinesterase inhibition. Atropine is antidotal. 2PAM may be effective as an adjunct to atropine.	

**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS**

CAUTION

May be harmful if swallowed. Do not take internally. Avoid contact with eyes, skin and clothing. Avoid breathing vapors, dust, or spray mist.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Some materials that are chemical-resistant to this product are barrier laminate, butyl rubber, nitrile rubber, or Viton.

For all formulations and all use patterns – mixers, loaders, applicators, flaggers and other handlers must wear:

- Long-Sleeved shirt and long pants
- Shoes plus socks
- Chemical-resistant gloves
- Chemical resistant headgear (and for airblast application)
- Chemical-resistant apron (add for airblast application)

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 materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them.

ENGINEERING CONTROLS

Pilots must use an enclosed cockpit in manner that is consistent with the WPS for Agricultural Pesticides [40 CFR 170.240(d)(6)]. Pilots must wear the PPE required on this labeling for applicators.

USER SAFETY RECOMMENDATIONS

Users 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. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish and aquatic invertebrates. Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas. This product may contaminate water through drift of spray in wind. This product has a high potential for runoff after application. Use care when applying in or to an area which is adjacent to any body of water and do not apply when weather conditions favor drift from target area. Poorly draining soils and soils with shallow water tables are more prone to produce runoff that contains this product.

Reporting Ecological Incidents: To report ecological incidents, including mortality, injury, or harm to plants and animals, call 901-761-0050.

A level, well maintained vegetative buffer strip between areas to which this product is applied and surface water features such as ponds streams, and springs will reduce the potential for contamination of water from rainfall-runoff. Runoff of this product will be reduced by avoiding applications when rainfall is forecasted to occur within 48 hours.

Do not apply directly to water, or 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 washwater or runoff.

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 it to drift to blooming crops or weeds if bees are visiting the treatment area. In citrus, stone fruit, pome fruit and tree nuts: Do not apply this product within 3 days prior to bloom, during bloom, or until petal fall is complete. Protect pollinating insects by following label directions intended to minimize drift and to reduce risk to these organisms.

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 when soil is saturated, or when a storm event likely to produce runoff from the treated area is forecasted (by NOAA/National Weather Service, or other similar forecasting service) to occur within 48 hours following application.

For use only by federal, state, tribal or local government officials responsible for insect control or by persons certified in the appropriate category or otherwise authorized by the state or tribal lead pesticide regulatory Agency to perform grasshopper/Mormon Cricket, Beet Leafhopper or Boll Weevil control applications, or by persons under their supervision, or as allowed by state regulations for persons treating private property.

ULV Ground Application

Do not apply within 50 feet of aquatic habitats (such as, but not limited to, lakes, reservoirs, rivers, streams, wetlands, ponds, estuaries, and commercial fish ponds). This 50-foot buffer is in addition to the full swath displacement upwind that applicators must use at the downwind edge of the field. Applications made by mosquito control districts and other public health officials are exempt from this requirement.

ULV Aerial Application

Do not apply within 100 feet of aquatic habitats (such as, but not limited to, lakes, reservoirs, rivers, streams, wetlands, ponds, estuaries, and commercial fish ponds). This 100-foot buffer is in addition to the full swath displacement upwind that applicators must use at the downwind edge of the field. Applications made by mosquito control districts and other public health officials are exempt from this requirement.

Endangered Species

It is a Federal offense to use any pesticide in a manner that results in an unauthorized “take” (e.g., kill or otherwise harm) of an endangered species and certain threatened species under the Endangered Species Act section 9. When using this product, you must follow the measures contained in the Endangered Species Protection Bulletin for the area in which you are applying the product. You must obtain a Bulletin no earlier than six months before using this product. To obtain Bulletins, consult <http://www.epa.gov/espp/> , call 1-844-447-3813, or email ESPP@epa.gov. You must use the Bulletin valid for the month in which you will apply the product.

Reporting Ecological Incidents: To report ecological incidents, including mortality, injury, or harm to plants and animals, call 901-761-0050.

Following best management practices can help reduce risk to terrestrial pollinators. Examples of best management practices include applying pesticides in the evening and at night when pollinators are not foraging and avoiding applications to flowering plants. For additional resources on pollinator best management practices, visit <https://www.epa.gov/pollinator-protection/find-best-management-practices-protect-pollinators> .

Managed pollinator protection plans are developed by states/tribes to promote communication between growers, landowners, farmers, beekeepers, pesticide users, and other pest management professionals to reduce exposure of bees to pesticides. If available, visit state plans for additional information on how to protect pollinators.

How to Report Bee Kills. It is recommended that users contact both the state lead agency and the U.S. Environmental Protection Agency to report bee kills due to pesticide application. Bee kills can be reported to EPA at beekill@epa.gov. To contact your state lead agency, see the current listing of state pesticide regulatory agencies at the National Pesticide Information Center’s website: http://npic.orst.edu/reg/state_agencies.html .

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 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 for each crop is listed in the directions for use associated with each crop.

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
- Shoes plus socks, and
- Chemical-resistant gloves made of any waterproof material

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, or nurseries.

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

PRECAUTIONS AND RESTRICTIONS

- All ULV aerial formulations other than those intended for use as a Wide Area Mosquito Adulticide, must be packaged in closed mixing and loading systems.
- Use as a mosquito larvicide is prohibited.
- Not for residential use.
- Do not apply this product through any type of irrigation system.
- **Buffer Zones for Aerial Applications:** When making a ULV application with aerial application equipment, a minimum buffer zone of 50 feet must be maintained along any water body.
- **FYFANON® ULV CONCENTRATE** may cause spotting on automobile paint finish if prolonged exposure is permitted. Cars should not be sprayed directly. If accidental exposure does not occur, the car should be washed immediately.
- **FYFANON® ULV CONCENTRATE** can be effectively applied with conventional aircraft spray equipment by making a few minor modifications in the plumbing and boom assembly.

ULV EQUIPMENT REQUIREMENTS

PUMP

Use pumps capable of producing pressures of 40 to 50 psi. Install a bleed line of at least 3/16 inch in diameter on the high point of the impeller chamber to release trapped air. Bleed this line back to the top of the tank above the liquid level.

BY-PASS

A by-pass is required from the spray pump outlet to the spray pump inlet. This line must be equal in diameter to the pump outlet and must contain a valve controllable from the cockpit that will permit adjustments of boom pressure in flight. The by-pass commonly used to re-circulate **FYFANON® ULV CONCENTRATE** to the spray tank must be closed to avoid aeration of the insecticide.

BOOM AND NOZZLE PLACEMENT

The distance between the left and right outboard nozzles must be at least 3/4 of the wing span. The total number of nozzles used must be equally spaced across this span if the aircraft is flown at twenty feet or higher. Trailing edge booms are desirable. Place the nozzles on boom where pilot can readily see them to check any plugging or nozzles during spray operation. Attach a bleed line of at least 3/16 inch in diameter to the outer end of each boom and routed back to the top of the spray tank but above the liquid level. This line will bleed off pressures and assure sharp cut-off. If a nozzle is placed at each end of boom as many Ag Cat spray booms are assembled, this bleed line is not necessary.

NOZZLES

Use a minimum of 4 to 6 flat fan nozzles, such as Spraying Systems 8001, 80015 or 8002 for small aircraft such as Piper Pawnees and Stearmans. For aircraft operating at 150 mph or faster, use 10 to 14 flat fan nozzles, 8010 or 8015. Point nozzles straight downward on small aircraft and straight back for faster aircraft. Use 100 mesh screens with 8001, 80015, and 8002 nozzles and large-volume 50 mesh screen is to be used in spray systems. No screens are required for the 8010 or 8015 nozzles. Use diaphragm check valves on each nozzle to insure positive cut-off of spray during flight. Do not use cone nozzles. Rotary atomizers, commonly known as Mini-Spin nozzles, developed by the Plant Pest Control Division, USDA, can be substituted for the flat fan nozzles. Use the same flat fan nozzle tips as mentioned above when using the Mini-Spin nozzle.

SPRAY DRIFT REQUIREMENTS

Observe the following requirements when spraying in the vicinity of aquatic areas such as, but not limited to lakes; reservoirs, rivers, permanent streams, marshes or natural ponds; estuaries and commercial fish ponds.

DROPLET SIZE

Use the largest droplet size consistent with acceptable efficacy. Formation of very small droplets may be minimized by appropriate nozzle selection, by orienting nozzles away from the air stream as much as possible, and by avoiding excessive spray boom pressure.

For groundboom and aerial applications, use only medium or coarser spray nozzles according to ASAE (S572) definition for standard nozzles, or a volume mean diameter (VMD) of 300 microns or greater for spinning atomizer nozzles. In conditions of low humidity and high temperatures, applicators should use a coarser droplet size.

WIND DIRECTION AND SPEED

For all non-aerial applications, wind speed must be measured adjacent to the application site on the upwind side, immediately prior to application.

TEMPERATURE INVERSION

Inversions are characterized by stable air and increasing temperatures with increasing distance above the ground. Mist or fog may indicate the presence of an inversion in humid areas. Where permissible by local regulations, the applicator may detect the presence of an inversion by producing smoke and observing a smoke layer near the ground surface.

In conditions of low humidity and high temperatures, applicators should use a coarser droplet size.

ADDITIONAL REQUIREMENTS FOR GROUND APPLICATIONS

Spray should be released at the lowest height consistent with pest control and flight safety.

For airblast applications, turn off outward pointing nozzles at row ends and when spraying the outer two rows. To minimize spray loss over the top in orchard applications, spray must be directed into the canopy.

ADDITIONAL REQUIREMENTS FOR AERIAL APPLICATIONS

For aerial applications, the spray boom should be mounted on the aircraft as to minimize drift caused by wingtip or rotor vortices.

Aerial applicators must consider flight speed and nozzle orientation in determining droplet size.

When applications are made with a cross-wind, 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.

MANDATORY SPRAY DRIFT MANAGEMENT

ULTRA LOW VOLUME APPLICATIONS

- Apply when ground wind speeds are equal to or greater than 1 mph.
- All types of applications should be conducted when temperatures at ground level are at or above 50°F.

Ground ULV Applications (for Pasture/Rangeland and federal/state insect control programs)

- Create an optimum swath when possible. An optimum swath width can be achieved when FYFANON ULV CONCENTRATE INSECTICIDE is applied from a truck that is being driven perpendicular to the wind direction. Direct the spray head of equipment to ensure even distribution of the spray cloud throughout the area.
- FOR BEST RESULTS treat when mosquitoes or insects are most active and weather conditions are conducive to keeping the spray cloud in the air column close to the ground.
- An inversion of air temperatures and a light breeze is preferable. Application during the cooler hours of

the night or early morning is recommended.

ULV Aerial Applications (for agriculture, pasture/rangeland, nonagricultural lands uncultivated areas/soil, and federal/state/tribal/local insect control programs)

- Do not release spray at a height greater than 10 ft above the ground or vegetative canopy, unless a greater application height is necessary for pilot safety.
- Applicators must select nozzle and pressure that deliver fine or coarser droplets in accordance with American Society of Agricultural & Biological Engineers Standard (ASABE 641).
- Applicators must use a full swath displacement upwind at the downwind edge of the field.
- Do not apply when wind speeds exceed 15 mph at the application site. If the wind speed is greater than 10 mph, the boom length must be 65% or less of the wingspan for fixed wing aircraft and 75% or less of the rotor diameter for helicopters. Otherwise, the boom length must be 75% or less of the wingspan for fixed-wing aircraft and 90% or less of the rotor diameter for helicopters.
- Do not apply during temperature inversions.

Airblast applications:

- Sprays must be directed into the canopy.
- Do not apply when wind speeds exceed 10 miles per hour at the application site.
- User must turn off outward pointing nozzles at row ends and when spraying outer row.
- Do not apply during temperature inversions.

RESISTANCE MANAGEMENT RECOMMENDATIONS

For resistance management, **FYFANON® ULV CONCENTRATE** contains a Group 1B insecticide. Any insect population may contain individuals naturally resistant to **FYFANON® ULV CONCENTRATE** and other Group 1B insecticides. The resistant individuals may dominate the insect population if this group of insecticides are used repeatedly in the same fields. Appropriate resistance-management strategies should be followed.

To delay insecticide resistance, take the following steps:

- Rotate the use of **FYFANON® ULV CONCENTRATE** or other Group 1B insecticides within a growing season, or among growing seasons, with different groups that control the same pests.
- Use tank mixtures with insecticides from a different group that are equally effective on the target pest when such use is permitted. Do not rely on the same mixture repeatedly for the same pest population. Consider any known cross-resistance issues (for the targeted pests) between the individual components of a mixture. In addition, consider the following Page 11 of 18 recommendations provided by the Insecticide Resistance Action Committee (IRAC):
 - Individual insecticides selected for use in mixtures should be highly effective and be applied at the rates at which they are individually registered for use against the target species.
 - Mixtures with components having the same IRAC mode of action classification are not recommended for insect resistance management.
 - When using mixtures, consider any known cross-resistance issues between the individual components for the targeted pest(s).
 - Mixtures become less effective if resistance is already developing to one or both active ingredients, but they may still provide pest management benefits.
 - The insect resistance management benefits of an insecticide mixture are greatest if the two components have similar periods of residual insecticidal activity. Mixtures of insecticides with unequal periods of residual insecticide activity may offer an insect resistance management benefit only for the period where both insecticides are active.

- Adopt an integrated pest management program for insecticide use that includes scouting, uses historical information related to pesticide use, crop rotation, 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 certified crop advisors for any additional pesticide resistance-management and/or IPM recommendations for the specific site and pest problems in your area.
- For further information or to report suspected resistance contact Helena Agri-Enterprises, LLC at 901-761-0050 or at www.helenaagri.com.

FYFANON® ULV CONCENTRATE is used undiluted for ultra-low volume aerial applications to control adult corn rootworm, beet leafhopper, cereal leaf beetle, cotton boll weevil, flies, and grasshoppers as specified below. Aerial applications should be made at altitudes of 20 to 25 feet.

CROP USE SITES

Crop	Pests Controlled	Fl. Oz./ Acre	Max Single Application Rate (lb ai/A)	Max Number of Applications Per Year	Minimum Application Interval (days)	Minimum Pre-Harvest Interval (days) /Comments	Restricted Entry Interval (days/hours)
Alfalfa	Alfalfa caterpillars Armyworms, Western yellow striped, Alfalfa weevil larvae	8	0.61	2 per cutting 2 applications per year	14	0 days. Apply when larvae are small.	12 hrs.
		0 days. Apply when larvae are large or when foliage is dense.					
		0 days. Apply when day temperature is expected to be above 65F and when 50-70% of leaves show damage.					
	Beet armyworms	8		0 days. Apply when larvae are small. 5 days. Apply when larvae are large or when foliage is dense.			
	Grasshoppers	8		0 days.			
<i>Do not apply to alfalfa in bloom. Do not apply to seed alfalfa.</i>							
Clover	Grasshoppers	8	0.61	2 per cutting 4 applications per year	14	0 days. Do not apply to clover in bloom.	12 hrs.

Crop	Pests Controlled	Fl. Oz./ Acre	Max Single Application Rate (lb ai/A)	Max Number of Applications Per Year	Minimum Application Interval (days)	Minimum Pre-Harvest Interval (days) /Comments	Restricted Entry Interval (days/hours)
Corn (Sweet)	Adult corn rootworms	4	0.61	3	5	5	3 days for detasseling 12 hrs for all other activities
Cotton	Early season insects, thrips, fleahoppers, leafhoppers	4-8	1.22	25 for BWEP only 3 for non-BWEP use	3 for BWEP only 2 for non-BWEP	0 for BWEP only 7 for non-BWEP use	24 hours for BWEP only 2 days for non-BWEP use
	Boll weevils	8-16 16					
	Grasshoppers	8					
	Lygus bugs	8-12 16					
Pasture & Rangeland	Grasshoppers	8-12	0.92	1 per cutting	N/A	12 hours	12
Non-agricultural lands uncultivated areas/soil	Beet leafhoppers	8	0.928	—	—	—	—

STORAGE AND DISPOSAL

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

Pesticide Disposal: To avoid wastes, use all material in this container by application according to the label directions. If wastes cannot be avoided, offer remaining product to a waste disposal facility or pesticide disposal program (often such programs are run by state or local governments or by industry.)

Pesticide Storage: FYFANON® ULV CONCENTRATE should be stored in the original unopened container in a secure dry place. Do not contaminate with other pesticides or fertilizers. The product should never be heated above 55°C (131°F), and should not be stored for long periods of time at a temperature in excess of 25°C (77°F).

Container Disposal: Nonrefillable container. Do not reuse or refill this container. Triple rinse (or equivalent). 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.

CONDITIONS OF SALE - LIMITED WARRANTY AND LIMITATIONS OF LIABILITY AND REMEDIES

Read the Conditions of Sale - Warranty and Limitations of Liability and Remedies before using this product. If the terms are not acceptable, return the product, unopened, and the full purchase price will be refunded.

The directions on this label are believed to be reliable and are to be followed carefully. Insufficient control of pests and/or injury to the crop to which the product is applied may result from the occurrence of extraordinary or unusual weather conditions or the failure to follow the label directions or good application practices, all of which are beyond the control of Helena Agri-Enterprises, LLC (the "Company") or seller. In addition, failure to

follow label directions may cause injury to crops, animals, man or the environment. The Company warrants that this product conforms to the chemical description on the label and is reasonably fit for the purpose referred to in the directions for use subject to the factors noted above which are beyond the control of the Company. The Company makes no other warranties or representations of any kind, express or implied, concerning the product, including no implied warranty of merchantability or fitness for any particular purpose, and no such warranty shall be implied by law.

To the extent consistent with applicable laws, the exclusive remedy against the Company for any cause of action relating to the handling or use of this product shall be limited to, at Helena Agri-Enterprises, LLC 's selection, one of the following:

1. Refund of the purchase price paid by buyer or user for product bought, or
2. Replacement of the product used

To the extent allowed by law, the Company shall not be liable and any and all claims against the Company are waived for special, indirect, incidental, or consequential damages or expense of any nature, including, but not limited to, loss of profits or income. The Company and the seller offer this product and the buyer and user accept it, subject to the foregoing conditions of sale and limitation of warranty, liability and remedies.

© Copyright Helena Holding Company, 2022.

FYFANON® is a registered trademark of Cheminova.