



U S ENVIRONMENTAL PROTECTION AGENCY
Office of Pesticide Programs
Registration Division (7505P)
1200 Pennsylvania Avenue N W
Washington D C 20460

EPA Reg Number
5905 588

Date of Issuance
JUN 25 2012

Term of Issuance
Conditional

Name of Pesticide Product
PRO MATE UL 31 66

NOTICE OF PESTICIDE

Registration
 Reregistration

(Under FIFRA as amended)

Name and Address of Registrant (include ZIP Code)
Helena Chemical Company
225 Schilling Boulevard Suite 300
Collierville TN 38017

On the basis of information furnished by the registrant the above named pesticide is hereby registered/reregistered under the Federal Insecticide Fungicide and Rodenticide Act

Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency In order to protect health and the environment the Administrator on his motion may at any time suspend or cancel the registration of a pesticide in accordance with the Act The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others

This product is conditionally registered in accordance with FIFRA sec 3(c)(7)(A) provided that you

1 You will submit and/or cite all data required for registration/reregistration of your product under FIFRA sec 3(c)(5) when the Agency requires all registrants of similar products to submit such data and submit acceptable responses required for reregistration of your product under FIFRA section 4

2 You will make the following label changes before you release the product for shipment

a Revise the EPA Registration Number to read EPA Registration Number 5905 588

Signature of Approving Official

Refer to page #2

Richard Gebken Product Manager (10)

Date

June 25, 2012

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EPA Registration No 5905 588

3 Per 40 CFR 156 10(6) submit one copy of your final printed labeling before you release the product for shipment As defined in 40 CFR 152 3 final printed labeling means the label or labeling of the product when distributed or sold Clearly legible reproductions or photo reductions will be accepted for unusual labels Note that a clean copy of the master label in most cases does not meet the definition of final printed labeling A stamped copy of the label is enclosed for your records

If you have any questions regarding this action please contact Linda A DeLuise of my team at (703) 305 5428

Sincerely yours



Richard Gebken
Product Manager (10)
Insecticide Branch
Registration Division (7505P)

PRO-MATE UL 31-66

For use only by federal state tribal or local government officials responsible for public health or vector control or by persons certified by the state or tribal lead pesticide regulatory agency to perform adult mosquito control applications or by persons under their direct supervision

This product is a Ready To Use Quick Knockdown Low Odor Non Corrosive Synergized Synthetic Pyrethroid for control of Adult Mosquitoes Biting and Non Biting Midges Black Flies and other outdoor flying insects as listed on this label which cause Public Health annoyance in Residential Municipal and Recreational Areas

For Control of Adult Mosquitoes

ACCEPTED
JUN 25 2012
Under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, for the purpose registered under EPA Reg. No. 5905-xxx

ACTIVE INGREDIENTS

Permethrin] 31.0%

Piperonyl Butoxide 66.0%

OTHER INGREDIENTS

TOTAL 100.0%

Contains 2.8025 lb Permethrin a.i. and 5.9668 lbs Piperonyl Butoxide a.i. per gallon

KEEP OUT OF REACH OF CHILDREN CAUTION	
PRECAUCION AL USUARIO Si usted no lee ingles no use este producto hasta que la etiqueta haya sido explicado ampliamente (If you do not understand the label find someone to explain it to you in detail)	
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 or convulsing person
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 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 5 minutes then continue rinsing 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
HOT LINE NUMBER	
Have this product container or label with you when calling a poison control center or doctor or going for treatment For Chemical Spill Leak Fire or Exposure Call CHEMTREC 1 800-424 9300	

EPA Reg No 5905 xxx
EPA Est No

NET CONTENTS
AD xxxxxx

Manufactured for
Helena Chemical Company
225 Schilling Boulevard Suite 300
Collierville TN 38017

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

CAUTION Harmful if swallowed Harmful if absorbed through skin Avoid contact with eyes skin or clothing Prolonged or repeated skin contact may cause allergic reactions in some individuals Wash thoroughly with soap and water after handling and before eating drinking chewing gum using tobacco or the toilet Remove contaminated clothing and wash before reuse

Personal Protective Equipment (PPE)

Some materials that are chemical resistant to this product are listed below Mixers loaders applicators and other handlers (including during mixing/loading repair and cleaning of equipment and disposal of pesticide) must wear the following

- Long sleeved shirt and long pants
- Shoes plus socks
- Chemical resistant gloves such as barrier laminate viton neoprene rubber or nitrile rubber
- Chemical resistant apron for mixers/loaders persons cleaning equipment and persons exposed to the concentrate

In addition to the above PPE mixers and loaders supporting aerial applications to forests must wear at least a NIOSH approved respirator with

A dust/mist filter with MSHA/NIOSH approval number prefix TC 21C or any R P or HE filter

See engineering controls for additional requirements

User Safety Requirements

Follow manufacturer's instructions for cleaning/maintaining PPE If there are no such instructions for washables 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 that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170 240(d)(6)]

Human flagging is prohibited Flagging to support aerial application is limited to use of the Global Positioning System (GPS) or mechanical flaggers

User Safety Recommendations

Users should wash hands before eating drinking chewing gum using tobacco or using the toilet
Users should remove clothing/PPE immediately if pesticide gets inside Then wash thoroughly and put on clean clothing
Users should 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 product is extremely toxic to aquatic organisms including fish and invertebrates Runoff from treated areas or deposition of spray droplets into a body of water may be hazardous to fish and other aquatic organisms Before making the first application of the season it is advisable to consult with the state or tribal agency with primary responsibility for pesticide regulation to determine if other regulatory requirements exist

Do not apply over bodies of water (lakes rivers permanent streams natural ponds commercial fish ponds swamps marshes or estuaries) except when necessary to target areas where adult mosquitoes are present and weather conditions will facilitate movement of applied material away from the water in order to minimize incidental deposition into the water body Do not contaminate water when disposing of equipment wash waters

This pesticide is highly toxic to bees exposed to direct treatment on blooming crops or weeds Do not apply this product or allow it to drift to blooming crops or weeds while bees are actively visiting the treatment area

PHYSICAL AND CHEMICAL HAZARDS

Do not use or store near heat or open flame

DIRECTIONS FOR USE

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

Precautions and Use Restrictions

Apply this product only as specified on this label
For use only by federal state tribal or local government officials responsible for public health or vector control or by persons certified by the state or tribal lead pesticide regulatory agency to perform adult mosquito control applications or by persons under their direct supervision
Apply this product at temperatures greater than 50 F and when wind speed equals or exceeds 1 mph
Not for use in metered release systems
Not for use in outdoor residential misting systems
Do not make applications during rain
Do not spray this product on or allow it to drift onto cropland (other than crops listed) or potable water supplies
In the treatment of corrals feedlots animal confinements/houses swine lots poultry ranges and zoos cover any exposed drinking water drinking fountains and animal feed before application
For hand carried and/or lawn mower foggers Do not fog wet foliage Do not fog when wind conditions exceed 10 mph Only use a clean well maintained and properly calibrated fogger known to give excellent performance Fog down wind
Do not re treat a site more than once in 3 days
Do not apply by fixed wing aircraft at a height less than 100 feet or by helicopter at a height less than 75 feet unless specifically approved by the state or tribe based on public health needs

Do not retreat the site more than once in three days Do not exceed 25 applications at 0.007 lbs permethrin per acre per application or 0.0149 lbs piperonyl butoxide per acre per application or 0.18 lbs of permethrin per acre per season or 0.383 lbs piperonyl butoxide per acre per year More frequent treatments may be made to prevent or control a threat to public and/or animal health determined by a state tribal or local health or vector control agency on the basis of documented evidence of disease causing agents in vector mosquitoes or the occurrence of mosquito borne diseases in animal or human populations or if specifically approved by the state or tribe during a natural disaster recovery effort

SPRAY DROPLET SIZE DETERMINATION

Ground based Application Spray equipment must be adjusted so that the volume median diameter is less than 30 microns ($Dv_{0.5} < 30 \mu m$) and that 90% of the spray is contained in droplets smaller than 50 microns ($Dv_{0.9} < 50 \mu m$) Directions from the equipment manufacturer or vendor pesticide registrant or a test facility using laser based equipment to produce acceptable droplet spectra Application equipment must be tested at least annually to confirm that pressure at the nozzle and nozzle flow rate(s) are properly calibrated

Aerial Application made at ≤ 200 above ground elevation Spray equipment must be adjusted so that the volume median diameter produced is less than 60 microns ($Dv_{0.5} < 60 \mu m$) and that 90% of the spray is contained in droplets smaller than 100 microns ($Dv_{0.9} < 100 \mu m$) The effects of flight speed and for non rotary nozzles nozzle angle on the droplet size spectrum must be considered Directions from the equipment manufacturer or vendor pesticide registrant or a test facility using a wind tunnel and laser based measurement instrument must be

used to adjust equipment to produce acceptable droplet size spectra Application equipment must be tested at least annually to confirm that pressure at the nozzle and nozzle flow rate(s) are properly calibrated

Aerial Application made at >200 above ground elevation Spray equipment must be adjusted so that the volume median diameter produced is less than 70 microns ($Dv 0.5 < 70 \mu m$) and that 90% of the spray is contained in droplets smaller than 145 microns ($Dv 0.9 < 145 \mu m$) The effects of flight speed and for non rotary nozzles nozzle angle on the droplet size spectrum must be considered Directions from the equipment manufacturer or vendor pesticide registrant or a test facility using a wind tunnel and laser based measurement instrument must be used to adjust equipment to produce acceptable droplet size spectra Application equipment must be tested at least annually to confirm that pressure at the nozzle and nozzle flow rate(s) are properly calibrated

GROUND BASED APPLICATIONS

ULV NON THERMAL AEROSOL (COLD FOG) To control Mosquitoes Midges and Blackflies apply Pro Mate UL 31 66 using truck mounted ground ULV (cold fog) equipment When applying this product undiluted apply at a flow rate of 0.4794 to 1.91183 fluid ounces per minute at an average speed of 10 mph These rates are equivalent to 0.00175 to 0.007 pound of Permethrin a.i. and 0.00380 to 0.01490 pounds of piperonyl butoxide a.i. per acre If a different vehicle speed is used adjust the rate accordingly Vary flow rates accordingly to vegetation density and mosquito population Use higher flow rates in heavy vegetation or when insect populations are high An accurate flow rate control system must be used to ensure proper flow rate Pro Mate UL 31 66 may also be applied by diluting 1 part to 1 part of a 60 to 100 second mineral oil or another suitable solvent applied so as not to exceed the maximum a.i. rates per acre as shown in the rates charts If an alternate dilution rate is required adjust the flow rate accordingly provided the droplet size and spectrum remain within label specifications Do not exceed a flow rate of 20 oz/minute unless recommended and required by equipment manufacturers and/or Public Health Officials for vehicle speeds of 10 to 20 mph and when the fogging equipment is capable of such higher rates of output per minute

THERMAL FOGGING Apply Pro Mate UL 31 66 diluted or by suitable Thermal Foggers mounted on trucks If diluted use a 60 to 100 second viscosity mineral oil or another suitable non phytotoxic diluent to reduce oil requirement and sludge buildup in equipment May be applied at truck speeds of 5 to 20 mph but do not exceed the maximum active ingredient application rates **For use with Hand Carried and/or Lawn Mower thermal foggers** adjust the sprayer to apply the desired A.I. per acre based on a 50 foot swath and walking speed of 2 mph Do not fog to wet foliage Thermal fogging applications of Pro mate UL 31 66 can be made to deliver 0.00175 to 0.007 lb of permethrin a.i. per acre and 0.00175 to 0.01490 piperonyl butoxide per acre

USE AS AN INSECT BARRIER TREATMENT For use in non Thermal ULV motorized portable backpack and fog type mist blower equipment apply Pro Mate UL 31 66 with equipment adjusted to deliver ULV size droplets with a volume median diameter of 50–100 microns Pro Mate UL 31 66 may be applied undiluted or diluted (see Application Rates tables section) If diluted use a 30 to 100 second mineral oil or another (if recommended by Public Health Officials) suitable non phytotoxic diluent Use 0.00175 pounds Permethrin A.I. per acre at a 50 ft (15.2 m) swath width while walking at a speed of 2 mph (3.2 kph) Whether applied undiluted or diluted or at a different speed make sure that the same amount of Permethrin A.I. is applied per acre

AERIAL APPLICATION

Make Ultra Low Volume aerial applications of Pro Mate UL 31 66 according to the application rate table on this label Application should be made by suitable aerial ULV equipment at an altitude ranging from 120 175 feet depending on the terrain and weather conditions The recommended airspeed for fixed wing aircraft with flat fan nozzles is from 120 to 160 mph For aircraft equipped with rotary nozzles apply at sufficient airspeed to deliver the appropriate amount of Pro Mate UL 31 66 a.i. per acre Do not exceed 0.007 lbs permethrin a.i. and 0.01490 lbs piperonyl butoxide per acre Do not apply greater than 0.3197 fluid oz. of undiluted Pro Mate UL 31 66 per acre as listed in the rates chart

PROHIBITION ON AERIAL USE IN FLORIDA Not for aerial application in the State of Florida unless specifically authorized by the Florida Bureau of Entomology and the Florida Department of Agriculture and Consumer Services

**PRO MATE UL 31 66
HOW TO APPLY AND WHEN TO USE**

CONDITONS AND RATES TO USE PRO MATE UL 31 66 UNDILUTED

Pounds of a i per acre		Application Rates				FI oz of Pro Mate UL 31 66 per Acre
		FI oz per minute at Vehicle Speeds				
<i>Permethrnn</i>	<i>PBO</i>	5 mph	10 mph	15 mph	20 mph	
0 00700	0 01490	0 9591	1 9183	2 8773	3 8364	0 3197
0 00350	0 00750	0 4797	0 9054	1 4391	1 9188	0 1599
0 00175	0 00380	0 2398	0 4794	0 7191	0 9588	0 0799

DILUTION RATES FOR PRO MATE UL 31 66

FOR A 1 4 DILUTION

Mix 1 part Pro Mate UL 31 66 with 4 parts Suitable Mineral Oil Apply as follows

Pounds of a i per acre		Application Rates				FI OZ finished spray per Acre
		FI oz per minute at Vehicle Speeds				
<i>Permethrnn</i>	<i>PBO</i>	5 mph	10 mph	15 mph	20 mph	
0 00700	0 01490	4 4727	9 5454	14 3181	19 0908	1 5909
0 00350	0 00750	2 3865	4 7730	7 1595	9 5460	0 7955
0 00175	0 00380	1 1934	2 3868	3 5803	4 7736	0 3978

FOR A 1 8 DILUTION

Mix 1 part Pro Mate UL 31 66 with 8 parts Suitable Mineral Oil Apply as follows

Pounds of a i per acre		Application Rates				FI OZ finished spray per Acre
		FI oz per minute at Vehicle Speeds				
<i>Permethrnn</i>	<i>PBO</i>	5 mph	10 mph	15 mph	20 mph	
0 00700	0 01490	8 4000	16 8000	25 2000	33 6000	2 8000
0 00350	0 00750	4 2000	6 4000	12 6000	16 8000	1 4000
0 00175	0 00380	2 1000	4 2000	6 3000	8 4000	0 7000

FOR A 1 2 DILUTION

Mix 1 part Pro Mate UL 31 66 with 2 parts Suitable Mineral Oil Apply as follows

Pounds of a i per acre		Application Rates				FI OZ finished spray per Acre
		FI oz per minute at Vehicle Speeds				
<i>Permethrnn</i>	<i>PBO</i>	5 mph	10 mph	15 mph	20 mph	
0 00700	0 01490	2 8767	5 7534	8 6302	11 5068	0 9589
0 00350	0 00750	1 4385	2 8770	4 3255	5 7540	1 4795
0 00175	0 00380	0 7184	1 4388	2 1582	2 8770	0 2398

For proper ground application mount the fog applicator so that the nozzle is at least 4 ½ feet above ground level and directed out the back of the vehicle. May be applied at speeds of 5 mph up to 20 mph. Failure to follow these label directions may result in reduced effectiveness. For Aerial Application refer to the Aerial Application section on this label. Pro Mate UL 31 66 may be used as is or diluted with a suitable solvent such as a 60 to 100 Second viscosity mineral oil and applied at a rate not to exceed 0 3197 fl oz of Pro Mate UL 31 66 per acre. Both aerial and ground applications should be made when the wind is less than 10 mph. For exact rates see the UNDILUTED or the DILUTION Rates Charts on this label.

Pro Mate UL 31 66 is recommended for application as an Ultra Low Volume (U L V) Thermal or Non Thermal aerosol (cold fog) to control adult mosquitoes and other insects as listed on this label in residential and recreational areas where these insect pests become a problem such as but not limited to parks campsites woodlands athletic fields golf courses residential areas municipalities gardens playgrounds and non crop waste areas Treat when mosquitoes or insects are most active and weather conditions are conducive to keeping the fog close to the ground e g cool temperatures and wind speeds are not greater than 10 mph Applications during the cool hours of night or early morning are usually preferable

URBAN ULV MOSQUITO APPLICATIONS

For control of resting or flying adult mosquitoes biting flies and biting midges in application sites of Residential Municipal and Recreational areas such as utility tunnels sewers storm drains and catch basins pipe chases underground basements underground passages parking decks crawl spaces or underground buildings This product may be applied using mechanical foggers hand held or truck mounted ULV equipment suitable for these applications Apply at rates up to but not exceeding 0 007 lbs active ingredient permethrin per acre See Rate(s) Charts

MAY BE APPLIED OVER THE FOLLOWING CROPS

Pro Mate UL 31 66 may be applied over specific growing crops and range grasses prior to harvest for the control of adult mosquitoes and biting flies within or adjacent to these areas Application can only be made where the following crops are present

Alfalfa Almonds Apples Artichoke Asparagus Avocado Broccoli Brussel sprouts Cabbage Cantaloupe Cauliflower Celery Cherry Corn (field and pop) Corn (sweet) Eggplant Filberts (Hazelnuts) Garlic Horseradish Lettuce Onions (dry bulb only) Papayas (FL only) Peaches/Nectarines Pears Bell peppers Pistachios Potatoes Soybeans Spinach Tomatoes and Walnuts

Cucurbit vegetables including Chayote (fruit) Chinese waxgourd (Chinese preserving melon) Citron melon Cuban pumpkin Cucumber Gherkin Gourd (edible includes hyotan cucuzza hechima Chinese okra) Momordica spp (includes balsam apple balsam pear bitter melon Chinese cucumber) Muskmelon (hybrids and/or cultivars of Cucumis melo including true cantaloupe cantaloupe casaba Crenshaw melon golden pershaw melon honeydew melon honey balls mango melon Persian melon pineapple melon Santa Claus melon snake melon and Winter melon) Pumpkin Squash (includes summer squash types such as butternut squash calabaza crookneck squash Hubbard squash scallop squash straightneck squash vegetable marrow and zucchini and winter squash types such as acorn squash and spaghetti squash) Watermelon (includes hybrids and/or varieties of Citrullus lanatus)

Leafy Vegetables including Leafy vegetables (except brassica) (Amaranth (leafy amaranth Chinese spinach tampala) Arugula (Roquette) Chervil Chrysanthemum (edible leaved and garland) Corn salad Cress (garden) Cress (upland yellow rocket winter cress) Dandelion Dock (sorrel) Envide (escarole) Lettuce (head and leaf) Orach Parsley Purslane (garden and winter) Radicchio (red chicory) Spinach (including New Zealand and vine (Malabar spinach Indian spinach))

Do not allow spray treatment to drift on cropland (other than crops listed) or water supplies In treatment of corrals feedlots animal confinements/houses swine lots and zoos cover any exposed drinking water drinking fountains and animal feed before application

STORAGE AND DISPOSAL

Do not contaminate water food or feed by storage or disposal

PESTICIDE STORAGE *Store product in its original labeled container in a cool dry locked place designated for such insecticides and out of reach of children Do not expose to extreme temperatures In case of spillage soak up with absorbent material such as sawdust or fuller's earth sweep up and place in a labeled container and dispose of as follows*

PESTICIDE DISPOSAL *Wastes resulting from the use of this product may be disposed of on site or at an approved wastes disposal facility*

CONTAINER DISPOSAL Non refillable Containers 5 gallons or less *Non refillable container Do not refill or reuse this container Triple rinse (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 mineral oil (or other solvent used to dilute the product) 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 Once triple rinsed recycle if available Some agricultural pesticide containers can be taken to a container collection site or picked up for recycling To find the nearest site contact your chemical dealer or manufacturer or contact your local solid waste agency for disposal instructions If recycling is not available dispose of in a sanitary landfill or by incineration if allowed by state and local ordinances*
Non refillable Containers over 5 gallons to 55 gallons *Non refillable container Do not reuse or refill this container Triple rinse (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 mineral oil (or other solvent used to dilute the product) 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 Once triple rinsed recycle if available Some agricultural pesticide containers can be taken to a container collection site or picked up for recycling To find the nearest site contact your chemical dealer or manufacturer or contact your local solid waste agency for disposal instructions If recycling is not available dispose of in a sanitary landfill or by incineration if allowed by state and local ordinances*
Refillable bulk containers over 55 gallons *Refillable container Refill this container with pesticide only Do not reuse this container for any other purpose Cleaning the container before disposal is the responsibility of the person disposing of the container Cleaning before refilling is the responsibility of the re filler 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 of mineral oil Agitate vigorously or re circulate mineral oil with pump for two minutes Pour or pump rinsate into application equipment or rinsate collection system Repeat this rinsing procedure two more times Once triple rinsed recycle if available Some agricultural pesticide containers can be taken to a container collection site or picked up for recycling To find the nearest site contact your chemical dealer or manufacturer or contact your local solid waste agency for disposal instructions If recycling is not available dispose of in a sanitary landfill or by incineration if allowed by state and local ordinances*

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 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 consistent with applicable 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