



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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

APR 7 2011

Ms Kyla S. Smith
Gowan Company
P.O. Box 5569
Yuma, AZ 85366-5569

Subject: Label Amendment – Add Regional Uses (EPA Regions 7 - 12) for Sweet Corn and Dry and Succulent Beans

EPA Registration No. 10163-277
Onager® Miticide
Your submission dated March 19, 2009

Dear Ms Smith:

The labeling referred to above and submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended, is acceptable subject to the comments listed below. A stamped copy of the label is enclosed for your records. Two (2) copies of the final printed labeling must be submitted prior to releasing the product for shipment.

1. You have previously agreed to submit the following generic data, required by the revised 40 CFR Part 158 rule that became effective on December 26, 2007. You will submit these data by December 2011:
 - Acute and Subchronic neurotoxicity studies (Guideline 870.6200).
 - Immunotoxicity study (Guideline 870.7800)

Please note that after December 2009, applications or requests submitted to the Agency which lack these generic data or an adequate justification as to why the data are not needed, may be considered to be incomplete and returned to the applicant with no further action by the Agency.

2. You will submit production information (pounds or gallons produced) for this product for the fiscal year in which the added uses are conditionally registered, in accordance with FIFRA Section 29. The fiscal year begins October 1 and ends September 30. The

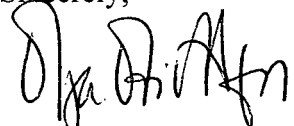
production information will be submitted to the Agency no later than November 15 following the end of the preceding fiscal year. This information should be submitted to:

U.S. Environmental Protection Agency
Office of Pesticide Programs (7504C)
~~Document Processing Desk~~
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

You should note that if you fail to satisfy any of the conditions imposed on this registration, e.g., you fail to submit the required data by the specified deadlines or the data submitted were not generated in accordance with applicable test guidelines, EPA may issue notice to cancel these uses under FIFRA 6(e).

If you have questions regarding this action, please contact Olga Odiott at (703) 308-9369.

Sincerely,



Mark Suarez
Product Manager 13
Insecticide Branch
Registration Division (7505P)

Enclosure

GROUP 10A ACARICIDE

Onager
Miticide



EMULSIFIABLE CONCENTRATE FOR AGRICULTURAL USE ONLY

ACTIVE INGREDIENT: Hexythiazox	% By Wt.
<i>trans</i> -5-(4-Chlorophenyl)-N-cyclohexyl-4-methyl-2-oxothiazolidine-3-carboxamide.....	11.8%
OTHER INGREDIENTS	<u>88.2%</u>
	TOTAL 100.00%

Onager contains 1.0 lb. active ingredient per gallon
Contains Petroleum Distillate

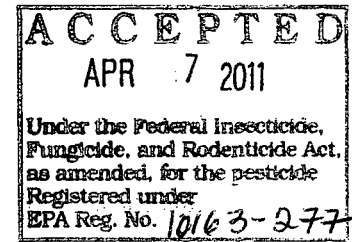
**KEEP OUT OF REACH OF CHILDREN
CAUTION**

FIRST AID	
If swallowed	<ul style="list-style-type: none"> • Call a poison control center or doctor immediately for treatment advice. • Do not induce vomiting unless told to do so by the poison control center or doctor. • Do not give anything by mouth to an unconscious person.
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 by mouth-to-mouth, if possible. • Call a poison control center or doctor for further treatment advice.
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 treatment 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 the first 5 minutes, then continue rinsing. • Call a poison control center or doctor for treatment advice.
HOT LINE 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 1-888-478-0798 for emergency medical treatment information.	
NOTE TO PHYSICIAN	
May pose an aspiration pneumonia hazard. Contains petroleum distillate.	

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

Harmful if swallowed or inhaled. Causes moderate eye irritation. Avoid breathing vapor or spray mist. Avoid contact with skin, eyes, or clothing. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash clothing before reuse.

NET CONTENTS _____



Gowan
The Go To Company

EPA Reg. No. 10163-277
EPA Est. No. 67545-AZ-01

Produced For:
Gowan Company
P.O. Box 5569
Yuma, AZ 85366

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Waterproof gloves
- Shoes plus 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.

USER SAFETY RECOMMENDATIONS

Users should:

- Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.
- Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on 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 to intertidal areas below the mean high water mark. Drift and runoff from treated areas may be hazardous to aquatic organisms in neighboring areas. Do not contaminate water when cleaning equipment or when disposing of equipment washwaters.

PHYSICAL OR CHEMICAL HAZARDS

Do not use, pour, spill or store near heat or open flame.

GENERAL INFORMATION

Onager Miticide is recommended for use as a foliar application in labeled crops. Onager Miticide provides effective control of major spider mite species. It is an emulsifiable concentrate to be mixed with water and applied as a spray.

Onager controls mites through activity on eggs and immature stages. Control is achieved from either direct contact with the spray or from contact with treated plant surfaces. Through its ovicidal activity, Onager controls newly deposited mite eggs and eggs which are laid after application. Onager is also highly effective in controlling immature motile stages of target mite species that are sprayed or move onto treated surfaces. Adult mites are not directly affected. However, eggs produced by females in contact with treated surfaces will be rendered nonviable. Onager provides extended residual control of pest mite species without disrupting beneficial insects and mites. The degree and duration of control is dependent on the rate used, growth stage of the mite, species of mite, and climatic conditions under which the material is applied.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. Follow all directions on the EPA approved label and any supplemental 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.

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 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 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:

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

Managing Mite Resistance: Repeated use of miticides with similar modes of action may lead to buildup of resistant strains of mites. For resistance management, apply Onager only once per year. To reduce the potential for developing mite resistance, do not apply a miticide with a similar mode of action more than once per year (Onager and Apollo® should not be applied to the same crop in any one year). If additional miticide applications are needed, use a product with a different mode of action, such as a contact adulticide. Read and follow product label before applying any miticide.

Mixing Directions:

- Turn on spray tank agitation. Pour recommended amount of this material on the surface of water in a nearly filled spray tank.
- Add balance of water to fill the tank.
- Keep agitator running during filling and spraying operations. Do not allow mixture to stand.

Compatibility: Onager is compatible with most agricultural chemicals. However, all possible combinations have not been evaluated. Before full-scale mixing of Onager with other products, test mix small proportionate quantities of each to ensure compatibility.

Phytotoxicity: As is common with most emulsifiable concentrate formulations, adverse effects such as spotting or discoloration of the treated surfaces can occur. Some conditions known to contribute to phytotoxicity include, but are not limited to, high temperatures, poor spray drying conditions, excessive spray deposit or run-off, certain spray mixtures, stage of crop development or tank mixes with other pesticides.

Application Information: Use sufficient spray volume to obtain thorough, uniform coverage of all plant surfaces. Apply using ground equipment, chemigation or air unless otherwise specified under the crop comments or on supplemental labeling supplied by Gowan Company.

Important: Onager Miticide is a 1 pound active ingredient per gallon emulsifiable concentrate formulation to be diluted with water for application in commercial plantings only. Do not use in home plantings.

Use Recommendations: For best results, apply Onager Miticide at first sign of mites before adult mite build up. Onager Miticide will not control adult spider mites. Use higher rates on moderate to high mite infestations, large trees with dense foliage, or for extended residual control. The lowest rate of Onager Miticide may be used in conjunction with other IPM strategies, or for shorter residual control later in the season. The use of less than label rates is not recommended since it will result in poor performance and contribute to resistance development. If adult mites are present in medium to high populations, better results may be obtained using Onager Miticide in combination with a registered contact adulticide. Onager Miticide may be tank mixed with horticultural grade oil. Refer to all precautions regarding phytotoxicity on the oil label.

Do-not-make-more-than-one application-of-Onager-Miticide-per-year:

Chemigation Systems: Onager may be applied through irrigation systems (chemigation) to any crop on the Onager label unless otherwise specified under the crop comments or on supplemental labeling supplied by Gowan Company. Do not allow chemigation to run off field.

Types of Irrigation Systems: Apply Onager only through sprinkler, including center pivot, lateral move, Low Energy Precision Applications (LEPA), end tow, side (wheel) roll, traveler, big gun, solid set, or hand move irrigation systems. Do not apply Onager through any other type of irrigation system.

GENERAL DIRECTIONS FOR ALL RECOMMENDED TYPES OF IRRIGATION SYSTEMS

Uniform Water Distribution and System Calibration: The irrigation system must provide uniform distribution of treated water. Crop injury, lack of effectiveness, or illegal pesticide residues in the crop can result from non-uniform distribution of treated water. The system must be calibrated to uniformly apply the rates specified. If you have questions about calibration, you should contact State Extension Service specialists, equipment manufacturers or other experts. For best results apply at 100% input/travel speed, for center pivots or 0.10 inch (2.716 gallons) up to 0.15 inch (4,073 gallons) of water/A, for other systems. Higher labeled rates of Onager may be necessary for chemigation applications.

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

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

Required System Safety Devices: The system must contain a functional check valve, vacuum relief valve, and low-pressure drain appropriately located on the irrigation pipeline to prevent water source contamination from backflow. The pesticide injection pipeline must contain a functional, automatic, quick-closing check valve to prevent the flow of fluid back toward the injection pump. The pesticide injection pipeline must also contain a functional, normally closed, solenoid-operated valve located on the intake side of the injection pump and connected to the system interlock to prevent fluid from being withdrawn from the supply tank when the irrigation system is either automatically or manually shut down. The system must contain functional interlocking controls to automatically shut off the pesticide injection pump when the water pump motor stops. The irrigation line or water pump must include a functional pressure switch that will stop the water pump motor when the water pressure decreases to the point where pesticide distribution is adversely affected. Systems must use a metering pump; such as a positive displacement injection pump (e.g., diaphragm pump) effectively designed and constructed of materials that are compatible with pesticides and capable of being fitted with a system interlock.

Using Water from Public Water Systems: Public water system means a system for the provision to the public of piped water for human consumption if such system has at least 15 service connections or regular serves an average of at least 25 individuals daily at least 60 days out of the year. Chemigation systems connected to public water systems must contain a functional, reduced-pressure zone, back flow preventer (RPZ) or the functional equivalent in the water supply line upstream from the point of pesticide introduction. As an option to the RPZ, the water from the public water system should be discharged into a reservoir tank prior to pesticide introduction. There shall be a complete physical break (air gap) between the flow outlet end of the fill pipe and the top or overflow rim of the reservoir tank of at least twice the inside diameter of the fill pipe. The pesticide injection pipeline must contain a functional, automatic, quick-closing check valve to prevent the flow of fluid back toward the injection. The pesticide injection pipeline must contain a functional, normally closed, solenoid-operated valve located on the intake side of the injection pump and connected to the system interlock to prevent fluid from being withdrawn from the supply tank when the irrigation system is either automatically or manually shut down. The system must contain functional interlocking controls to automatically shut off the pesticide injection pump when the water pump motor stops, or in cases where there is no water pump, when the water pressure decreases to the point where pesticide distribution is adversely affected.

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

Cleaning the Chemical Injection System: In order to accurately apply pesticides, the chemical injection system must be kept clean; free of chemical or fertilizer residues and sediments. Refer to your owner's manual or ask your equipment supplier for the cleaning procedure for your injection system.

Flushing the Irrigation System: At the end of the application period, allow time for all lines to flush the pesticide through all nozzles or emitters before turning off irrigation water. To ensure the lines are flushed and free of pesticides, a dye indicator may be injected into the lines to mark the end of the application period.

Equipment Area Contamination Prevention

It is recommended that nozzles in the immediate area of control panels, chemical supply tanks, pumps and system safety devices be plugged to prevent chemical contamination of these areas.

Center-Pivot and Automatic-Move Linear Systems: Inject the specified dosage per acre continuously for one complete revolution or move of the system. DO NOT USE END GUNS. The system should be run at maximum speed.

Solid Set and Manually Controlled Linear Systems: Injection should be during the last 30 to 60 minutes of regular irrigation period or as a separate 30 to 60 minute application not associated with a regular irrigation. DO NOT USE END GUNS.

PREHARVEST INTERVAL

The required days between the last application and harvest are given in () after each crop name.

APPLICATION DIRECTIONS

CROP	PEST	RATE OZS./ACRE	COMMENTS
BEANS, DRY AND SUCCULENT (14) (Western US <u>Only</u> *)	Twospotted spider mite, Pacific spider mite, Strawberry spider mite	10 - 24	Apply Onager at the first sign of mites before populations begin to build. For air applications, apply a minimum of 10 gallons finished-spray-per-acre. For ground application, apply a minimum of 20 gallons finished spray per acre.
<ul style="list-style-type: none"> • Do not apply more than a total of 24 oz. of formulated product per acre per year. • Do not make more than one application per year. • Do not harvest or graze bean vine forage or hay. *May only be applied in the Western US - west of the line defined as follows: TX: W of Rt. 283 and NW of Rt. 377 OK: W or Rt. 281/183 KS, NE, SD, ND: W of Rt. 281			
CITRUS (28) (CA, AZ AND TX ONLY)	Tetranychid Mites (such as European Red Mite and Two-spotted Spider mite)	12 - 24	Application by ground equipment only. Use sufficient volume of water to obtain complete coverage but not less than 20 gallons per acre.
<ul style="list-style-type: none"> • Do not make more than one application per year. • Do not apply more than 24 ounces per acre per year. 			
COTTON (35) (For use in California Only)	Twospotted spider mite, Pacific spider mite, Strawberry spider mite, Carmine spider mite	12 - 20	Apply Onager before boll opening and prior to adult mite buildup. Complete coverage of foliage is essential to optimal performance. For air applications, use recommended per acre rate and apply a minimum of 2 gallons of finished spray per acre.
<ul style="list-style-type: none"> • Do not apply more than a total of 20 oz. formulated product per acre per year. • Do not make more than one application per year. 			
CORN, FIELD (45) (Western US <u>Only</u> *)	Banks grass mite, Two spotted spider mite, Pacific spider mite, Strawberry spider mite	6 - 24	Apply Onager at the first sign of mites before populations begin to build. Ground Application: Apply the recommended rate of Onager with conventional spray boom equipment at 15 - 20 GPA. Thorough and uniform coverage of plants is required for optimal results. Air Application: Apply the recommended rate of Onager by air in a minimum of 5 GPA. Applications made by air to dense foliage may not provide adequate coverage of lower leaf surfaces for sufficient control. Use of higher labeled rates may be necessary.
<ul style="list-style-type: none"> • Do not apply more than a total of 24 oz. formulated product per acre per year. • Do not make more than one application per year. • Do not harvest field corn forage, stover, and grain for 45 days after application. • Application after the VT crop growth stage is prohibited. *May only be applied in the Western US - west of the line defined as follows: TX: W of Rt. 283 and NW of Rt. 377 OK: W or Rt. 281/183 KS, NE, SD, ND: W of Rt. 281			

CORN, SWEET (including ears and forage) (28) (Western US <u>Only</u> *)	Banks grass mite, Two spotted spider mite, Pacific Spider Mite, Strawberry spider mite	10 - 24	Apply Onager at the first sign of mites before populations begin to build. Ground Application: Apply the recommended rate of Onager with conventional spray boom equipment at a minimum of 20 gallons finished spray per acre. Thorough and uniform coverage of plants is required for optimal results. Air Application: Apply the recommended rate of Onager by air in a minimum of 10 gallons finished spray per acre. Applications made by air to dense foliage may not provide adequate coverage of lower leaf surfaces for sufficient control. Use of higher labeled rates may be necessary.
<ul style="list-style-type: none"> Do not apply more than a total of 24 oz. formulated product per acre per year. Do not make more than one application per year. Do not apply within 28 days of harvest of sweet corn or forage. <p>*May only be applied in the Western US - west of the line defined as follows: TX: W of Rt. 283 and NW of Rt. 377 OK: W or Rt. 281/183 KS, NE, SD, ND: W of Rt. 281</p>			
CHRISTMAS TREE, CHRISTMAS TREE PLANTATIONS	Pacific Spider Mite, Spruce Spider Mite, Twospotted Spider Mite	12 - 24	For air applications, apply in 2-10 gallons finished spray per acre. For best coverage, apply in two opposing passes of 5 gallons each.
<ul style="list-style-type: none"> Do not make more than one application per year. 			
GRAPES (7)	Tetranychid Mites (such as European Red Mite and Two-spotted Spider Mite), Pacific spider mite, Willamette mite	12 - 24	Application by ground equipment only. Use sufficient volume of water to obtain complete coverage but not less than 20 gallons per acre.
<ul style="list-style-type: none"> Do not make more than one application per year. Do not apply more than 24 ounces per acre per year. 			
NON-BEARING TREE FRUITS and NUTS, CITRUS, and VINES (FIELD GROWN AND NURSERY) <i>Non-bearing crops are perennial crops that will not produce a harvestable raw agricultural commodity during the season of application</i>	Citrus Red Mite, European Red Mite, Twospotted Spider Mite, McDaniel Spider Mite, Pacific Spider Mite, Sixspotted Mite, Texas Citrus Mite	12 - 24	For air applications, apply a minimum of 5 gallons finished spray per acre.
<ul style="list-style-type: none"> Do not make more than one application per year. 			
POME FRUIT GROUP (28)	European red mite, Twospotted spider mite, McDaniel spider mite, Pacific spider mite, Willamette mite	12 - 24	For application by ground equipment, use sufficient volume of water to obtain complete coverage but not less than 20 gallons per acre. For application by air, use sufficient volume of water to obtain complete coverage but not less than 10 gallons per acre.
<ul style="list-style-type: none"> Do not make more than one application per year. For D'Anjou or Bosc pear varieties, use higher labeled rates (16-24 oz./acre). 			
POTATOES (21) (Oregon, Washington, and Idaho only)	Twospotted Spider Mites	12 - 24	For air applications, apply a minimum of 5 gallons finished spray per acre.
<ul style="list-style-type: none"> Do not make more than one application of Onager per year. 			
STONE FRUITS GROUP (including Plums) (7)	European red mite, Twospotted spider mite, McDaniel spider mite, Strawberry spider mite, Pacific spider mite, Pecan leaf scorch mite, Willamette mite	12 - 24	For air applications, apply a minimum of 10 gallons finished spray per acre. For ground application, apply a minimum of 20 gallons finished spray per acre.
<ul style="list-style-type: none"> Do not make more than one application per year. 			
TREE NUTS GROUP AND PISTACHIOS (7)	European red mite, Twospotted spider mite, McDaniel spider mite, Strawberry spider mite, Pacific spider mite, Pecan leaf scorch mite, Willamette mite, Citrus Red Mite	12 - 24	For air applications, apply a minimum of 5 gallons finished spray per acre. For ground application, apply a minimum of 20 gallons finished spray per acre.
<ul style="list-style-type: none"> Do not make more than one application per year. 			

RESTRICTIONS ON ALL CROPS

- Do not graze or feed livestock on cover crops growing in treated areas.
- Onager is an emulsifiable concentrate to be diluted with water for application in commercial plantings only.
- Apply Onager prior to adult mite build up. Onager will not control adult spider mites. Use higher rates on moderate to high mite infestations or for larger plants with a dense canopy. If adult mites are present in medium to high populations, better results may be obtained using Onager in combination with a registered contact adulticide. The use of less than label rates is not recommended with Onager.
- Do not make more than one application of Onager or any other Hexythiazox product to the same crop per year.
- Do not plant rotational crops other than those on this label within 120 days of this application.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store product in original container only, away from other pesticides, fertilizers, food or feed.

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

CONTAINER DISPOSAL: Nonrefillable container. Do not reuse or refill this container. Offer for recycling, if available. Clean container promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container ¼ full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times.

Mini-Bulk Containers: Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container ¼ full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times. After cleaning, if recycling is not available, puncture and dispose of in a sanitary landfill or by incineration or if allowed by State and local authorities by burning. If burned stay out of smoke.

FOR 24-HOUR EMERGENCY ASSISTANCE (SPILL, LEAK OR FIRE), CALL CHEMTREC® (800) 424-9300.

For other product information, contact Gowan Company or see Material Safety Data Sheet.

NOTICE OF CONDITIONS OF SALE AND WARRANTY AND LIABILITY LIMITATIONS

Important: Read the entire Directions for Use and Notice of Conditions of Sale and Warranty and Liability Limitations before using this product. If terms are not acceptable return the unopened container for a full refund.

Our recommendations for use of this product are based on tests believed to be reliable. However, it is impossible to eliminate all risk associated with the use of this product. Crop injury, inadequate performance, or other unintended consequences may result due to soil or weather conditions, off target movement, presence of other materials, method of use or application, and other factors, all of which are beyond the control of Gowan Company. All such risks shall be assumed by the Buyer and User.

Gowan Company warrants that this product conforms to the specifications on the label when used in strict conformance with Direction for Use, subject to the above stated risk limitations. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, GOWAN COMPANY MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, GOWAN COMPANY'S EXCLUSIVE LIABILITY FOR ANY AND ALL LOSSES, INJURIES OR DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT WHETHER IN CONTRACT, WARRANTY, TORT, NEGLIGENCE, OR ANY OTHER LEGAL THEORY IS STRICTLY LIMITED TO THE PURCHASE PRICE PAID OR REPLACEMENT OF PRODUCT, AT GOWAN COMPANY'S SOLE DISCRETION.

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