

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

OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

MAY 2 3 2012

Warren L. Smith BASF Corporation 26 Davis DR Research Triangle Park, NC 27706-3528

Subject:

Pillar G Fungicide

EPA Reg. No. 7969-304

Notification dated February 24, 2012

Decision Number 461950

Dear Mr. Smith:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action requested falls within the scope of PRN 98-10.

The Agency acknowledges the change to the reported pounds active ingredient per pounds product in the Ingredient Statement.

The label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions, please call Lisa Jones at 703-308-9424 or you may call me at 703-305-6784.

Sincerely,

Marcel Howard Product Manger (20)

Fungicide Branch

Registration Division (7504P)

					`		20411
Please read instructions on r	U <sub>I</sub> Environmental	pited States Protection gton, DC 20460		Form App	Regis	stration ndment	Approvel expires 2-28-95 OPP Identifier Number
		Application	for Pestici	de - Sect	tion I		
Company/Product Number     7969-304      Company/Product (Name) Pillar G Fungicide			2. EPA Product Manager Shaja B. Joyner  PM# 20  3. Proposed Classification  Restricte				
5. Name and Address of Applicant (Include ZIP Code)  BASF Corporation 26 Davis Drive Research Triangle Park, NC 27709-3528  Check if this is a new address			6. Expedited Reveiw. 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				
	<del></del>		Section -				
Amendment - Explain  Resubmission in resp  Notification - Explain  Explanation: Use addition  Final Print Notification of Corno other changes have been to willfully make any false sta 152.46,this product may be in warren.smith@basf.com	below.  nal page(s) if necessary rection of Error. "This n made to the labelling or	r. (For section I otification is cons confidential state runderstand that	sistent with the pro ement of formula t if this notification	Agency lette "Me Too" A Other - Expl  ovisions of PR of this product	Application.  Iain below.  Notice 98-10 at I understand the interval in the terminal interval interval in the terminal interval interval in the terminal interval interval in the terminal interval	and EPA regulation that it is a violation of PR Notice	on of 18 U.S.C. Sec. 1001 98-10 and 40CFR
			Section - I	111			
1. Material This Product Will Child-Resistant Packaging Yes No * Certification must be submitted	Be Packaged In:  Unit Packaging  Yes  √ No  If "Yes"  Unit Packaging wgt.	No. per container	Water Soluble F Yes  ✓ No  If "Yes" Package wgt	Packaging No. per container		Metal V Plastic Glass Paper Other (S	pecify)
3. Location of Net Contents    V   Label   V   C  6. Manner in Which Label is	ontainer	4. Size(s) Retail  Lithograph Paper gli Stenciled	30 pounds	Other	Con	f Label Direction Itainer	ns .
			Section - I	V			A 3 1
1. Contact Point   Complete	items directly below fo	or identification	of individual to b	e contacted,	if necessary,	to prosessthis	application.)
Name Warren L. Smith		i i	i <b>tle</b> Product Registra	ation Manage	er	Telephone 949-547-2	No. (Include Area Code)

Certification

I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete.  $_{2}$  I acknowledge that any knowlingly false or misleading statement may be punishable by fine or imprisonment,  $_{2}$   $_{2}$   $_{3}$   $_{2}$ 

5. Date

Product Registration Manager

February 24, 2012

both under applicable law.

2. Signature

4. Typed Name

Warren L. Smith

6. Date Arplication

(Štamped)

Received

# **Agricultural Products**



The Chemical Company

February 24, 2012

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U. S. Environmental Protection Agency
Room S-4900, One Potomoc Yard
2777 South Crystal Drive
Washington, DC 22202-4501

Attn: Ms. Shaja B. Joyner Registration Division Product Manager Team 20, Fungicide Branch

Re: Pillar G Fungicide, EPA Reg. No. 7969-304; Correction of Error, Submission of Final Print Master Label

Dear Ms. Joyner:

On behalf of BASF Corporation, I am submitting this notification of Correction of Error on Page 1 of the stamped accepted label for Pillar G Fungicide dated November 22, 2011.

To provide additional detail, the corrected language on Page 1 is: 0.0038 lb of pyraclostrobin in 1 lb of Pillar™ G fungicide 0.0043 lb of triticonazole in 1 lb of Pillar G fungicide

The revised labeling which is attached and submitted via notification corrects the incorrect numbers that were previously printed on the label.

Per PR Notice 98-10, I am submitting a completed application form 8570-1, a copy of the labeling with the changes clearly marked on page 1 of the labeling, and (1) copies of final printed labeling.

If you have any questions or need additional information please contact me at 919-547-2896 (warren.smith@basf.com).

Respectfully submitted.

Warren L. Smith

**Product Registration Manager** 

MAY 2 3 2012

Group

11

Fungicide



# For disease control and plant health in turfgrass

#### Active Ingredients:

pyraciostrobin ...... triticonazole

Other Ingredients:

Total:

0.0038.lb of pyraclostrobin in 1 lb of **Pillar™ G fungicide** 0.0043.lb of triticonazole in al lb of **Pillar G fungicide** 

EPA Reg. No. 7969-304

EPA Est. No.

# KEEP OUT OF REACH OF CHILDREN CAUTION/PRECAUCION

Si usted no entiende la etiquetà, busque a alguien para que se la explique a usted en detalle. (If you do not understand this label, find someone to explain it to you in detail.)

See inside for complete First Aid, Precautionary Statements, Directions For Use, and Conditions of Sale and Warranty.

In case of emergency endangering life or property involving this product; call day or night 1-800-832-HELP (4357).

**Net Contents:** 

23223

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The Chemical Company

FIRST AID					
If on skin or clothing	<ul> <li>Take off contaminated clothing.</li> <li>Rinse skin immediately with plenty of water for 15 to 20 minutes.</li> <li>Call a poison control center or doctor for treatment advice.</li> </ul>				
If swallowed	<ul> <li>Call a poison control center or doctor immediately for treatment advice.</li> <li>Have person sip a glass of water if able to swallow.</li> <li>DO NOT induce vomiting unless told to do so by a poison control center or doctor.</li> <li>DO NOT give anything by mouth to an unconscious person.</li> </ul>				
If in eyes	<ul> <li>Hold eyes open and rinse slowly and gently with water for 15 to 20 minutes.</li> <li>Remove contact lenses, if present, after the first 5 minutes; then continue rinsing eyes.</li> <li>Call a poison control center for treatment advice.</li> </ul>				
If inhaled	<ul> <li>Move person to fresh air.</li> <li>If person is not breathing, call 911 or an ambulance; then give artificial respiration, preferably by mouth to mouth, if possible.</li> <li>Call a poison control center or doctor for further treatment advice.</li> </ul>				
HOTLINE NUMBER					

Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact BASF Corporation for emergency medical treatment information: 1-800-832-HELP (4357).

# **Precautionary Statements**

#### **Hazards to Humans and Domestic Animals**

**Caution.** Harmful if absorbed through skin. Harmful if swallowed. Causes moderate eye irritation. Avoid contact with skin, eyes or clothing. Wear long-sleeved shirt, pants, socks, shoes, gloves and protective eyewear.

# **Personal Protective Equipment (PPE)**

#### Applicators and other handlers must wear:

- · Long-sleeved shirt and long pants
- Waterproof gloves
- · Shoes plus socks
- Protective eyewear

Follow the manufacturer's instructions for cleaning and maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry.

#### **USER SAFETY RECOMMENDATIONS**

#### **Users should:**

- Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.
- Remove clothing/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**

**DO NOT** apply directly to water, to areas where surface water is present, or to intertidal areas below the mean high water mark. **DO NOT** contaminate water when disposing of equipment washwaters or rinsate.

### **Directions For Use**

It is a violation of federal law to use this product in a manner inconsistent with its labeling. This labeling must be in the possession of the user at the time of pesticide application.

**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.

Observe all precautions and limitations in this label and the labels of products used in combination with **Pillar™ G** fungicide. The use of **Pillar G** not consistent with this label can result in injury to crops, animals, or persons. Keep containers closed to avoid spills and contamination.

Unless otherwise directed in supplemental labeling, all applicable directions, restrictions, precautions and Conditions of Sale and Warranty are to be fillowed.

#### AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR part 170. This standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE) and restricted-entry interval. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

**DO NOT** enter or allow worker entry into treated areas during the restricted-entry interval (REI) of **12 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 (made of any waterproof materials)
- Shoes plus socks
- Protective eyewear

### **NONAGRICULTURAL 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.

**DO NOT** enter or allow others to enter the treated area until dusts have settled.

#### STORAGE AND DISPOSAL

**DO NOT** contaminate water, food or feed by storage or disposal. Open dumping is prohibited.

### **Pesticide Storage**

**DO NOT** store above 120° F. Store in original containers and keep closed. Store in a cool, dry place.

#### **Pesticide Disposal**

Wastes resulting from the use of this product may be disposed of on-site or at an approved waste disposal facility.

# Container Handling

(for plastic containers)

Nonrefillable Container. DO NOT reuse or refill this container. After completely emptying container into application equipment, offer for recycling, if available, or reconditioning, if appropriate, or puncture and dispose of in a sanitary landfill, or by incineration, or by other procedures approved by state and local authorities.

#### (for paper or plastic bags)

Nonrefillable Container. DO NOT reuse or refill this container. After completely emptying container into application equipment, dispose of empty bag in a sanitary landfill, or by incineration, or by other procedures approved by state and local authorities.

#### In Case of Emergency

In case of large-scale spillage regarding this product, call:

CHEMTREC 1-800-424-9300

• BASF Corporation 1-800-832-HELP (4357)

In case of medical emergency regarding this product, call:

- · Your local doctor for immediate treatment
- Your local poison control center (hospital)
- BASF Corporation 1-800-832-HELP (4357)

# Steps to be taken in case this material is released or spilled:

- Dike and contain spill with inert material (sand, earth, etc.) and transfer liquid and solid diking material to separate containers for disposal.
- Remove contaminated clothing, and wash affected skin areas with soap and water.
- Wash clothing before reuse.
- Keep spill out of all sewers and อุอะลาปูodies of water.

#### **Product Information**

Apply **Pillar™ G fungicide** to turfgrass as a broad-spectrum preventive fungicide for the control of many important turfgrass diseases. Preventive applications optimize disease control and may result in improved plant health.

**Pillar G** contains pyraclostrobin, the active ingredient in **Insignia® fungicide**, and triticonazole, the active ingredient in **Trinity® fungicide**. This combination product, with two modes of action, is an excellent resistance management tool.

### **Application Information**

**Pillar G** is a broad-spectrum fungicide for the control of many important diseases of turfgrass. Apply **Pillar G** with spreader equipment commonly used for ground application. Proper calibration of equipment to give good coverage is essential for disease control. Apply **Pillar G** preventively. **DO NOT** exceed the specified application rate or fail to comply with use restrictions listed in the **Restrictions** and **Limitations** section.

#### **Use Sites**

#### **Turfgrass**

Use **Pillar G** for disease control in the following turf use sites:

- golf courses
- · institutional, commercial and residential lawns
- · sod farms
- parks
- · recreational areas including sports fields
- cemeteries

#### **Tolerant Turfgrass Species**

- · Bentgrass, colonial
- Bentgrass, creeping
- Bermudagrass, common
- · Bermudagrass, hybrid
- Bluegrass, annual (Poa annua)
- Bluegrass, Kentucky
- Bluegrass, rough (Poa trivialis)
- Buffalograss

- Centipedegrass
- Dichondra
- Fescue, fine
- Fescue, tall
- Paspalum, seashore
- Ryegrass, annual
- Ryegrass, perennial
- St. Augustinegrass
- Zoysiagrass

Due to variability within turfgrass species and application techniques, neither the manufacturer nor the seller has determined whether **Pillar G** can safely be used on all turfgrasses under all conditions. The user must determine if **Pillar G** can be used safely before broadscale use. Apply the specified use rate of **Pillar G** on a small test area under conditions expected to be encountered. Monitor for any adverse effects during a 14-day period after application. **DO NOT** use on ultradwarf bermudagrass varieties.

# When used according to label instructions, Pillar G is effective in controlling the following diseases:

- Anthracnose
- Bentgrass dead spot
- Bermudagrass decline
- Brown patch
- Brown ring patch (Waitea patch)
- Dollar spot
- Fairv ring
- Fusarium patch
- · Gray leaf spot
- Gray snow mold
- Large patch
- Leaf spot
- Melting out
- Necrotic ring spot

- Pink patch
- Pink snow mold
- Powdery mildew
- Pythium blight
- Pythium root dysfunction
- Rapid blight
- Red thread
- Rhizoctonia leaf or sheath spot
- Rust
- Summer patch
- Take-all patch
- Yellow tuft (Downy mildew)
- Zoysia patch

# **Resistance Management**

The active ingredients in **Pillar G** are pyraclostrobin, a **Group 11 Quinone Outside Inhibitor (QoI)** and triticonazole, a **Group 3 demethylation inhibitor (DMI)**.

Fungal isolates resistant to **Group 11** (strobilurin or Qol) fungicides such as pyraclostrobin, azoxystrobin, trifloxystrobin and kresoxim-methyl, and **Group 3** (DMI) fungicides such as fenarimol, myclobutanil, triadimefon, propiconazole, tebuconazole, or metconazole may allow less sensitive strains of target fungi to build over time. This may result in reduced disease control. To limit the potential for the development of resistance alternate **Pillar G** with other registered fungicides that have a different mode of action and to which pathogen resistance has not developed. **DO NOT** make more than 2 sequential applications of **Pillar G. DO NOT** alternate **Pillar G** with other **Group 11** fungicides.

#### **Restrictions and Limitations**

- Maximum seasonal use rate DO NOT apply more than a total of 15 lbs/1000 sq ft of Pillar G per year.
- Refer to the Pillar™ G fungicide Application
   Directions on Turfgrass section for sequential application intervals for Pillar G.
- DO NOT use on crops intended for food or feed use.
- **DO NOT** use this product to formulate or reformulate any other pesticide product.

# Pillar™ G fungicide Application Directions on Turfgrass

Apply **Pillar G** at a use rate of 3.0 lbs product/1000 sq ft (131 lbs product/acre) on a 14-day to 28-day interval for the following diseases. **DO NOT** make more than 5 applications per year at the use rate of 3.0 lbs product/1000 sq ft (131 lbs product/acre). Applications made to control root and soilborne diseases such as fairy ring, Pythium root dysfunction, summer patch and take-all patch will require additional irrigation to move product into the soil.

<b>Disease</b> Pathogen	Application Interval (days)	Comments				
Anthracnose Colletotrichum graminicola	14 to 28	Use preventively. Begin applications when conditions are favorable for fungal infection, prior to disease symptom development.				
Bentgrass dead spot Ophiosphaerella agrostis	14 to 28	Use preventively. Begin applications when conditions are favorable for fungal infection, prior to disease symptom development.				
Bermudagrass decline Gaeumannomyces graminis var. graminis	28	Aids in control of bermudagrass decline when integrated with appropriate cultural practices such as raised mowing height, proper fertilization, and core aeration. Make 1 application in the spring following greenup and a second application in the fall when air temperatures remain above 80° F and humidity is 75% or higher.				
Brown patch Rhizoctonia solani	14 to 28	Apply when conditions are favorable for disease development.				
Brown ring patch Rhizoctonia circinata var. circinata aka Waitea patch	14 to 28	Apply when early yellow ring development is symptomatic. Provide short irrigation cycle directly following treatment to move fungicide through thatch.				
Dollar spot Sclerotinia homoeocarpa	14 to 28	Apply when conditions are favorable for disease development. Ring symptoms can take 2 to 3 weeks to disappear following application. For optimum results, apply a soil wetting agent to the intended treatment area prior to <b>Pillar G</b> application.				
Fairy ring various Basidiomycete fungi	14 to 28	Apply as soon as possible after fairy ring symptom development. Fairy ring symptoms can take 2 to 3 weeks to disappear following application. For optimum results, apply a soil wetting agent to the intended treatment area prior to <b>Pillar G</b> application.				
Fusarium patch (Pink snow mold) Microdochium nivale	28	Make 1 application in late fall just prior to snow cover. For optimum control under severe disease pressure, make application of <b>Trinity®</b> fungicide, Insignia® SC Intrinsic™ brand fungicide, or Insignia® fungicide 14 days prior to Pillar G application.				
<b>Gray leaf spot</b> <i>Pyricularia grisea</i>	14 to 28	Use preventively. Begin applications when conditions are favorable for fungal infection, prior to disease symptom development.				
Gray snow mold/Typhula blight Typhula spp.	28	Make 1 application in late fall just prior to snow cover. For optimum control under severe disease pressure, make application of <b>Trinity</b> , <b>Insignia® SC Intrinsic™ brand fungicide</b> , or <b>Insignia</b> 14 days prior to <b>Pillar G</b> application.				
Large patch  Rhizoctonia solani AG2-2LP  14 to 28		Make 1 to 2 applications in the fall when conditions are favorable fo disease development, repeat in spring prior to and following greenup.				
Leaf spot Bipolaris spp., Dreschlera spp., Exserohilum spp.	14 to 28	Apply when conditions are favorable for disease development.				
Melting out Drechslera poae	14 to 28	Apply when conditions are favorable for disease development.				
Necrotic ring spot Leptosphaeria korrae	28	Apply when soil temperatures reach 60° F in early spring to summer and continue at 28-day intervals under conditions favorable for disease development. Provide additional irrigation following application.				

(continued)

# Pillar™ G fungicide Application Directions on Turfgrass (continued)

<b>Disease</b> Pathogen	Application Interval (days)	Comments				
Pink patch Limonomyces roseipellis	14 to 28	Apply when conditions are favorable for disease development, when night temperatures are 60° F to 70° F, and in periods of higher rainfall.				
Pink snow mold (Fusarium patch) Microdochium nivale	28	Make 1 application in late fall just prior to snow cover. For optimum control under severe disease pressure, make application of <b>Trinity®</b> fungicide, Insignia® SC Intrinsic™ brand fungicide, or Insignia® fungicide 14 days prior to Pillar G application.				
Powdery mildew Blumeria graminis	14 to 28	Use preventively. Begin applications when conditions are favorable for fungal infection, prior to disease symptom development.				
Pythium blight Pythium aphanidermatum, Pythium spp.	14	Use preventively. Begin applications when conditions are favorable for fungal infection, normally under prolonged moist and humid conditions. Apply prior to disease symptom development for best control.				
Pythium root dysfunction Pythium volutum spp., Pythium spp.	14	Use preventively. Begin applications when conditions are favorable for fungal infection, prior to disease symptom development. <b>DO NOT</b> apply more than two strobilurin-based fungicides sequentially prior to rotation to a different mode-of action.				
Rapid blight Labyrinthula terrestris	14 to 28	Apply when conditions are favorable for disease development which occurs normally on salinity stressed grasses. Occurs most commonly on cool season grasses used under overseeded conditions. Begin applications in fall and follow with spring applications as needed. <b>DO NOT</b> apply more than two strobilurin-based fungicides sequentially prior to rotation to a different mode-of action.				
Red thread Laetisaria fuciformis	14 to 28	Apply when conditions are favorable for disease development.				
Rhizoctonia leaf or sheath spot R. oryzae, R. zea	28	Apply when conditions are favorable for disease development. Rhizoctonia infection can occur under warm, humid conditions on both cool-season turfgrass and warm-season turfgrass. This disease has been associated with localized dry spots, and necrotic (brown) ring symptoms can form. The use of a wetting agent can aid in recovery from dry spots.				
Rust Puccinia spp.	14 to 28	Apply when conditions are favorable for disease development.				
Summer patch Magnaporthe poae	28	Apply when conditions are favorable for disease development. Initiate applications in spring when soil temperatures reach 60° F to 70° F at a 2-inch soil depth, or as dictated by local recommendations. Repeat application at 28-day intervals.				
Take-all patch Gaeumannomyces graminis var. avenae	28	Begin applications when conditions are favorable for fungal infection, prior to disease symptom development. Make 2 applications in the fall and subsequent applications in spring depending on local conditions.				
Yellow tuft (Downy mildew) Sclerophthora macrospora	14 to 28	Use preventively. Begin applications when conditions are favorable for fungal infection, prior to disease symptom வுள்ளில்				
<b>Zoysia patch</b> <i>Rhizoctonia solani</i> AG2-2LP	14 to 28	Make 1 to 2 applications in the fall when conditions are favorable for disease development, repeat in spring prior to and following greenup. Use preventively. Begin applications vyhen conditions are favorable for fungal infection, prior to disease symptom dayelob, ment.				

# Application Instructions for Pillar™ G fungicide

**Pillar G** is formulated as a dry granule broad-spectrum fungicide which must be broadcast applied with spreader equipment commonly used for ground application. Uniform coverage according to the label rate is essential for disease control. Proper calibration of the spreader equipment is essential before making **Pillar G** applications.

Apply with properly calibrated spreader equipment to provide uniform distribution. Check application routinely to determine proper calibration. Avoid overlaps that will increase rates above those specified.

# **Suggested Spreader Settings For Turf**

To apply the label use rate of 3.0 lbs product/1000 sq ft (131 lbs product/acre) and to provide proper product distribution, calibrate spreader according to the settings in the following table. **DO NOT** make more than 5 applications per year at the use rate of 3.0 lbs product/1000 sq ft (131 lbs product/acre).

Spreader		Ground Speed (mph)	Width of Coverage . (ft)	Spreader Setting
Brand type	Model			
Lesco <sup>®</sup> Commercialplus™ commercial rotary	80 LB	3	12	22
The Andersons® commercial rotary	SR 2000	3	12	Р
Scotts® Turfbuilder® homeowner model	EdgeGuard® DLX	3	10	8.5
EarthWay EV-N-SPRED® commercial broadcast	2150	3	12	20
The Andersons® commercial drop*	SS-2™	3	3	5.5

<sup>\*</sup>BASF does not recommend the use of drop spreaders.

# **Conditions of Sale and Warranty**

The **Directions For Use** of this product reflect the opinion of experts based on field use and tests. The directions are believed to be reliable and must be followed carefully. However, it is impossible to eliminate all risks inherently associated with the use of this product. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or use of the product in a manner inconsistent with its labeling, all of which are beyond the control of BASF CORPORATION ("BASF") or the Seller. To the extent consistent with applicable law, all such risks shall be assumed by the Buyer.

BASF warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes referred to in the **Directions For Use**, subject to the inherent risks, referred to above.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BASF MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF FITNESS OR MERCHANTABILITY OR ANY OTHER EXPRESS OR IMPLIED WARRANTY.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BUYER'S EXCLUSIVE REMEDY AND BASF'S EXCLUSIVE LIABILITY, WHETHER IN CONTRACT, TORT, NEGLIGENCE, STRICT LIABILITY, OR OTHERWISE, SHALL BE LIMITED TO REPAYMENT OF THE PURCHASE PRICE OF THE PRODUCT.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BASF AND THE SELLER DISCLAIM ANY LIABILITY FOR CONSEQUENTIAL, EXEMPLARY, SPECIAL OR INDIRECT DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT.

BASF and the Seller offer this product, and the Buyer and User accept it, subject to the foregoing **Conditions of Sale and Warranty** which may be varied only by agreement in writing signed by a duly authorized representative of BASF.

Insignia and Trinity are registered trademarks of BASF.

Intrinsic and Pillar are trademarks of BASF.

**The Andersons** is a registered trademark and **SS-2** is a trademark of The Andersons, Inc.

**EarthWay EV-N-SPRED** is a registered trademark of Earthway Products, Inc.

**Lesco** is a registered trademark and **Commercialplus** is a trademark of LESCO, Inc.

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007969-00304.20110808b.**NVA 2011-ე4,-363-0156** Supersedeş NVA 2011-04-363-0118

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Research Triangle Park, NC 27709

