



U.S. ENVIRONMENTAL PROTECTION AGENCY

Office of Pesticide Programs
Registration Division (7505P)
1200 Pennsylvania Ave., N.W.
Washington, D.C. 20460

EPA Reg. Number:

7969-371

Date of Issuance:

6/9/15

NOTICE OF PESTICIDE:

☒ Registration
☐ Reregistration
(under FIFRA, as amended)

Term of Issuance:

Conditional

Name of Pesticide Product:

Obvious Fungicide Seed Treatment

Name and Address of Registrant (include ZIP Code):

Amy S. Dugger-Webster
BASF Corporation
26 Davis Drive
P.O. Box 13528
Research Triangle Park, NC 27709

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered 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 section 3(c)(7)(A). You must comply with the following conditions:

1. Submit and/or cite all data required for registration/reregistration/registration review of your product under FIFRA when the Agency requires all registrants of similar products to submit such data.

Signature of Approving Official:

Shaja B. Joyner, Product Manager 20
Fungicide-Herbicide Branch
Registration Division 7505P)
Office of Pesticide Programs

Date:

6/9/15

EPA Form 8570-6

2. You are required to comply with the data requirements described in the DCI Order identified below:

- a. Metalaxyl GDCI-125851-837

You must comply with all of the data requirements within the established deadlines. If you have questions about the Generic DCI listed above, you may contact the Chemical Review Manager in the Pesticide Reevaluation Division: http://www.epa.gov/oppsrrd1/contacts_prd.htm

3. Make the following label changes before you release the product for shipment:
 - Revise the EPA Registration Number to read, “EPA Reg. No. 7969-371.”
4. Submit one copy of the final printed label for the record before you release the product for shipment.

Should you wish to add/retain a reference to the company’s website on your label, then please be aware that the website becomes labeling under the Federal Insecticide Fungicide and Rodenticide Act and is subject to review by the Agency. If the website is false or misleading, the product would be misbranded and unlawful to sell or distribute under FIFRA section 12(a)(1)(E). 40 CFR 156.10(a)(5) list examples of statements EPA may consider false or misleading. In addition, regardless of whether a website is referenced on your product’s label, claims made on the website may not substantially differ from those claims approved through the registration process. Therefore, should the Agency find or if it is brought to our attention that a website contains false or misleading statements or claims substantially differing from the EPA approved registration, the website will be referred to the EPA’s Office of Enforcement and Compliance.

If you fail to satisfy these data requirements, EPA will consider appropriate regulatory action including, among other things, cancellation under FIFRA section 6(e). Your release for shipment of the product constitutes acceptance of these conditions. A stamped copy of the label is enclosed for your records. Please also note that the record for this product currently contains the following CSFs:

- Basic CSF dated April 27, 2015
- Alternate CSF 1 dated April 27, 2015
- Alternate CSF 2 dated April 27, 2015
- Alternate CSF 3 dated April 27, 2015
- Alternate CSF 4 dated December 2, 2014
- Alternate CSF 5 dated December 2, 2014

If you have any questions, please contact Driss Benmhend by phone at (703) 308-9525, or via email at Benmhend.driss@epa.gov.

Enclosure



We create chemistry

Group 4 7 11 Fungicide

Obvius™

Fungicide Seed Treatment

ACCEPTED

Jun 09, 2015

Under the Federal Insecticide, Fungicide
and Rodenticide Act as amended, for the
pesticide registered under
EPA Reg. No. 7969-371

For commercial and on-farm use

A suspension concentrate for control of various seedborne diseases in dried shelled pea and bean (crop subgroup 6C), including but not limited to lentils, field pea, chickpeas and dry beans; rapeseed (crop subgroup 20A), including but not limited to canola, *Brassica juncea*, and canola oil quality mustards and flax; and soybean

Active Ingredients:

fluxapyroxad*: 1*H*-Pyrazole-4-carboxamide, 3-(difluoromethyl)-1-methyl-*N*-(3',4',5'-trifluoro[1,1'-biphenyl]-2-yl)- 1.58%
pyraclostrobin**: (carbamic acid, [2-[[[1-(4-chlorophenyl)-1*H*-pyrazol-3-yl]oxy]methyl]phenyl]methoxy-, methyl ester) 1.58%
metalaxyl***: *N*-(2,6-dimethylphenyl)-*N*-(methoxyacetyl) alanine methyl ester . . . 1.26%

Other Ingredients: 95.58%

Total: 100.00%

* Contains 0.139 lb of the active ingredient fluxapyroxad per U.S. gallon

** Contains 0.139 lb of the active ingredient pyraclostrobin per U.S. gallon

*** Contains 0.111 lb of the active ingredient metalaxyl per U.S. gallon

EPA Reg. No. 7969-xxx

EPA Est. No.

KEEP OUT OF REACH OF CHILDREN CAUTION/PRECAUTION

Si usted no entiende la etiqueta, 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 booklet for complete **First Aid, Precautionary Statements, Directions For Use, Conditions of Sale and Warranty**, and state-specific crop and/or use site restrictions.

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

Net Contents:

BASF Corporation
26 Davis Drive, Research Triangle Park, NC 27709

FIRST AID	
If swallowed	• Call a poison control center or doctor immediately for treatment advice. • Have person sip a glass of water if able to swallow. • DO NOT induce vomiting unless told to by a poison control center or doctor. • DO NOT give anything to an unconscious person.
If in eyes	• Hold eyes open and rinse slowly and gently with water for 15 to 20 minutes. • Remove contact lenses, if present, after first 5 minutes; then continue rinsing. • Call a poison control center or doctor for treatment advice.
If on skin or clothing	• Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15 to 20 minutes. • Call a poison control center or doctor for treatment advice.
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.
HOTLINE NUMBER	
Have the product container or label with you when calling a poison control center or doctor or going for treatment. In case of medical emergency involving this product, call BASF Corporation at 1-800-832-HELP (4357) or dial 911.	
NOTE TO PHYSICIAN	
No specific antidote is available. Treat symptomatically.	

Precautionary Statements

Hazards to Humans and Domestic Animals

CAUTION. Harmful if swallowed, absorbed through skin, or inhaled. Causes moderate eye irritation. Avoid breathing spray mist or contact with skin, eyes, or clothing.

Personal Protective Equipment (PPE)

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Shoes plus socks
- Chemical-resistant gloves, such as barrier laminate, butyl rubber ≥ 14 mils, nitrile rubber ≥ 14 mils, neoprene rubber ≥ 14 mils, natural rubber* ≥ 14 mils, polyethylene, polyvinyl chloride (PVC) ≥ 14 mils, or viton ≥ 14 mils

* Includes natural rubber blends and laminates

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

USER SAFETY RECOMMENDATIONS

Users should:

- Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.
- Remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

Environmental Hazards

This pesticide is toxic to fish and aquatic invertebrates. **DO NOT** apply directly to water, or to areas where surface water is present, or intertidal areas below the mean high water mark. Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas. **DO NOT** contaminate water when cleaning equipment or disposing of equipment washwaters or rinsate.

DO NOT discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing before discharge. **DO NOT** discharge effluent containing this product to sewer systems without previously notifying the local sewage treatment plant authority. For guidance, contact your State Water Board or the regional office of the EPA. **DO NOT** contaminate water when disposing of equipment washwaters or rinsate.

If treated seed is spilled outdoors or in areas accessible to birds or endangered species, promptly clean up and dispose of (cover or collect) spilled treated seed to prevent ingestion. Dispose of all excess treated seed by burying seed away from bodies of water.

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 fungicide seed treatment 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.

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

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 the restricted-entry intervals. 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 **24 hours**.

EXCEPTION: If the seed is treated with the product and the treated seed is soil-injected or soil-incorporated, the Worker Protection Standard, under certain circumstances, allows workers to enter the treated area if there will be no contact with anything that has been treated.

PPE required for early entry to treated areas permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil, or water, is:

- Coveralls
- Socks and shoes
- Chemical-resistant gloves made of any waterproof material

STORAGE AND DISPOSAL

DO NOT contaminate water, food, or feed by storage or disposal.

Pesticide Storage

Store in original container. Keep container closed and in a secure place. Store in an area that is out of reach of children and animals, away from food, feedstuffs, fertilizers and seed. Protect from frost and freezing.

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

Nonrefillable Container. DO NOT reuse or refill this container. Triple rinse or pressure rinse container (or equivalent) promptly after emptying; then 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.

Triple rinse containers small enough to shake (capacity ≤ 5 gallons) 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 1/4 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.

Triple rinse containers too large to shake (capacity > 5 gallons) as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container 1/4 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.

Pressure rinse as follows: Empty the remaining contents into application equipment or mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or mix tank, or collect rinsate for later use or disposal. Insert pressure rinsing nozzle in the side of the container and rinse at about 40 PSI for at least 30 seconds. Drain for 10 seconds after the flow begins to drip.

(continued)

STORAGE AND DISPOSAL *(continued)*

Container Handling *(continued)*

Refillable Container. Refill this container with pesticide only. **DO NOT** reuse this container for any other purpose. Triple rinsing the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller.

Triple rinse as follows: 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% 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.

When this container is empty, replace the cap and seal all openings that have been opened during use; return the container to the point of purchase or to a designated location. This container must only be refilled with a pesticide product. Prior to refilling, inspect carefully for damage such as cracks, punctures, abrasions, worn-out threads and closure devices. Check for leaks after refilling and before transport. **DO NOT** transport if this container is damaged or leaking. If the container is damaged, or leaking, or obsolete and not returned to the point of purchase or to a designated location, triple rinse emptied container and offer for recycling, if available, or dispose of container in compliance with state and local regulations.

In Case of Spill

In case of a large-scale spill of 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 take if this material is released into the environment or spilled:

- Wear **Personal Protective Equipment (PPE)** and avoid exposure when managing a spill. (See **Precautionary Statements** section of this label for required PPE.)
- Dike and contain the spill with inert, absorbent material (e.g., sand, earth) and transfer liquid and solid diking material to separate containers for disposal. Small-scale spills of this product (that can be cleaned up with a typical spill kit) may be applied to labeled sites.
- Remove contaminated clothing, and wash affected skin areas with soap and water. Wash clothing before reuse.
- Keep spill out of all sewers and open bodies of water.

Use Restrictions

- **DO NOT** use treated seed for food, feed or oil processing.
- **DO NOT** store **Obvius™ Fungicide Seed Treatment** near feed or foodstuffs.
- **DO NOT** contaminate feed or foodstuffs.
- **DO NOT** contaminate domestic or irrigation waters.
- **DO NOT** plant any crop not listed on this label within 30 days after planting **Obvius** treated seed.
- **DO NOT** use the same auger or other seed treatment equipment for treating seed that will handle commercial or feed grains unless these have been thoroughly cleaned.
- **DO NOT** store leftover treated seed where it could be mixed with untreated seed. Store treated seed in cool, dry conditions.

TREATED SEED MUST BE LABELED AS FOLLOWS:

"This seed has been treated with **Obvius™ Fungicide Seed Treatment** containing fluxapyroxad, pyraclostrobin, and metalaxyl.

- **DO NOT** use treated seed for food, feed, oil processing, or any other purpose except planting.
- Store treated seed away from feed or foodstuffs.
- **DO NOT** allow children, pets, or livestock to have access to treated seeds.
- **DO NOT** use the same auger or seed treatment equipment for treating seed that will handle commercial or feed grains unless these have been thoroughly cleaned.
- **DO NOT** plant any crop not listed on this label within 30 days of planting **Obvius**-treated seed.
- **DO NOT** apply directly into a planter box.
- Wear long pants, long-sleeved shirt, shoes plus socks, and chemical-resistant gloves made of any waterproof material when opening this bag or handling (e.g., loading, pouring) treated seed.
- After treated seed has been planted, **DO NOT** enter or allow worker entry into areas planted with treated seeds during the restricted-entry interval (REI) of **24 hours**. **EXCEPTION:** Workers may enter these areas without restriction if there will be no worker contact with the soil/media subsurface.
- Treated seed exposed on soil surfaces may be hazardous to wildlife. Cover or collect treated seed spilled during loading and planting.
- **DO NOT** contaminate bodies of water when disposing of planting equipment washwater.
- If excess treated seed remains after planting, dispose of it by burying away from bodies of water.

- **DO NOT** store leftover treated seed where there is a chance of it becoming mixed with untreated seed. Store treated seed in cool, dry conditions.
- Dispose of treated seed packaging in accordance with local requirements.”

Product Information

Obvius™ Fungicide Seed Treatment is a liquid broad spectrum fungicide seed treatment that provides preventive seed and seedling protection from several seed-borne and soil-borne diseases.

Obvius contains an EPA-approved dye that imparts an unnatural color to the treated seed to prevent its accidental use as a food or feed for animals. Refer to 21 CFR, Part 2.25.

Refer to the **Diseases Controlled by Obvius™ Fungicide Seed Treatment** table for approved crops and associated diseases controlled by **Obvius**.

Resistance-Management Recommendations

Mode of Action

Obvius contains three active ingredients from different fungicide groups that have distinct modes of action.

- Pyraclostrobin is classified as a Target Site of Action **Group 11** fungicide.
- Fluxapyroxad is classified as a Target Site of Action **Group 7** fungicide.
- Metalaxyl is classified as a Target Site of Action **Group 4** fungicide.

Due to the minimal amount of **Obvius** applied to the seed that relocates to the upper parts of the plant and the multiple modes of action, the potential for development of resistance is extremely low. Seed treatments of **Obvius** can therefore be followed by foliar use and resistance management guidelines of foliar use fungicides containing the same modes of action as specified on the respective labels.

Resistance Management

Obvius contains three active ingredients with three distinct modes of action. Any fungal population may contain individuals naturally resistant to **Obvius**, and other **Group 4**, **Group 7**, and **Group 11** fungicides. A gradual or total loss of pest control may occur over time if these fungicides are used repeatedly in the same fields. Other resistance mechanisms that are not linked to site of action but specific for individual chemicals, such as enhanced metabolism, may also exist. Appropriate resistance-management strategies should be followed.

To delay the development of fungicide resistance:

1. **Applications** - Adhere to the label use directions regarding the consecutive use of **Obvius** or other target site of action **Group 4**, **Group 7**, and/or **Group 11** fungicides that have a similar site of action on the same pathogens.
2. **Integrated Pest Management (IPM)** - Integrate **Obvius** into an overall disease and pest management program. Follow cultural practices known to reduce disease development. Consult your local extension specialist, certified crop advisor and/or BASF Corporation for additional IPM strategies established for your area. **Obvius** may be used in Agricultural Extension advisory (disease forecasting) programs, which recommend application timing based on environmental factors favorable for disease development.
3. **Monitor** - Monitor efficacy of all fungicides used in the disease management program against the targeted pathogen and record other factors that may influence fungicide performance and/or disease development.
4. **Reporting** - If a **Group 4**, **Group 7**, and/or **Group 11** target site fungicide, such as **Obvius**, appears to be less or no longer effective against a pathogen that it previously controlled or suppressed, contact a BASF-representative, local extension specialist, or certified crop advisor to assist in determining the cause of reduced performance.

Application Method

Seed should be well conditioned and free of chaff before treating with **Obvius**. Uniform seed coverage and proper application equipment calibration is essential for good disease control. Weather conditions (hot or cold), seed type and surface, and equipment used all have a bearing on the uniformity of coverage.

When applied at the indicated rate(s), dilution with water is not necessary unless recommended by the manufacturer of the seed treatment application equipment. Consult a seed treatment specialist for calibration and operation procedures of the seed treatment equipment being used.

Obvius may be applied using standard commercial seed treatment equipment (such as, but not limited to, slurry or mist-type equipment) or on-farm seed treatment equipment. **Obvius** may also be used in on-the-go type air seeder treatment systems. **DO NOT** apply directly into a planter box.

Diseases Controlled by Obvius™ Fungicide Seed Treatment

Crop	Use Rate fl ozs/100 lbs seed (lb ai/100 lbs seed)	Diseases Controlled
Dried Shelled Pea and Bean (except soybean) [Crop subgroup 6C] Cicer arietinum Chickpea/Garbanzo bean Cyamopsis tetragonoloba Guar Lablab purpureus Lablab/Hyacinth bean Lens esculenta Lentil Lupinus spp. Grain lupin Sweet lupin White lupin White sweet lupin Phaseolus spp. Field bean Kidney bean Lima bean Navy bean Pinto bean Tepary bean Pisum spp. Field pea Pigeon pea Vicia faba Broad/Fava bean Vigna spp. Adzuki bean Black-eyed pea Catjang Cowpea Crowder pea Moth bean Mung bean Rice bean Southern pea Urd bean	4.6 (0.018 lb ai)	• Anthracnose caused by seed-borne <i>Colletotrichum</i> spp. • Root rot, seed rot, and seedling blight caused by soil-borne <i>Fusarium</i> spp. • Root rot, seed rot, and seedling blight caused by soil-borne <i>Pythium</i> spp. • Root rot, seed rot, and seedling blight caused by soil-borne <i>Rhizoctonia solani</i> • Seed rot and seedling blight caused by seed-borne <i>Botrytis cinerea</i> • Seedling blight caused by seed-borne <i>Ascochyta</i> spp.
Flax Seed (<i>Linum usitatissimum</i>)	4.6 (0.018 lb ai)	• Root rot, seed rot, and seedling blight caused by soil-borne <i>Fusarium</i> spp. • Root rot, seed rot, and seedling blight caused by soil-borne <i>Rhizoctonia solani</i>

(continued)

Diseases Controlled by Obvius™ Fungicide Seed Treatment *(continued)*

Crop	Use Rate fl ozs/100 lbs seed (lb ai/100 lbs seed)	Diseases Controlled
Rapeseed (except flax seed) [Crop subgroup 20A] Cultivars, varieties, and/or hybrids of: <i>Borago officinalis</i> Borage <i>Crambe hispanica</i>/<i>C. abyssinica</i> Crambe <i>Cuphea hyssopifolia</i> Cuphea <i>Echium plantagineum</i> Echium <i>Camelina sativa</i> Gold of Pleasure <i>Conringia orientalis</i> Hare's ear mustard <i>Lesquerella recurvata</i> Lesquerella <i>Lunaria annua</i> Lunaria <i>Limnanthes alba</i> Meadowfoam <i>Asclepias</i> spp. Milkweed <i>Brassica hirta</i> spp. Mustard seed <i>Raphanus sativus</i> var. <i>oleiformis</i> Oil radish <i>Papaver somniferum</i> L. subsp. <i>somniferum</i> Poppy seed <i>Brassica</i> spp./<i>Brassica napus</i> L. Rapeseed <i>Sesamum indicum</i>/<i>S. radiatum</i> Sesame <i>Hesperis matronalis</i> Sweet rocket	9.2 (0.036)	• Root rot, seed rot, and seedling blight caused by soil-borne <i>Fusarium</i> spp. • Root rot, seed rot, and seedling blight caused by soil-borne <i>Leptosphaeria maculans</i> (i.e., blackleg) • Root rot, seed rot, and seedling blight caused by soil-borne <i>Pythium</i> spp. • Root rot, seed rot, and seedling blight caused by soil-borne <i>Rhizoctonia solani</i> • Seedling blight and root rot caused by soil-borne <i>Alternaria brassicae</i>
Soybean (<i>Glycine</i> spp.)	4.6 (0.018 lb ai)	• Anthracnose caused by seed-borne <i>Colletotrichum</i> spp. • Root rot, seed rot, and seedling blight caused by soil-borne <i>Fusarium</i> spp. • Root rot, seed rot, and seedling blight caused by soil-borne <i>Pythium</i> spp. • Root rot, seed rot, and seedling blight caused by soil-borne <i>Rhizoctonia solani</i> • Seed rot and seedling blight caused by seed-borne <i>Botrytis cinerea</i> • Seedling blight caused by seed-borne <i>Ascochyta</i> spp.

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 the presence of other or untested or unapproved materials, seed of low quality or low vigor or low germination, use of the product in a manner inconsistent with its labeling, misapplication of the product, or weather conditions at planting or environmental conditions during seed storage, 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.

ST1108

Obvius is a trademark of BASF.

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BASF Corporation
26 Davis Drive
Research Triangle Park, NC 27709



We create chemistry