

5905-368

2/24/2003

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

FEB 24 2003

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Ms. Emily Smathers Ratliff
Product Registration Supervisor
Helena Chemical Co.
225 Schilling Boulevard
Collierville, TN 38017

Subject: Label Amendment: First Aid per PR Notice 2001-1, disposal, etc.
Omni Supreme Spray
EPA Reg. No. 5905-368.
Submissions dated December 12, 2002.

Dear Ms. Ratliff:

The labeling referred to above submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, is acceptable with the following comment:

Add to the Storage and Disposal Statements below the title "Do not contaminate water, food or feed by storage or disposal"

A stamped copy "accepted with comments" of the label is enclosed for your records.

Please submit two copies of the final printed label for our file. If you have any questions please call me at (703) 308-8328.

Sincerely yours,

A handwritten signature in black ink, which appears to read "Akiva Abramovitch", is written over a horizontal line.

Akiva Abramovitch, Ph.D.

Chemist

Insecticide-Rodenticide Branch
Registration Division (7505C)

2/6

OMNI SUPREME SPRAY

(INSECTICIDE-MITICIDE) LIQUID

A NARROW RANGE XXX¹* SUPERIOR SPRAY OIL

ACTIVE INGREDIENT:

Petroleum oil, paraffin base..... 98.00%

INERT INGREDIENTS..... 2.00%

TOTAL 100.00%

Superior Petroleum Oil Minimum Unsulfonated Residue - 92%

NOTE: THIS PRODUCT IS NOT INTENDED FOR GREENHOUSE USE.

ACCEPTED
with COMMENTS

In EPA Letter Dated:

KEEP OUT OF REACH OF CHILDREN

CAUTION

FEB 24 2003

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS & DOMESTIC ANIMALS

Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
EPA has registered this pesticide
for the pesticide
registered under EPA Reg. No.
5905-368

CAUTION

Harmful if swallowed or absorbed through skin or inhaled. Causes moderate eye irritation. Avoid contact with eyes, skin, or clothing. Avoid breathing spray mist. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash clothing before reuse.

FIRST AID

IF SWALLOWED:

Call a poison control center or doctor immediately for treatment advice.
Do not induce vomiting unless told to do so by the poison control center or doctor.
Do not give any liquid to a person.
Do not give anything by mouth to an unconscious or convulsing person.

IF INHALED:

Move person to fresh air.
If person is not breathing, call 911 or an 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:

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.

NOTE TO PHYSICIAN: Petroleum distillate may pose an aspiration pneumonia hazard.

See Inside Panel for Additional Precautionary Statements

EPA REG. NO. 5905-368

NET CONTENTS:

EPA EST. NO.

MANUFACTURED BY

HELENA CHEMICAL COMPANY

225 SCHILLING BOULEVARD, SUITE 300

COLLIERVILLE, TENNESSEE 38017

¹ *XXX - Distillation Rate May Be Inserted on Alternate Brands (i.e. Omni Oil 6E = 415)

PERSONAL PROTECTIVE EQUIPMENT

Some materials that are chemical-resistant to this product are listed below. If you want more options, follow the instructions for category E on an EPA chemical resistance category selection chart.

Applicators and other handlers must wear:

Long-sleeved shirt and long pants

Chemical-resistant gloves, such as Barrier Laminate, Nitrile Rubber, Neoprene Rubber or Viton.

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.

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.

USER SAFETY RECOMMENDATIONS

Wash hands before eating/drinking, chewing gum, using tobacco or using the toilet.

ENVIRONMENTAL HAZARDS

This product is toxic to fish. For terrestrial uses, 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 by cleaning of equipment or disposal of washwaters.

PHYSICAL OR CHEMICAL HAZARDS

Do not use, pour, spill or store near heat or open flame.

CHEMIGATION PROHIBITION

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

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, 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). 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) of 4 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

Chemical-resistant gloves, such as Barrier Laminate or Nitrile Rubber or Neoprene Rubber, or Viton.

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 Worker Protection Standard for agricultural pesticides (40 CFR Part 170). The WPS applies when this product is used to produce agricultural plants on farms, forest, nurseries, or greenhouses. Keep unprotected persons out of treated areas until sprays have dried.

STORAGE AND DISPOSAL

STORAGE: Keep container well sealed. Do not contaminate with water or other solutions to avoid loss of emulsification and phytotoxicity. Protect from excessive heat.

PESTICIDE DISPOSAL: Do not contaminate water, food or feed by storage or disposal. Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

CONTAINER DISPOSAL: 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.

GENERAL INFORMATION

OMNI SUPREME SPRAY is an especially refined Phytonomic Oil Contact Insecticide. It is for use on plants in foliage or the dormant stage.

When using this product in combination with other pesticides as directed on this label, observe appropriate cautions, limitations for the products involved.

This product is intended for use by the commercial grower or commercial applicator in conventional hydraulic sprayers, concentrate application equipment, ground applicators or aerial. The rates of Omni Supreme are recommended on at per 100 gallons of dilute spray, except where indicated.

When applying by ground equipment, dilute or concentrate, use the recommended amount in sufficient water for thorough coverage. The goal is to use enough spray solution to completely penetrate the leaf canopy and cover both top and bottom of all of the leaves and stems until wet but without significant runoff. Any guidance on volume of spray solution per acre is for mature trees and vines with normal foliage cover. Spray volume should be reduced proportionally for smaller, immature plants. Application rates applied by concentrate methods should equal the total amount of **OMNI SUPREME SPRAY** applied per acre on the per 100 gallon basis except where the actual concentrate rates are specified. (Example: If a dilute application is recommended at 1 gallon per 100 gallons and it requires 400 gallons per acre for proper coverage, the concentrate rate would contain 4 gallons per acre). The optimum spray gallonage is dependent on tree or crop size, density and growth stage. Typical spray gallonages per acre range from, but are not limited to 100-3000 gallons for dilute spray, 20-100 gallons for concentrate and 5-100 gallons for aerial.

AIR APPLICATION: Apply the quantity of product indicated in sufficient water to make a minimum of 20 gallons of spray per acre except where indicated otherwise. Because air application is not as efficient as ground sprays for trees, they are recommended only if growing and/or soil conditions indicate a ground application to be infeasible.

MIXING INSTRUCTIONS

(1) Add enough water to the mixing tank for proper agitation.

(2) Add micronutrients and other desired pesticides. If dry pesticide products are used, mix the materials with water thoroughly so that they are completely dispersed in the mixing tank. DO NOT add **OMNI SUPREME SPRAY** before a uniform mixture of pesticide and water is obtained.

(3) Maintain agitation of the mix until the spray is applied. Flush any spray mix remaining in hoses back into the tank if the solution stands for more than 20 minutes.

(4) Ensure that spray equipment is thoroughly clean so that residues from other applications do not remain.

For foliage application, the spray tank must be free of any sulfur residue before using **OMNI SUPREME SPRAY**. Do not combine sulfur sprays with **OMNI SUPREME SPRAY** on foliage and do not follow a previous application of sulfur or apply sulfur following **OMNI SUPREME SPRAY** until sufficient time has elapsed for safety (at least 30 days) except in the Northwest (Oregon and Washington) where it may be used in combination on Pears as a Post Harvest (after all fruit is off the tree), Dormant, and Delayed Dormant (before the scales slip, or at, or prior to bud swell) treatment and on Apples prior to or up to the Delayed Dormant (1/2" green) period. If in doubt, spray a portion of one tree previously treated with sulfur, using 1 quart to 25 gallons water. If sufficient time has not elapsed, burn will show in several days. When temperatures are above 90°F use caution when applying. It is recommended that a small area be treated and observed. Allow enough time for symptoms to appear before continuing to spray. Do not use **OMNI SUPREME SPRAY** when temperatures are above 95° Fahrenheit. When temperatures drop below 32° F (usually nighttime lows), do not spray tree and vine crops until daytime temperatures have warmed to a point above 35° F and are free from moisture due to melting frost or heavy dews. Do not use in combination with or immediately before or after spraying with dinitro compounds, fungicides such as Captan, Folpet, Dyrene, Morestan or any other product containing sulfur. Application to trees weakened by disease, drought, driving winds or high nitrogen applications may result in oil injury.

ALFALFA (Seed Crop Only): Use 1 quart per acre in a minimum of 20 gallons of water per acre by ground or a minimum of 10 gallons per acre by air when used in combination with insecticides or miticides that recommend the use of oil. To increase the effectiveness of desiccants, apply 2 gallons per acre in a minimum of 10 gallons of spray by air. Use is limited to those herbicides/desiccants labeled for Alfalfa Seed desiccation.

ALMONDS, APRICOTS, CHERRIES (SEE NOTE BELOW), NECTARINES, PEACHES, PLUMS, PRUNES: Dormant or Delayed Dormant: Dilute spray: Brown Apricot Scale, Black Scale, San Jose Scale, Olive Scale (Parlatoria Scale), Oleander Scale, Frosted Scale, Italian Pear Scale, European Fruit Lecanium, Putnam Scale, Parlatoria, Soft Brown Scale, other Scale Insects, Eggs of Aphids, Red Spider Mites, Brown Mites - 1.5 to 2 gallons in 300 to 600 gallons per acre. Concentrate spray: 4 to 5 gallons per acre in a minimum of 20 gallons of spray. Almonds and Apricots: for the European Red Mite, Brown Mite, San Jose Scale- 4 to 8 gallons per acre in a minimum of 20 gallons of spray. Spring or Summer Dilute Spray: Two-spotted, Pacific, European Red and Brown Mites; 1 to 2 gallons in 300 to 600 gallons of water per acre. Spring or Summer Concentrate: 4 to 6 gallons per acre in a minimum of 20 gallons of spray. Application by air: Use no more than 4 - 6 gallons of product in a minimum of 20 gallons of spray. Plums and Prunes: for peach twig borer - 1.5 - 2 gallons per 100 gallons of water. Concentrate

spray: 6-8 gallons per 20-125 gallons of water. Application by air: 6-8 gallons in a minimum of 20 gallons of spray.

NOTE: For applications on CHERRIES ONLY: Do not exceed a maximum application rate of 1.5 gallons per 100 gallons of spray mixture or 1.5% by volume. Do not apply this product to cherries in conjunction with azinphos-methyl based insecticides. **NOT FOR USE IN CALIFORNIA.**

APPLES: Rust Mite: Delayed Dormant - 1-1/2 to 2 gallons. Summer Use - 1 to 1 1/2 gallons.

APPLES and PEARS: Dormant, Delayed Dormant - Dilute Spray - San Jose and Pear Scale, Aphid Eggs, Red Spider Mites, (Rust Mites, Apples only-delayed dormant) 1 to 2 gallons. Pears only: Delayed dormant Pear psylla - 2 gallons. Concentrate spray-use 4 to 6 gallons in a minimum of 20 gallons of spray per acre. Summer dilute spray: Two-spotted Spider, Pacific and European Red Mites - 1 to 1.5 gallons dilute in 400 to 800 gallons of water. Concentrate spray: use no more than 4 gallons per acre in a minimum of 20 gallons of spray. Application by air: Use no more than 4 - 6 gallons of product in a minimum of 20 gallons of spray per acre.

Dormant: (Washington and Oregon only): Apples - Dilute spray for mites and San Jose scale, use 1 to 1 1/2 gallons of oil plus sulfur or lime sulfur at the label recommended rate. Concentrate spray - use 4 to 6 gallons of oil per acre plus the label recommended rate of sulfur or lime sulfur in 20 to 100 gallons of spray per acre. Pears - Dilute Spray - Pear psylla, use 1 to 1 1/2 gallons of oil plus sulfur or lime sulfur at the label recommended rate. Concentrate spray - use no more than five gallons of oil plus the label recommended rate of sulfur or lime sulfur in 20 to 100 gallons of spray per acre.

CAUTION: Oil plus sulfur or lime sulfur can cause severe foliage and fruit bud injury if applied after the dormant period.

ASPARAGUS, BEANS, BEETS, CORN, CUCURBITS, PEPPERS, SQUASH, & TOMATOES:

Aphids, Mites, Beetle Larvae, Leafminers, and Certain Caterpillars - Use 1-2 gallons/100 gallons of water.

AVOCADOS: For Mites and Thrips - use 1 to 4 gallons per 100 gallons in a dilute spray of 400 to 3000 gallons per acre. Use enough spray for thorough coverage. Do not exceed 30 gallons of oil per acre per application. For concentrate spray, use 1 to 18 gallons per acre in 50 to 100 gallons of spray mixture or in enough water for adequate coverage. For aerial application, use 1 to 18 gallons per acre in 20 to 100 gallons of spray. When the application of oil is more than 2% v/v concentration, it is recommended that a small test area be treated and observed. Allow enough time for symptoms to appear before continuing to spray.

FIGS: Fig Scale - Dormant or Delayed Dormant: Dilute spray: Use 2 to 3 gallons per 100 gallons in 300 to 600 gallons per acre water. Use 3 gallons for severe infestations. Concentrate spray: use 4 to 6 gallons in a minimum of 50 gallons of spray.

GRAPES: Dormant: Dilute Spray: Mealybug - Use 1 to 2 gallons plus the appropriate labeled rate of an insecticide registered for use on grapes for mealybug control in 200 to 300 gallons water per acre. Concentrate spray: use 1 to 2 gallons plus the appropriate labeled rate of an insecticide registered for use on grapes for mealybug

control per acre in enough water for thorough coverage.

Suppression of Grape and Variegated leafhopper nymphs: use 1 to 1.5 gallons per 100 gallons dilute or 1 to 3 gallons per acre concentrate. Mite suppression: 1 - 2 gallons per acre concentrate. Narrow range oils such as **OMNI SUPREME SPRAY** can temporarily affect surface bloom appearance but will not cause subsurface injury. When applied for leafhopper or mite suppression near harvest (within 2 days) **OMNI SUPREME SPRAY** should not be applied to grapes for fresh market.

OLIVES: Dilute spray: Parlatoria, Oleander, Olive and Black Scales, Spider Mites - use 1.5 gallons in 400 to 500 gallons per acre water. May be used post bloom. (Late May through June when crawlers are present) Summer (July 15 through August) and Post-Harvest (October through November).

PISATCHIOS: Dormant and Delayed Dormant Applications: **Soft Scale, Wintering Phytocoris** - for use alone or in combination with other registered products shown effective for **Soft Scale**.

For concentrate applications: Use 4 to 8 gallons of **Omni Supreme Spray** in 70 to 150 gallons of water per acre. No more than 6% v/v solution are permitted as a concentrate application.

For dilute applications: Use 5 to 10 gallons of **Omni Supreme Spray** in 250 to 500 gallons of water per acre. No more than 2% v/v solution are permitted as a dilute application. For moderate to severe insect population, the concentrate applications are recommended. For best results, apply by mid-February. Applications made in January or February, especially at higher rates, may result in advanced bud break and bloom, which may increase the potential for frost damage. Do not apply the product when the orchard is not vigorous or when under stress.

STRAWBERRIES: Two Spotted Spider Mites - Use 1.0% - 2.0% volume to volume in 60 gallons of water/acre with air assisted low volume ground applicators or 200 gallons of water/acre with standard ground spray equipment. Application may be made during the winter months when plants are semi-dormant. Do not use oil from peak bloom through peak fruiting period. Application should be made when mites are at no more than a moderate infestation level. Higher levels of mite infestations will require treatment with more effective miticides. Make applications at no less than 14 days between applications. Consult your local Extension Office for more specific local mite threshold density recommendations for this type of treatment. When using refined petroleum oils on strawberries there will be a danger of phytotoxicity. To minimize the problem, do not apply this product when warm temperatures, 75 degrees F and higher, are expected for several days after application. In California, do not apply this product from:

January 16 to May 30 in Orange and San Diego counties and the Oxnard Plains
February 1 to June 15 in the Santa Maria Valley
March 1 to June 30 in Monterey and Santa Cruz counties.

CITRUS (Citrus spp., Fortunella spp.)

ORANGES (NAVEL AND VALENCIA), GRAPEFRUIT,

MANDARINS, CITRON, and OTHER CITRUS spp.: Red, Yellow, Citricola, Purple, Black, and Brown Soft Scales, Red Spider Mites, Pacific Spider Mites, Two-Spotted Spider Mites - Dilute spray: apply 1.2 to 1.4 gallons in late Summer through October. For Southern California make application to Grapefruit from July through October.

(Navels, July and August; Valencias, July through September.)
 Oxnard Plains; follow application directions for Southern California except applications can be made throughout the year. On navels do not apply during or after color break. Make applications in enough water for thorough coverage. Concentrate Spray: Apply in a minimum of 20 gallons per acre. **LEMONS, LIMES:** Dilute spray: Red, Yellow, Purple, Black, and Brown Soft Scales; Red Spider Mites, Bud Mites, Flat Mites - apply 1.2 to 1.4 gallons. Apply in late spring and late summer through December. For California; Central California - apply 1.2 to 1.4 gallons in August and September only. Southern California (Coastal) apply .5 to 1.4 gallons in May and June and/or September through December, (Interior) apply .5 to 1.4 gallons in April and May and/or September through November. Oxnard Plains; follow application directions for Southern California except applications can be made throughout the year, no timing restrictions. Make applications in enough water for thorough coverage. Concentrate Spray: Apply in a minimum of 20 gallons per acre.

ALL CITRUS VARIETIES: All citrus varieties - use as an adjuvant. This product may be used as an adjuvant with a suitable insecticide or miticide. Do not exceed 0.4% v/v concentration. Do not use oil when freezing temperatures are expected within 24 hours of the application. Care should be taken in combining oil sprays with certain miticides and insecticides, due to possible increased phytotoxicity when applied over foliage. See an Agriculture Extension Service agent for recommendations on special combinations.

WALNUTS: Delayed dormant: Black, San Jose, Olive, Frosted, Calico, European Fruit Lecanium Scales, Red Spider Mite Eggs and Walnut Aphid Eggs - Dilute Spray - use 2 gallons in 300 to 500 gallons. Foliar (Fully expanded leaves): Spider Mites - use 4 gallons per acre in 200 to 400 gallons of water. Concentrate Spray: for delayed dormant and foliar sprays, apply in a minimum of 40 gallons of water per acre. Use oil only on trees that have not suffered from lack of moisture or other stressing factors during the growing season. Do not apply when soil moisture is low. Do not apply after husk split. As an adjuvant for neutral copper compounds for control of Walnut Blight in pre and post-bloom sprays: Use 1 quart per 100 gallons of water as a dilute spray. Follow dosages and timings on the copper product label.

SHADE TREES, SHRUBS, ORNAMENTALS, FLOWER AND FOLIAGE PLANTS, CHRISTMAS TREES

Shade Trees* and Shrubs including Conifers, Deciduous Broadleaf Evergreens & Woody Ornamentals: Aphids, Adelgids, Bugs (immature), Certain Caterpillar, Eriophyid Mites, Gall Mites, Lace Bug, Leaf Beetle Larvae, Leafminer, Mealybug, Psyllids (immature), Sawfly (larvae), Scales (immature), Spider Mites, Whiteflies (immature): Winter Dormant Period as needed - 2-4 gallons oil per 100 gallons water. Summer (Foliar or Cover), as needed - 1-3 gallons of oil per 100 gallons water.

Ornamental Trees*, Shrubs along city streets, other rights-of-way including Conifers, Deciduous and Broadleaf Evergreens: Aphids, Adelgids, Bugs (immature), Certain Caterpillar, Eriophyid Mites, Gall Mites, Lace Bug, Leaf Beetle Larvae, Leafminer, Mealybug, Psyllids (immature), Sawfly (larvae), Scales (immature), Spider Mites, Whiteflies (immature): Winter Dormant Period as needed - 2-4 gallons of oil per 100 gallons water. Summer (Foliar or Cover), as needed - 1-3 gallons of oil per 100 gallons water.

Flowering and Foliage plants including Roses and other Flowering Shrubs: Aphids, Adelgids, Bugs (immature), Certain Caterpillar, Eriophyid Mites, Gall Mites, Lace Bug, Leaf Beetle Larvae, Leafminer, Mealybug, Psyllids (immature), Sawfly (larvae), Scales (immature), Spider Mites, Whiteflies (immature): Winter Dormant Period as needed - 2-3 gallons oil per 100 gallons water. Summer (Foliar or Cover), as needed - 1-2 gallons of oil per 100 gallons water.

Foliage Ornamentals & Bedding Plants: Aphids, Adelgids, Bugs (immature), Certain Caterpillar, Eriophyid Mites, Gall Mites, Lace Bug, Leaf Beetle Larvae, Leafminer, Mealybug, Psyllids (immature), Sawfly (larvae), Scales (immature), Spider Mites, Whiteflies (immature): Winter Dormant Period as needed - 2-3 gallons oil per 100 gallons water. Summer (Foliar or Cover), as needed - 1-2 gallons of oil per 100 gallons water.

Christmas Trees: Aphids, Adelgids, Scale (soft & hard) (immature), Spider Mites: Winter 2-4 gallons oil per 100 gallons water, Summer 1-3 gallons oil per 100 gallons water.

*Oil removes the glaucous (blue) bloom from such evergreens as Colorado Blue Spruce and Koster Spruce. Always use lower dosage or test spray oil sensitive plants such as Cryptomeria, Smoke Tree, Chamaecyparis, Juniper, Japanese Holly and Spruce. Tendency toward sensitivity: Red Cedar and Douglas Fir. Do not spray Walnut foliage.

Caution: Spray no more than 4 times during the growing season; use a 2 week minimum application interval. Do not spray when buds have fully opened and shoot elongation is occurring. Do not spray when there is obvious moisture deficit in leaves, or the plant is under stress. For fall dormant applications, reduce rate to 2 gallons oil per 100 gallons water. In the state of California only, limit use to: American Red Oak, Japanese Black Pine, Dogwood, Weeping Cherry, Cornelian Cherry, Crabapple, Norway Maple, Purple Leaf Plum. Keep away from open blooms - bleaching and spotting has been observed with the open blooms of certain plants.

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 should 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 Chemical Company (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.

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 Chemical Company's election, 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.

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