

9779-342

10/16/2008

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Please read instructions on reverse before completing form.

Form Approved. O No. 2070-0060. Approval expires 11-30-93

United States <b>Environmental Protection Agency</b> Washington, DC 20460	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number
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**Application for Pesticide -Section I**

1. Company/Product Number 9779-342	2. EPA Product Manager Miller	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Asulam 3.3	PM# <u>23</u>	
5. Name and Address of Applicant (Include ZIP Code) Winfield Solutions P.O. Box 64589 St. Paul, MN 55164-0589  <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: <div style="text-align: center; font-weight: bold; font-size: 1.2em;">NOTIFICATION</div> EPA Reg. No. _____ Product Name <u>OCT 16 2008</u>

**Section II**

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

**Explanation:** Use additional page(s) if necessary. (For Section I and Section II). Notification of a new Warranty Statement. This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and 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 type="checkbox"/> No  <small>*Certification must be submitted.</small>	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No  If "Yes," Unit Package Wt.    No. Per Container	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No  If "Yes," Package Wt.    No. Per Container	2. Type of Container <input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____
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3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container	4. Size(s) of Retail Container	5. Location of Label Directions <input type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product
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6. Manner In Which Label Is Affixed To Product     Lithograph     Other ( \_\_\_\_\_ )  
 Paper Glued  
 Stenciled

**Section IV**

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

Name Gary Halvorson	Title Registration Manager	Telephone No. (include Area Code) _____
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<b>Certification</b> 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 	3. Title Registration Manager	
4. Typed Name Gary Halvorson	5. Date October 31, 2007	

October 31, 2007

Document Processing Desk (NOTIF)  
Office of Pesticide Programs (7504P)  
U.S. Environmental Protection Agency  
Room S-4900, One Potomac Yard  
2777 South Crystal Drive  
Arlington, VA 22202-4501  
Attn: Joanne Miller

Subject: Asulam 3.3 (9779-342)  
Notification of new Warranty Statement

Dear Ms. Miller:

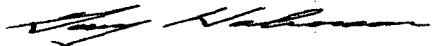
Winfield Solutions is submitting a notification of a new Warranty Statement. This statement has already been approved for use on another registrant's (NuFarm) label.

Attached with our application, you will also find the following:

- One (1) copy of revised with the new Warranty Statement

Should you have any questions during your review, please contact me at [gchalvorson@landolakes.com](mailto:gchalvorson@landolakes.com).

Sincerely,



Gary Halvorson  
Registration Manager

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# Asulam 3.3 Herbicide

ACTIVE INGREDIENT	
Sodium salt of asulam (methyl sulfanylylcarbamate)* .....	36.2%
INERT INGREDIENTS.....	63.8%
TOTAL.....	100.0%

\* Equivalent to 33.0% asulam acid or 3.30 lb asulam per gallon (or 397 g/L).

**For Agricultural Or Commercial Use Only - Not For Use By Homeowners.**

**KEEP OUT OF REACH OF CHILDREN**

**NOTIFICATION**

OCT 16 2008

**CAUTION**

**STOP -- READ LABEL BEFORE USING**

FIRST AID
<p><b>IF SWALLOWED:</b></p> <ul style="list-style-type: none"> <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 by a poison control center or doctor.</li> <li>• Do not give anything by mouth to an unconscious person.</li> </ul> <p><b>IF IN EYES:</b></p> <ul style="list-style-type: none"> <li>• Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul> <p><b>IF ON SKIN:</b></p> <ul style="list-style-type: none"> <li>• Take off contaminated clothing.</li> <li>• Rinse skin immediately with plenty of water for 15-20 minutes.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul> <p><b>IF INHALED:</b></p> <ul style="list-style-type: none"> <li>• Move person to fresh air.</li> <li>• If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible.</li> <li>• Call a poison control center or doctor for further treatment advice.</li> </ul>
<p>Have the product container or label with you when calling a poison control center or doctor or going for treatment.  <b>For further medical emergency information call toll-free 1-877-424-7452</b></p>

EPA Reg. No. 9779-342

EPA Est. No.

Distributed By  
Winfield Solutions, LLC  
P.O. Box 64589, St. Paul, MN 55164-0589

NET CONTENTS  
GALLONS

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9/9**Spray Drift:**

Avoiding spray drift at the application site is the responsibility of the applicator. The interaction of many equipment-and-weather-related factors determine the potential for spray drift. The applicator and the grower are responsible for considering all these factors when making decisions.

The following drift management requirements must be followed to avoid off-target drift movement from aerial applications to agricultural field crops. These requirements do not apply to forestry applications, public health uses or to applications using dry formulations.

1. The distance of the outermost nozzles on the boom must not exceed 3/4 the length of the wingspan or rotor.
2. Nozzles must always point backward parallel with the air stream and never be pointed downwards more than 45 degrees.

Where states have more stringent regulations, they should be observed.

The applicator should be familiar with and take into account the information covered in the Aerial Drift Reduction Advisory Information.

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

Harmful if swallowed, inhaled or absorbed through skin. Causes moderate eye irritation. Avoid contact with skin, eyes, or clothing. Avoid breathing spray mist. Wash thoroughly with soap and water after handling. Remove contaminated clothing and launder before reuse. Heavily contaminated clothing should be removed immediately and incinerated or burned if allowed by State Authorities, or disposed of in a sanitary landfill, and should not be laundered.

**Personal Protective Equipment:**

Applicators and other handlers must wear the following Personal Protective Equipment: Coveralls, chemical resistant gloves, shoes and socks. Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

**Engineering Controls Statement:**

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. However, full PPE must be available in the event that the handler exits the aircraft, enclosed cab, etc., prior to the REI.

**USER SAFETY STATEMENTS**

Users must wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet. Users must leave the treated area, and remove clothing immediately if pesticide gets inside. Users must remove PPE immediately after handling this product. As soon as possible, wash thoroughly and change into clean clothing. Wash the outside of gloves before removing.

**ENVIRONMENTAL HAZARDS**

Do not apply directly to water, or to areas where surface water is present, or to intertidal areas below the mean high water mark. Do not contaminate water by cleaning of equipment or disposal of equipment washwaters. Do not apply when weather conditions favor drift from target area. Do not contaminate water when disposing of equipment washwaters and rinsate.

**GROUND WATER ADVISORY**

This chemical is known to leach through soil into ground water under certain conditions as a result of agricultural use. Use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in ground-water contamination.

**SURFACE WATER ADVISORY**

Surface water contamination may occur in areas with poorly draining soils and little or no buffers or in areas where drainage systems flow directly to surface water.

**DIRECTIONS FOR USE**

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application. For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation.

Read entire label before using this product.

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

**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. 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, wear: coveralls, chemical resistant gloves, shoes and 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.

Do not enter or allow others to enter the treated area until sprays have dried.

**STORAGE AND DISPOSAL**

DO NOT CONTAMINATE WATER, FOOD, OR FEED BY STORAGE OR DISPOSAL.

**STORAGE**

Store in a dry location away from children, animals, foods, feeds, seeds, or other agricultural chemicals. Store at temperatures greater than 20 F. Keep container closed when not using. Keep storage area locked when not in use. In the event of spillage or leakage, soak up material with absorbent clay, sand, sawdust, or other absorbent material. Scrape up and dispose of in accordance with information given under PESTICIDE DISPOSAL. Repackage and relabel useable product in a sound container. In case of fire or other emergency, report at once by toll-free telephone to (800)424-9300.

**DISPOSAL**

**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:** Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill or by other procedures approved by state and local authorities, such as burning. If burned, stay out of smoke.

### **SPRAY DRIFT ADVISORY**

#### **Information on Droplet Size**

The most effective way to reduce drift potential is to apply large droplets. The best drift management strategy is to apply the largest droplets that provide sufficient coverage and control. Applying larger droplets reduces drift potential, but will not prevent drift if applications are made improperly, or under unfavorable environmental conditions (see Wind, Temperature and Humidity, and Temperature Inversions).

#### **Controlling Droplet Size**

- Volume - Use high flow rate nozzles to apply the highest practical spray volume. Nozzles with higher rated flows produce larger droplets.
- Pressure - Do not exceed the nozzle manufacturer's recommended pressures. For many nozzle types lower pressure produces larger droplets. When higher flow rates are needed, use higher flow rate nozzles instead of increasing pressure.
- Number of nozzles - Use the minimum number of nozzles that provide uniform coverage.
- Nozzle Orientation - Orienting nozzles so that the spray is released parallel to the airstream produces larger droplets than other orientations and is the recommended practice. Significant deflection from horizontal will reduce droplet size and increase drift potential.
- Nozzle Type - Use a nozzle type that is designed for the intended application. With most nozzle types, narrower spray angles produce larger droplets. Consider using low-drift nozzles. Solid stream nozzles oriented straight back produce the largest droplets and the lowest drift.

#### **Boom Length**

For some use patterns, reducing the effective boom length to less than 3/4 of the wingspan or rotor length may further reduce drift without reducing swath width.

#### **Application Height**

Applications should not be made at a height greater than 10 feet above the top of the largest plants unless a greater height is required for aircraft safety. Making applications at the lowest height that is safe reduces exposure of droplets to evaporation and wind.

#### **Swath Adjustment**

When applications are made with a crosswind, the swath will be displaced downward. Therefore, on the up and downwind edges of the field, the applicator must compensate for this displacement by adjusting the path of the aircraft upwind. Swath adjustment distance should increase, with increasing drift potential (higher wind, smaller drops, etc.).

#### **Wind**

Drift potential is lowest between wind speeds of 2-10 mph. However, many factors, including droplet size and equipment type determine drift potential at any given speed. Application should be avoided below 2 mph due to variable wind direction and high inversion potential. NOTE: Local terrain can influence wind patterns. Every applicator should be familiar with local wind patterns and how they affect spray drift.

#### **Temperature and Humidity**

When making applications in low relative humidity, set up equipment to produce larger droplets to compensate for evaporation. Droplet evaporation is most severe when conditions are both hot and dry.

#### **Temperature Inversions**

Applications should not occur during a temperature inversion because drift potential is high. Temperature inversions restrict vertical air mixing, which causes small suspended droplets to remain in a concentrated cloud. This cloud can move in unpredictable directions due to the light variable winds common during inversions. Temperature inversions are characterized by increasing temperatures with altitude and are common on nights with limited cloud cover and light to no wind. They begin to form as the sun sets and often continue into the morning. Their presence can be indicated by ground fog; however, if fog is not present, inversions can also be identified by the movement of smoke from a ground source or an aircraft smoke generator. Smoke that layers and moves laterally in a concentrated cloud (under low wind conditions) indicates an inversion, while smoke that moves upward and rapidly dissipates indicates good vertical air mixing.

#### **Sensitive Areas**

The pesticide should only be applied when the potential for drift to adjacent sensitive areas (e.g. residential areas, bodies of water, known habitat for threatened or endangered species, non-target crops) is minimal (e.g. when wind is blowing away from the sensitive areas).

**SUGARCANE:**

**RESTRICTIONS AND PRECAUTIONS:** Cover crops may be planted if they are plowed under and not grazed. Do not treat sugarcane within 90 days of harvest. Do not graze or feed sugarcane fodder and forage to livestock.

ASULAM 3.3 HERBICIDE may be applied to plant cane or to cane grown from stubble when weeds are actively growing.

**RATES:**

The rates in the tables below are for broadcast application.

**Ground Application:** Apply as a water mix spray in 15 - 100 gallons of water per acre according to local requirements.

**Aerial Application:** Apply as a water mix spray in 3 - 5 gallons of water per acre; in Hawaii, use 5 - 10 gallons per acre.

**Banded Application:** Reduce rates according to the following formula:

$$\text{band width (inches)/row width (inches)} \times \text{broadcast rate per acre} = \text{banded rate per acre.}$$

**Spot Treatment:** Apply 6 - 12 pints in 100 gallons water at a rate of 50 gallons of spray mixture per acre, not exceeding a rate of 8 pints of the concentrated herbicide per acre.

Addition of an adjuvant approved for use on growing crops to the water mix spray will improve weed control when environmental conditions are not optimal. A nonionic surfactant of at least 80% active ingredient (e.g., ACTIVATE PLUS) can be added at a rate of 1 - 2 quarts per 100 gallons of spray mix (0.25% - 0.5% by volume). Alternatively, a crop oil concentrate (e.g. PRIME OIL, CROP OIL CONCENTRATE) containing 80 - 85% paraffinic oil and 15 - 20% nonionic surfactant can be added at a rate of 4 quarts per 100 gallons (1% by vol.) of spray mix.

SINGLE APPLICATION PER SEASON		
WEED SPECIES	RATE (PINTS/ACRE)	SPECIAL INSTRUCTIONS
Raoulgrass or itchgrass ( <i>Rottboellia exaltata</i> )	8	Apply with a surfactant when the grass is not more than 8 inches tall
Johnsongrass ( <i>Sorghum halepense</i> )		Apply when the grass is 12 - 18 inches tall. Johnsongrass should be actively growing and the average air temperature should be at least 60° F or higher.
Paragrass or Californiagrass ( <i>Brachiaria mutica</i> or <i>Panicum purpurascens</i> )		Apply when the grass is no more than 6 - 8 inches tall.
Crabgrass ( <i>Digitaria spp.</i> )	6 - 8	Use the lower rate prior to seed head formation and the higher rate after heading.
Alexandergrass ( <i>Brachiaria plantaginea</i> )		Use the lower rate if the grass is no more than 6 - 8 inches tall and the higher rate if more than 8 inches tall.
Barnyardgrass ( <i>Echinochloa crusgalli</i> )		
Broadleaf panicum ( <i>Panicum adspersum</i> )		
Foxtail ( <i>Setaria spp.</i> )		
Goosegrass ( <i>Eleusine indica</i> )		

TWO APPLICATIONS PER SEASON (USE IN HEAVY WEED INFESTATIONS OR RE-INFESTATION OR WHERE WEED SPECIES GERMINATE AT DIFFERENT TIMES IN THE SAME GROWING SEASON)		
WEED SPECIES	RATE FOR EACH APPLICATION (PINTS/ACRE)	SPECIAL INSTRUCTIONS
Crabgrass ( <i>Digitaria spp.</i> )	6 - 8	Apply before seed head formation. Use the lower rate when crabgrass is less than 6 inches high, and the higher rate from 6 inches to the start of head formation.
Raoulgrass or itchgrass ( <i>Rottboellia exaltata</i> )	8	Apply with a surfactant when the grass is no more than 12 inches tall.
Johnsongrass ( <i>Sorghum halepense</i> )		Apply when the grass is 18 - 24 inches tall.

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**NON-CROPLAND USES**

For use in areas such as:

boundary fences and fence rows; ditch banks; highway, pipeline and roadside rights-of-way; lumberyards; railroad and utility rights-of-way and yards; industrial plant sites; storage areas; and warehouse lots.

Aerial application is prohibited.

Apply by ground spray using 20 - 100 gallons of solution per acre with a nonionic surfactant at a rate of 0.25% by volume.

MAXIMUM RATE: 1 gal/acre limited to one application per year.

WEED SPECIES	RATE (PINTS/ACRE)	SPECIAL INSTRUCTIONS
Crabgrass ( <i>Digitaria spp.</i> )	8	Apply before the grass reaches seed head formation.
Johnsongrass ( <i>Sorghum halepense</i> )	8	Apply when the grass is at least 18 inches tall. As a spot treatment in Hawaii, apply in 50 gallons of spray mixture per acre.
Paragrass or Californiagrass ( <i>Brachiaria mutica</i> or <i>Panicum purpurascens</i> )	8	Apply before seed head formation. As a spot treatment in Hawaii, apply in 50 gallons of spray mixture per acre.
Western bracken ( <i>Pteridium aquilinum</i> var. <i>pubescens</i> )	7 - 8	Apply when the fern is in full frond. Use the higher rate in heavy infestations.

**CHRISTMAS TREES**

For use on Douglas fir, Grand fir, Nobel fir, or scotch pine plantings for Christmas trees. Do not graze or feed forage from treated areas to livestock.

MAXIMUM RATE: 1 gal/acre limited to one application per year.

Apply a minimum 20 gallons of solution per acre for ground application. Aerial application is prohibited.

Spray at a rate of 1 gallon of solution per acre (without a surfactant) after bud-break and hardening of new tree growth to control western bracken (*Pteridium aquilinum* var. *pubescens*), which should be in full frond.

**ORNAMENTAL SHRUBS**

MAXIMUM RATE: 1 gal/acre limited to one application per year. Broadcast apply without a surfactant at a rate of 1 gallon in 20 gallons of water per acre to the following species of junipers and yews during post emergence:

*Juniperus andorra*  
*J. chinensis*  
*J. conferta*  
*J. horizontalis*  
*J. litoralis*

*J. sabina*  
*Taxus cuspidata*  
*T. media*  
*Pondocarpus macrophyllus*

To control:

Barnyardgrass (*Echinochloa crusgalli*)  
 Crabgrass (*Digitaria spp.*)  
 Fall Panicum (*Panicum dichotomiflorum*)  
 Foxtail (*Setaria spp.*)  
 Goosegrass (*Eleusine indica*)  
 Horseweed or Mare's tail (*Conyza canadensis*)

**TURF (FOR SOD FARM USE ONLY)**

Apply without a surfactant at a rate of 5 pints in 20 - 50 gallons of water per acre (1 pint in 4 - 10 gallons per 8700 square feet) to St. Augustinegrass or Tifway 419 Bermudagrass. Do not apply to turf under stress or freshly mowed.

To control:

Bullgrass (*Paspalum supinum*)  
 Crabgrass (*Digitaria spp.*)

Goosegrass (*Eleusine indica*)  
 Sandbur (*Cenchrus spp.*)



**WARRANTY DISCLAIMER**

The directions for use of this product must be followed carefully. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, (1) THE GOODS DELIVERED TO YOU ARE FURNISHED "AS IS" BY MANUFACTURER OR SELLER AND (2) MANUFACTURER AND SELLER MAKE NO WARRANTIES, GUARANTEES, OR REPRESENTATIONS OF ANY KIND TO BUYER OR USER, EITHER EXPRESS OR IMPLIED, OR BY USAGE OF TRADE, STATUTORY OR OTHERWISE, WITH REGARD TO THE PRODUCT SOLD, INCLUDING, BUT NOT LIMITED TO MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, USE, OR ELIGIBILITY OF THE PRODUCT FOR ANY PARTICULAR TRADE USAGE. UNINTENDED CONSEQUENCES, INCLUDING BUT NOT LIMITED TO INEFFECTIVENESS, MAY RESULT BECAUSE OF SUCH FACTORS AS THE PRESENCE OR ABSENCE OF OTHER MATERIALS USED IN COMBINATION WITH THE GOODS, OR THE MANNER OF USE OR APPLICATION, INCLUDING WEATHER, ALL OF WHICH ARE BEYOND THE CONTROL OF MANUFACTURER OR SELLER AND ASSUMED BY BUYER OR USER. THIS WRITING CONTAINS ALL OF THE REPRESENTATIONS AND AGREEMENTS BETWEEN BUYER, MANUFACTURER AND SELLER; AND NO PERSON OR AGENT OF MANUFACTURER OR SELLER HAS ANY AUTHORITY TO MAKE ANY REPRESENTATION OR WARRANTY OR AGREEMENT RELATING IN ANY WAY TO THESE GOODS.

**LIMITATION OF LIABILITY**

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, IN NO EVENT SHALL MANUFACTURER OR SELLER BE LIABLE FOR SPECIAL, INCIDENTAL, OR CONSEQUENTIAL DAMAGES, OR FOR DAMAGES IN THEIR NATURE OF PENALTIES RELATING TO THE GOODS SOLD, INCLUDING USE, APPLICATION, HANDLING, AND DISPOSAL. MANUFACTURER OR SELLER SHALL NOT BE LIABLE TO BUYER OR USER BY WAY OF INDEMNIFICATION TO BUYER OR TO CUSTOMERS OF BUYER, IF ANY, OR FOR ANY DAMAGES OR SUMS OF MONEY, CLAIMS OR DEMANDS WHATSOEVER, RESULTING FROM OR BY REASON OF, OR ARISING OUT OF THE MISUSE, OR FAILURE TO FOLLOW LABEL WARNINGS OR INSTRUCTIONS FOR USE, OF THE GOODS SOLD BY MANUFACTURER OR SELLER TO BUYER. ALL SUCH RISKS SHALL BE ASSUMED BY THE BUYER, USER, OR ITS CUSTOMERS. BUYER'S OR USER'S EXCLUSIVE REMEDY, AND MANUFACTURER'S OR SELLER'S TOTAL LIABILITY SHALL BE FOR DAMAGES NOT EXCEEDING THE COST OF THE PRODUCT.

If you do not agree with or do not accept any of directions for use, the warranty disclaimers, or limitations on liability, do not use the product, and return it unopened to the Seller, and the purchase price will be refunded.