

5905-540

07-01-2010

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

JUL 01 2010

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Cheryl Wagner
Agent for Helena Chemical Company
C/o Wagner Regulatory Associates, Inc.
P.O. Box 640
Hockessin, DE 19707

RE: Product Name: Asset PGR
EPA Reg. No: 5905-540
Application for Label Notification Dated June 16, 2010 to update the storage and disposal statement per PR Notice 2007.4

Dear Mrs. Wagner:

The Biopesticides and Pollution Prevention Division is in receipt of your application for Notification under Pesticide Registration (PR) Notice 98-10 dated above. A preliminary screen of this request has been conducted for its applicability under PR Notice 98-10 and it has been determined that the action(s) requested falls within the scope of PR Notice 98-10. Our records have been duly noted, and the label submitted with this application has been stamped "Notification Accepted" and will be placed accordingly in our records.

If you have any questions concerning this action, please feel free to contact Ms. Menyon Adams at (703) 347-8496 or email at adams.menyon@epa.gov.

Sincerely,

Linda Hollis

Linda Hollis, Chief
Biochemical Pesticides Branch
Biopesticides and Pollution Prevention
Division (7511P)

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

Application for Pesticide - Section I

1. Company/Product Number 5905-540	2. EPA Product Manager Andrew Bryceland	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Asset PGR	PM# <u>91</u> BPPD	
5. Name and Address of Applicant (Include Zip Code) Helena Chemical Company c/o Wagner Regulatory Associates, Inc. P.O. Box 640 Hockessin, DE 19707 <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. Product Name	

Section - II

Notification Accepted

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated <u> </u>
<input type="checkbox"/> Resubmission in response to Agency letter dated <u> </u>	<input type="checkbox"/> "Me Too" Application.
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.

Date: JUL 01 2010
Reviewer: Madams

Explanation: Use additional page(s) if necessary. (For Section I and Section II.)
 Notification of label change per PR Notice 2007-4. This notification is consistent with the provisions of PR Notice 2007-4 and EPA Regulations at 40 CFR 156.10, 154.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the confidential statement of formula of 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 this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, 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 If "Yes" No. per Unit Packaging wgt. container	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes" No. per Package wgt container	2. Type of Container <input type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) HDPE lined bags
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*** Certification must be submitted**

3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container	4. Size(s) Retail Container 1 gal., 2.5 gal, 30 gal., 55 gal.	5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product
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6. Manner in Which Label is Affixed to Product	<input type="checkbox"/> Lithograph	<input type="checkbox"/> Other ___ adhesive backed label _____
	<input checked="" type="checkbox"/> Paper glued	
	<input type="checkbox"/> Stenciled	

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)

Name Cheryl Wagner	Title Agent for Helena Chemical Company	Telephone No. (Include Area Code) (302) 234 8551
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Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.		6. Date Application Received (Stamped)
2. Signature <u>Cheryl Wagner</u>	3. Title Agent for Helena Chemical Company	
4. Typed Name Cheryl Wagner	5. Date June 16, 2010	



Wagner Regulatory Associates, Inc.
P.O. Box 640
7460 Lancaster Pike, Suite 9
Hockessin, Delaware 19707

June 16, 2010

Document Processing Desk (NOTIF)
ATTN: Mr. Andrew Bryceland
Biopesticides and Pollution Prevention Division (7504P)
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 South Crystal Drive
Arlington, Virginia 22202-4501

Dear Mr. Bryceland:

Re: Asset PGR
EPA Registration Number **5905-540**
Notice of Revised Storage & Disposal Label Language

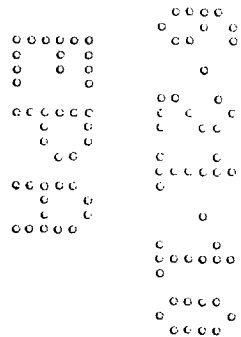
Wagner Regulatory Associates, Inc., on behalf of Helena Chemical Company, hereby notifies the Agency that the storage and disposal section of the subject label as been revised in accordance with PR Notice 2007-4. Enclosed for the Agency's file is:

- Letter from Helena Chemical Company authorizing Wagner Regulatory to serve as Agent
- EPA Notification form (EPA Form 8570-1)
- One copy of revised labeling

Please feel free to contact me at (302) 234-8551 if you have any questions or require additional information.

Respectfully submitted,

Cheryl Wagner
Agent for Helena Chemical Company



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SPECIMEN LABEL

ASSET® PGR
PLANT GROWTH REGULATOR FOR USE ON
VEGETABLES, FIELD CROPS, TREE CROPS,
SMALL FRUITS AND BERRIES, HERBS,
ORNAMENTALS, SOD FARMS, TURF, AND
SEED TREATMENT APPLICATIONS

ACTIVE INGREDIENTS:

Indole-3-butyric Acid.....0.0135%

OTHER INGREDIENTS:.....99.9865%

TOTAL.....100.000%

Contains 4.26 mgs of indole-3-butyric acid/fluid ounce.

KEEP OUT OF REACH OF CHILDREN

CAUTION

SEE INSIDE PANEL FOR ADDITIONAL
PRECAUTIONARY STATEMENTS

EPA REG. NO. 5905-540 SN

NET CONTENTS:

EPA EST. NO. First letters of batch code indicate
producing establishment:

5905-GA-001=CG . 5905-AR-001=WA . 5905-IA-001=DI .

5905-CA-001=KC

MANUFACTURED FOR
HELENA CHEMICAL COMPANY
225 SCHILLING BOULEVARD, SUITE 300
COLLIERVILLE, TENNESSEE 38017
(901) 761-0050

PRECAUTIONARY STATEMENTS

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Applicators and other handlers must wear: Long-sleeved
shirt and long pants, shoes plus socks.

USER SAFETY REQUIREMENT

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.

Disclaimer: Always refer to the label on the product before using Helena or any other product.
16June2010 - revised storage & disposal

USER SAFETY RECOMMENDATIONS

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

ENVIRONMENTAL HAZARDS

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 when disposing of
equipment washwater or rinsate.

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 (REI). The
requirements in this box 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 unless
wearing appropriate PPE. PPE and work clothing
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, or
greenhouses. Keep unprotected persons out of treated
areas until sprays have dried.

Notification Accepted

Date: JUL 01 2010

Reviewer: Madams

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 regulations.

GENERAL CHEMIGATION INSTRUCTIONS

Apply this product only through sprinkler including center pivot, lateral move, side (wheel) roll, traveler, big gun, solid set or hand move irrigation systems. Do not apply this product through any other type of irrigation system. Crop injury, lack of effectiveness, or illegal pesticide residues in the crop can result from non-uniform distribution of treated water.

If you have questions about calibration, you should contact State Extension Service Specialists, equipment manufacturers or other experts.

Do not connect an irrigation system (including greenhouse systems) used for pesticide application to a public water system unless the pesticide label prescribed safety devices for public water systems are in place.

A person knowledgeable of the chemigation system and responsible for its operation, or under supervision of the responsible person, shall shut the system down and make necessary adjustments should the need arise.

CHEMIGATION SYSTEMS CONNECTED TO PUBLIC WATER SYSTEMS

Public water system means a system for the provision to the public of piped water for human consumption, if such system has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days out of the year.

Chemigation systems connected to public water systems must contain a functional, reduced-pressure zone, backflow preventer (RPZ) or the functional equivalent in the water supply line

upstream from the point of pesticide introduction. As an option to the PRZ, the water from the public water system should be discharged into a reservoir tank prior to pesticide introduction. There shall be a complete physical break (air gap) between the outlet and the fill pipe in the top or overflow rim of the reservoir tank of at least twice the inside diameter of the fill pipe. The pesticide injection pipeline must contain a functional, automatic, quick-closing check valve to prevent the flow of fluid back toward the injection pump.

The pesticide injection pipeline must contain a functional, normally closed, solenoid-operated valve located on the intake side of the injection pump and connected to the system interlock to prevent fluid from being withdrawn from the supply tank when the irrigation system is either automatically or manually shut down.

The system must contain functional interlocking controls to automatically shut off the pesticide injection pump when the pump motor stops, or in cases where there is no water pump, when the water pressure decreases to the point where pesticide distribution is adversely affected. Systems must use a metering pump, such as a positive displacement injection pump (e.g. diaphragm pump) effectively designed and constructed of materials that are compatible with the pesticides and capable of being fitted with a system interlock.

Do not apply when wind speed favors drift beyond the area intended for treatment. The pesticide supply tank should be agitated throughout the application of ASSET® PGR. ASSET® PGR should be applied at the end of the water application.

ASSET® PGR should be applied at the end of the irrigation period in a sufficient amount of water to allow proper coverage of plant or crop but not to exceed 12 fluid ounces of ASSET® PGR per acre per application.

SPRINKLER CHEMIGATION

The system must contain a functional check valve, vacuum relief valve, and low pressure drain appropriately located on the irrigation pipeline to prevent water source contamination from backflow.

The pesticide injection pipeline must contain a functional, automatic, quick-closing check valve to prevent the flow of fluid back toward the injection pump.

The pesticide injection pipeline must also contain a functional, normally closed, solenoid-operated valve located on the intake side of the injection pump and connected to the system interlock to prevent fluid from being withdrawn from the supply tank when the irrigation system is either automatically or manually shut down.

The system must contain functional interlocking controls to automatically shut off the pesticide injection pump when the water pump motor stops.

The irrigation line or water pump must include a functional pressure switch which will stop the water pump motor when the water pressure decreases to a point where pesticide distribution is adversely affected.

System must use a metering pump, such as a positive displacement injection pump (e.g. diaphragm pump) effectively designed and constructed of materials that are compatible with pesticides and capable of being fitted with a system interlock.

Do not apply when wind speed favors drift beyond the area intended for treatment.

The pesticide supply tank should be agitated throughout the application of **ASSET® PGR**. **ASSET® PGR** should be applied at the end of the water application.

ASSET® PGR should be applied at the end of the irrigation period in a sufficient amount of water to allow proper coverage of plant or crop

but not to exceed 11 fluid ounces of **ASSET® PGR** per acre per application.

IMPORTANT: Read the entire Directions For Use and the Warranty And Disclaimer Statement before using this product. If terms are not acceptable, return the unopened product container at once.

GENERAL INFORMATION

ASSET® PGR, containing Asset Formulation Technology, is a plant growth regulator designed for use with pesticides and/or fertilizers.

ASSET® PGR is effective in increasing the rate of growth and development of plant systems.

ASSET® PGR is compatible with liquid fertilizer and anhydrous ammonia.

SPRAY MIX COMPATIBILITY

ASSET® PGR is compatible with a wide range of fertilizer and pesticide products. Good agitation must be maintained for those applications that contain pesticides.

Always check compatibility prior to mixing and apply any pesticide spray mixes as soon as possible. In the event of pesticide mixing problems, the addition of a compatibility agent is recommended.

If this product is to be tank mixed with fertilizers or with other pesticides, compatibility should be tested prior to mixing. To test for compatibility, use a small container and mix a small amount (0.5 to 1 quart) of spray, combining all ingredients in the same ratio as the anticipated use. If any indications of physical incompatibility develop; such as separation, sedimentation, gel formation, etc., do not use this mixture for spraying. Indications of incompatibility usually will appear within 5 to 15 minutes after mixing.

MIXING SEQUENCE

1. Water
2. Fertilizer
3. **ASSET® PGR**
4. Compatibility agent (if needed)
5. Pesticides

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APPLICATIONS WITH SOIL APPLIED FERTILIZER

For in-furrow, banded, side-dressed and broadcast applications through conventional equipment, apply **ASSET® PGR** in conjunction with and/or following the application of pesticides and/or fertilizers. Best results are obtained when **ASSET® PGR** is incorporated, injected, or applied in a zone or band in the soil at a minimum depth of two (2) to four (4) inches.

APPLICATIONS WITH DRY GRANULAR FERTILIZERS

ASSET® PGR may be directly impregnated on dry granular fertilizers. Apply sufficient **ASSET® PGR** to provide the recommended label rates per acre when treated fertilizer is applied. Dry granular fertilizers treated with **ASSET® PGR** have an indefinite shelf life.

TRANSPLANT SOLUTIONS

Mix 6-10 fl. oz. with each 100 gallons of transplant solution.

GENERAL DOSAGE RECOMMENDATIONS

Row or Band and Injection Applications: Use **ASSET® PGR** at the rate of five (5) to six (6) fluid ounces per acre.

Broadcast Applications: Use **ASSET® PGR** at the rate of ten (10) to eleven (11) fluid ounces per acre.

RECOMMENDED CROPS

The following is a broad listing of crops on which **ASSET® PGR** is recommended for use. All commodities within an established crop group, as classified under 40 CFR § 180.41, are considered to be appropriate for this product. A brief listing of crops within each grouping is given after the group name as an example of those crops represented. The examples given are not meant to be an exhaustive list of those crops within any grouping, and should not be construed as such.

For application rates for any given crop, use at the general dosage recommendation, unless otherwise indicated.

VEGETABLES:

BRASSICA (COLE) LEAFY VARIETIES: (Broccoli, Brussels Sprouts, Cabbage, Chinese Cabbage, Cauliflower, Chinese Mustard, Collards, Kale, Kohlrabi, Mustard Greens, Rape Greens)

CUCURBITS: (Cantaloupe, Casaba Melons, Cucumbers, Gherkins, Gourds, Honeydew Melons, Mango Melons, Muskmelons, Pumpkins, Summer Squash, Watermelons, Winter Squash)

LEAFY VEGETABLES (EXCEPT BRASSICA): (Celery, Cress, Endive, Fennel, Lettuce, Orach, Spinach, Swiss Chard)

ROOT, TUBER AND BULB VEGETABLES: (Artichokes, Burdock, Carrots, Cassava, Chicory, Garlic, Ginger, Ginseng, Horseradish, Leek, Onion, Parsley, Parsnip, Potato, Radish, Rutabaga, Salsify, Shallot, Sweet Potato, Turnips, Yams)

FRUITING VEGETABLES: (Bell Peppers, Chile Peppers, Cooking Peppers, Eggplant, Ground Cherry, Pepinos, Pimentos, Sweet Peppers, Tomatillo, Tomatoes)

LEGUMES: (Beans including *Lupinus spp.*, *Phaseolus spp.*, and *Vigna spp.*, Broad Beans, Chick Peas, Guar, Jackbean, Lablab Beans, Lentils, Peas, Soybeans.

FIELD CROPS:

CEREAL GRAINS: (Barley, Buckwheat, Corn, Millet, Oats, Popcorn, Rice, Rye, Sorghum(milo), Wheat, Wild Rice)

WHEAT: Winter Wheat – Apply 6 fluid ounces prior to or at planting followed by 6-11 fluid ounces applied pre-greenup and up to Feekes growth stage 5.

Spring Wheat – Apply 6-11 fluid ounces prior to or at planting. If needed, apply an additional 6-11 fluid ounces at Feekes growth stage 5.

RICE: Apply 6-11 fluid ounces per acre at the 3 leaf to tillering stage of plant growth.

COTTON: Apply 5-6 fluid ounces per acre in the seed furrow at planting or side-dressed shortly after planting.

FORAGE: (Alfalfa, Clovers, Grasses, Timothy, Vetch)

SPECIMEN LABEL

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TREE CROPS:

CITRUS: (Calamondin, Grapefruits, Kumquats, Lemons, Limes, Oranges, Tangelos, Tangerines)

NUTS: (Almonds, Beech Nut, Brazil Nut, Butternut, Cashew, Chestnut, Chinquapin, Filberts, Hickory Nut, Macadamia Nut, Pecan, Walnut)

POME FRUIT: (Apple, Crabapple, Mayhaw, Pear, Quince)

STONE FRUIT: (Apricots, Cherries (Sweet and Sour), Nectarines, Peaches, Plums, Prunes)

SMALL FRUITS AND BERRIES:

(Blackberries, Blueberries, Boysenberries, Cranberries, Currants, Dewberries, Elderberries, Gooseberries, Grapes, Huckleberries, Olallieberries, Raspberries, Strawberries, Youngberries)

HERBS

MISCELLANEOUS COMMODITIES (NOT LISTED ELSEWHERE ON THIS LABEL):

AVACADO HOPS, KIWIFRUIT, GRAPES, BANANAS, FIGS, PEANUTS, PINEAPPLE, MANGO, OKRA, MUSHROOMS, PAPAYA, PERSIMMON.

ORNAMENTALS:

(Flowers, shrubs, trees, deciduous nursery stocks (trees, shrubs, and flowers) and greenhouse crops and other ornamentals): Apply 5-6 fluid ozs. in 100 gallons of water as a drench solution for soil and media, or apply 10 ozs. in 100 gallons of water as a directed spray. The applied spray solution should be incorporated into the root zone by irrigation or rainfall.

SOD FARMS:

Apply 6-11 fluid ounces per acre with fertilizer and irrigate to incorporate into the soil profile. Apply 4-8 times per season.

TURF:

(Greens, Tees, Fairways, and Lawns) Apply 10 ozs. in 100 gallons of water per acre and incorporate into the roots zone by irrigation.

SEED TREATMENT APPLICATION

Use **ASSET® PGR** as a seed treatment that aids in the enhancing germination and early season root development. The application of ¼ to 5.6 fluid ozs. per 100 weight of seed is recommended for the following crops:

Corn	Cotton	Dry Beans
Peanuts	Rice	Sorghum
Soybeans	Sugar Beets	Wheat

Potato Seed Pieces

Use 1/3 to ½ fl. oz. of **ASSET® PGR** per 100 lbs. of cut seed pieces. Seed pieces should be treated immediately after cutting and apply the material in sufficient water to ensure that they are covered thoroughly.

ASSET® PGR can be mixed with other seed treatments and carriers to ensure that uniform coverage is obtained.

Hopper Box Application

Partially fill the hopper box with a portion of the seed to be treated. Apply the appropriate amount of **ASSET® PGR** in sufficient water or other carriers directly on the seed surface. Mix with a stick or a paddle until all seeds are coated. Repeat the procedure until hopper box is full. **DO NOT USE TREATED SEED FOR FOOD, FEED OR OIL PURPOSES.**

Treat only those seeds that are needed for immediate use and planting. Do not store excess treated seed beyond the planting time.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Protect from freezing. Store out of direct sunlight.

PESTICIDE DISPOSAL: 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 (EQUAL TO OR LESS THAN 5 GALLONS): Do not reuse or refill this container.

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Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container ¼ full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Offer for recycling, if available.

NONREFILLABLE CONTAINER (GREATER THAN 5 GALLONS): 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 ¼ full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times. Offer for recycling, if available.

REFILLABLE CONTAINER: Refill this container with pesticide only. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To clean the container before final disposal, empty the remaining contents from this container into application equipment or mix tank. Fill the container about 10 percent full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times.

[See Container for Batch Code]

IN CASE OF EMERGENCY, CALL CHEMTREC:
1-800-424-9300.

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.

© Copyright Helena Holding Company, 2010.

ASSET® is a registered trademark of Helena Holding Company.

WARRANTY AND DISCLAIMER STATEMENT

Read the Conditions of Sale - Warranty and Limitations of Liability and Remedies before using this product. If the terms are not acceptable, return