

14774-2

9/11/2014

1/9

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460



OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

September 11, 2014

Diana Williams
Registration Specialist
WinField
P.O. Box 64589
MS 5705
St. Paul, MN 55164

Subject: Label Notification per PRN 98-10 – (adding resistance management language)
Product Name: Strike 3
EPA Registration Number: 14774-2
Application Date: 8-29-14
Decision Number: 495178

Dear Ms. Williams:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 for the above referenced product. 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 label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions, you may contact Erik Kraft at 703-308-9358 or via email at kraft.erik@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Erik Kraft".

Kathryn Montague, Product Manager 23
Herbicide Branch
Registration Division (7505P)
Office of Pesticide Programs

2/9

GROUP 4 HERBICIDE

WINFIELD™ Strike 3®

Selective Broadleaf Weed Control For Turfgrasses including for use on Sod Farms.

To Control Dandelion, Clover, Henbit, Plantains, Wild Onion, and Many Other Broadleaf Weeds.

Also for Highways, Rights-of-Way and Other Similar Non-Crop Areas (as listed on this label)

Contains 2,4-D, Mecoprop-p and Dicamba

ACTIVE INGREDIENTS:

Dimethylamine salt of 2, 4 dichlorophenoxyacetic acid*	30.56%
Dimethylamine salt of (+)-R-2- (2-methyl-4-chlorophenoxy) propionic acid**‡	8.17%
Dimethylamine salt of dicamba (3, 6-dichloro-o-anisic acid)***	2.77%
OTHER INGREDIENTS:	58.50%
TOTAL	100.00%

Isomer Specific AOAC Method, Equivalent to:

*2,4-Dichlorophenoxyacetic Acid	25.38%, 2.38 lbs./gal.
**(+)-R-2-(2-Methyl-4-Chlorophenoxy) propionic Acid	6.75%, 0.63 lbs./gal.
***3,6-Dichloro-o-anisic Acid	2.30%, 0.22 lbs./gal.

‡CONTAINS THE SINGLE ISOMER FORM OF MECOPROP-p

KEEP OUT OF REACH OF CHILDREN

DANGER - PELIGRO

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle.

(If you do not understand the label, find someone to explain it to you in detail.)

SEE BOOKLET FOR ADDITIONAL PRECAUTIONARY STATEMENTS, COMPLETE DIRECTIONS FOR USE, WARRANTY DISCLAIMER AND LIMITATION OF LIABILITY.

NOTIFICATION

EPA REG. NO. 14774-2

SEP 11 2014

EPA EST. NO. 228-IL-1

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

NET CONTENTS: ___ GAL

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

DANGER: Corrosive. Causes irreversible eye damage. Harmful if swallowed. Do not get in eyes, or on clothing.

Personal Protective Equipment (PPE)

Some materials that are chemical-resistant to this product are made of any waterproof material. If you want more options, follow the instructions for category A on an EPA chemical-resistance category selection chart.

All mixers, loaders, applicators, and other handlers must wear:

- Long-sleeved shirt and long pants,
- Shoes and socks,
- Protective eyewear (goggles, face shield, or safety glasses),*
- Chemical-resistant gloves (except for applicators using groundboom equipment), and
- Chemical-resistant apron when mixing or loading, cleaning up spills or equipment, or otherwise exposed to the concentrate.

*Applicators are not required to wear eye protection when 5 or more parts water is used to dilute 1 part of this product.

Follow 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. Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them.

Engineering Controls Statements: When handlers use closed systems or enclosed cabs 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.

USER SAFETY RECOMMENDATIONS

USERS SHOULD: Wash hands, face, and arms with soap and water before eating, smoking, drinking, 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.

FIRST AID

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 eye. • Call a poison control center or doctor for treatment advice.
IF SWALLOWED:	<ul style="list-style-type: none"> • Call poison control center or doctor for treatment advice. • Have person sip a glass of water if able to swallow. • 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 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 INHALED:	<ul style="list-style-type: none"> • Remove person to fresh air. • If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth, if possible. • Call a poison control center or doctor for further treatment advice.

HOT LINE NUMBER

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-877-424-7452 for emergency medical treatment information.

NOTE TO PHYSICIAN: Probable mucosal damage may contraindicate the use of gastric lavage.

4/9

ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish and aquatic invertebrates and may adversely affect non-target plants. Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Drive and runoff may be hazardous to aquatic organisms in water adjacent to treated areas. Do not contaminate water when disposing of equipment washwaters or rinsate.

This chemical has properties and characteristics associated with chemicals detected in groundwater. The use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination. Application around a cistern or well may result in contamination of drinking water or groundwater.

Most cases of groundwater contamination involving phenoxy herbicides such as 2,4-D and MCP-p have been associated with mixing/loading and disposal sites. Caution should be exercised when handling these herbicides at such sites to prevent contamination of groundwater supplies. Use of closed systems for mixing or transferring this pesticide will reduce the probability of spills. Placement of the mixing/loading equipment on an impervious pad to contain spills will help prevent groundwater contamination.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. **READ ENTIRE LABEL BEFORE USING THIS PRODUCT. USE STRICTLY IN ACCORDANCE WITH LABEL PRECAUTIONARY STATEMENTS AND DIRECTIONS.**

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

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.

Aerial application is prohibited.

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 48 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 over short-sleeved shirt and short pants, chemical-resistant gloves made of any waterproof material, chemical-resistant footwear plus socks, protective eyewear and chemical-resistant headgear for overhead exposure.

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 treatment areas until spray has dried.

STRIKE 3 is for use on Ornamental Turf Lawns (Residential, Industrial and Institutional), Parks, Cemeteries, Athletic Fields and Golf Courses (Fairways, Aprons, Tees and Roughs) and similar turf areas. Also for use on Sod Farms. For turf use, the maximum number of broadcast applications per treatment site is 2 per year. Product should not be used in or near greenhouses.

RESISTANCE MANAGEMENT RECOMMENDATIONS

Strike 3 is a Group 4 herbicide. Any weed population may contain or develop plants naturally resistant to Strike 3 or other Group 4 herbicides. Weed species with acquired resistance to Group 4 may eventually dominate the weed population if Group 4 herbicides are used repeatedly in the same field or in successive years as the primary method of control for targeted species. This may result in partial or total loss of control of those species by Strike 3 or other Group 4 herbicides.

To delay herbicide resistance consider:

- Avoiding the consecutive use of Strike 3 or other target site of action Group 4 herbicides that have a similar target site of action, on the same weed species.
- Using tank-mixtures or premixes with herbicides from different target site of action Groups as long as the involved products are all registered for the same use, have different sites of action, and are both effective at the tank mix or prepack rate on the weed(s) of concern.
- Basing herbicide use on a comprehensive IPM program.
- Monitoring treated weed populations for loss of field efficacy.
- Contacting your local extension specialist, certified crop advisors, and/or Winfield Solutions, LLC representative for herbicide resistance management and/or integrated weed management recommendations for specific crops and resistant weed biotypes.

USE PRECAUTIONS

Spray Drift Management

A variety of factors including weather conditions (e.g., wind directions, wind speed, temperature, relative humidity) and method of ground application can influence pesticide drift. The applicator must evaluate all factors and make appropriate adjustments when applying this product.

Droplet Size: Use medium or coarser spray nozzles according to (ASAE standard 572) definition of standard nozzles or a volume mean diameter of 300 microns or greater for spinning atomizer nozzles.

Wind Speed: Do not apply at wind speeds greater than 10 mph. Only apply this product if the wind direction favors on-target deposition and there are not sensitive areas (including, but not limited to, residential areas, bodies of water, known habitat for nontarget species, nontarget crops) within 250 feet downwind.

Temperature Inversions: If applying at wind speeds less than 3 mph, the applicator must determine if: a) conditions of temperature inversion exist, or b) stable atmospheric conditions exist at or below nozzle height. Do not make applications into areas of temperature inversions or stable atmospheric conditions.

Susceptible Plants: Do not apply under circumstances where spray drift may occur to food, forage, or other plantings that might be damaged or crops thereof rendered unfit for sale, use of consumption. Susceptible crops include, but are not limited to, cotton, okra, flowers, grapes (in growing stage), fruit trees (*foliage), soybeans (vegetative stage), ornamentals, sunflowers, tomatoes, beans, and other vegetables, or tobacco. Small amounts of spray drift that might not be visible may injure susceptible broadleaf plants.

Other State and Local Requirements: Applicators must follow all state and local pesticide drift requirements regarding application of 2,4-D herbicides. Where states have more stringent regulations, they must be observed.

Equipment: All ground application equipment must be properly maintained and calibrated using appropriate carriers or surrogates. Do not apply with a nozzle height greater than 4 feet above the crop canopy.

Do not pour spray solution near susceptible plants. Do not spray on carpetgrass, dichondra nor on lawns or turf where desirable clovers are present. Except as noted, use only lawn-type sprayers. Coarse sprays are less likely to "wind-drift". Use coarse spray droplets. Do not spray roots of ornamentals and trees. Do not exceed specified dosages for any area; be particularly careful within the dripline of trees and other species. Do not apply to newly seeded grasses until well established. Avoid broadcast applications when air temperature exceeds 90 degrees. When using small, spot treatment applications in temperature over 90 degrees, turf injury may occur.

4/9

When treating Carpetgrass, avoid broadcast applications when air temperature exceeds 80 degrees. When air temperatures exceed 80 degrees, limit application to spot treatment only.

Apply only to dormant St. Augustine (Common, Raleigh and Seville varieties grown in Texas, Louisiana, Mississippi only) and dormant Centipede grasses (Texas, Louisiana, Mississippi only).

Avoid applying during excessively dry or hot periods unless irrigation is used. For optimum results: (1) turf should not be mowed for 1 to 2 days before and after application; (2) do not apply if rain is expected within 4 hours after the application, delay irrigation cycle for 24 hours. Reseed no sooner than three to four weeks after application of this product. Failure to observe all precautions may result in injury to turf and/or susceptible plants.

STRIKE 3 can be mixed with some liquid fertilizers or liquid iron materials. Because liquid fertilizer and liquid iron differ in pH, free ammonia content, density, salt concentration and percentage of water, a compatibility test is recommended prior to mixing in application equipment. All regulations, either State or Federal, relating to the application of liquid fertilizers or liquid iron and this product must be strictly followed.

WEEDS CONTROLLED

- | | | |
|-------------|--------------|----------------|
| Bedstraw | Henbit | Purslane |
| Black medic | Knotweed | Ragweed |
| Buckhorn | Lambsquarter | Sheep sorrel |
| Burdock | Lespedeza | Shepherdspurse |
| Chicory | Mallow | Speedwell |
| Chickweed | Morningglory | Spurge |
| Clover | Peppergrass | Wild carrot |
| Dandelion | Pigweed | Wild garlic |
| Dock | Plantain | Wild lettuce |
| Ground ivy | Poison ivy | Wild onion |
| Healall | Poison oak | Yarrow |
- and other broadleaf weeds.

ORNAMENTAL LAWN & TURF

Site	Application Rates				Use Directions
	Fl. Oz./ 1,000 Sq. Ft.	Spray Volume (Gals.)	Pints/ Acre	Spray Volume (Gals.)	
Bahiagrass, Bluegrass, Common Bermudagrass, Fescue, Ryegrass, Zoysiagrass	1.1 to 1.5	0.5 to 5	3 to 4	5 to 220	<p><u>Normal Applications</u></p> <p>For Professional Lawn Maintenance: Higher water volumes may be used when tank-mixed with a turf fertilizer. Follow fertilizer labels for proper amounts to add.</p> <p>Use reduced rates if grass is stressed from heat or drought. Exercise care when applying during growth stages from dormancy to green-up and from green-up to dormancy. Some temporary discoloration may occur on warm season grasses.</p> <p>If Bermudagrass is dormant, up to 4 pints per acre may be used. However, some hybrid Bermudagrasses may be sensitive to this product. Contact your local extension service weed control specialist.</p>
Dormant St. Augustine (Common, Raleigh and Seville varieties grown in Texas, Louisiana, Mississippi only), Dormant Centipede grasses (Texas, Louisiana, Mississippi only)	0.75 to 0.90 Maximum	1 to 5	2 to 2.5 Maximum	40 to 200	<p>Use reduced rates if grass is stressed from heat or drought. Exercise care when applying during growth stages from dormancy to green-up and from green-up to dormancy. Some temporary discoloration may occur on warm season grasses.</p>

Bentgrass (Putting and Bowling Greens)	0.67 Maximum	3.3	1.8 Maximum	145	<p>Apply on closely mowed Bentgrass, preferably in May or mid-August through September. Slight turf yellowing will disappear after about one week.</p> <p>On closely mowed golf course fairways and tees or bowling greens, apply when weeds are actively growing and temperatures are low. Exercise care to avoid over application to prevent injury. Temporary discoloration may occur.</p>
<p>NOTE: Care should be taken to avoid overdosing Bentgrass or injury may result. Large volumes of spray water (i.e., one fluid ounce in 5 gallons of water per 1,500 square feet) will aid in obtaining uniform coverage. If hand-type sprayers are used, it is preferable to use a single nozzle sprayer rather than a multiple nozzle boom, as sideways application with a boom where the spray from more than one nozzle is allowed to fall on the same area will result in heavy local over-application and subsequent turf discoloration or injury.</p>					

RESTRICTIONS AND LIMITATIONS FOR ORNAMENTAL LAWNS AND TURF:

- Limited to 2 applications per year.
- Maximum of 5 pts. per acre per application.
- Minimum of 30 days between applications.

LOW VOLUME SPRAY APPLICATION EQUIPMENT

EQUIPMENT	APPLICATION	USE RATE		USE DIRECTIONS
		Fluid Ounces Per 1,000 Sq. Ft.	Pints per Acre	
Controlled Droplet Applicators (CDA), Atomizers and Spinning Disk Applicators	Cool season grasses	1.1 to 1.5	3 to 4	Use in sufficient water to assure coverage (1 to 4 gallons of water per acre is normal for this type of equipment). Do not overlap spray patterns.
	Listed warm season grasses	0.75 to 0.9	2 to 2.5	Use in sufficient water to assure coverage (1 to 4 gallons of water per acre is normal for this type of equipment), and follow CDA spray instructions for cool season grasses. Use reduced rates if grass is stressed from heat, drought, etc.
Lower Volume Equipment	Cool season and listed warm season grasses	1.1 to 1.5	3 to 4	Use as little as 5 gallons of water per acre. Use only application equipment that is capable of spreading a uniform droplet, wetting each weed surface.

NON-CROP AREAS

(Fencerows, hedgerows, roadsides, ditches, rights-of-way, and industrial sites)

Applications to non-cropland areas are not applicable to treatment of commercial timber, or other plants being grown for sale or other commercial use, or for commercial seed production or for research purposes.

For control of broadleaf weeds, mix at a rate of 1.5 to 3.5 quarts of this product per acre in enough water to wet all parts of the foliage. This may require 50 to 300 gallons of water per acre. This mixture will cover 43,560 square feet. Thoroughly saturate all weeds with spray mixture. Apply any time between the time when plants come into full leaf (Spring) to when the plants begin to go dormant. Best results are obtained when weeds are young and actively growing. Do not cut weeds until herbicide has translocated throughout the plant causing root death. For small broadleaf weeds, use the lower rate. Heavy, dense stands require the higher rate with high water volume. For small (spot) applications with small tank sprayers, apply at the rate of 4 ounces of STRIKE 3 per gallon of water and spray to thoroughly wet all foliage.

For control of woody plants, apply to both stems and foliage any time from the time foliage is completely matured until the time plants start to go dormant. All leaves, stems and suckers must be completely wet to the ground line for effective control. Regrowth may be anticipated on the more resistant species.

Woody Brush: Add 8 to 9.5 pints of STRIKE 3 per acre to wet all parts of the brush foliage, stem and bark. This may require up to 200 to 600 gallons of water per 43,560 square feet depending upon the height and thickness of the brush. Mix thoroughly before spraying.

RESTRICTIONS AND LIMITATIONS FOR NON-CROP AREAS:

Annual and Perennial Weeds:

Limited to 2 applications per year.

Maximum of 6.67 pts. per acre per application.

Minimum of 30 days between applications.

Woody Plants:

Limited to 1 application per year.

Maximum of 9.5 pints product per acre per year.

STORAGE AND DISPOSAL

Do not contaminate water, food, or feed by storage or disposal.

PESTICIDE STORAGE: Always use original container to store pesticides in a secured warehouse or storage building. Store at temperatures above 32°F. If allowed to freeze, remix before using. This does not alter this product. Containers should be opened in well ventilated areas. Keep container tightly sealed when not in use. Do not stack cardboard cases more than two pallets high. Do not store near open containers of fertilizer, seed or other pesticides.

PESTICIDE DISPOSAL: Pesticide wastes are toxic. If container is damaged or if pesticide has leaked, contain all spillage. Absorb and clean up all spilled material with granules or sand. Place in a closed, labeled container for proper disposal. Improper disposal of excess pesticide, spray mixtures, or rinsate is a violation of Federal law and may contaminate groundwater. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

CONTAINER DISPOSAL: Use label language appropriate for container size and type.

Nonrefillable containers. Do not reuse or refill this container. Clean container promptly after emptying.

Nonrefillable container equal to or less than 5 gallons. 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. 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 of plastic containers. If burned, stay out of smoke.

Nonrefillable container greater than 5 gallons. 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. 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 of plastic containers. If burned, stay out of smoke.

Refillable container. Refill this container with pesticide only. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To clean the container before final disposal, empty the remaining contents from this container into application equipment or mix tank. Fill the container about 10 percent full 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.

**FOR CHEMICAL EMERGENCY: Spill, leak, fire, exposure or accident, call
CHEMTREC 1-800-424-9300.**

Use of this product in certain portions of California, Oregon and Washington is subject to the January 22, 2004 Order for injunctive relief in Washington Toxics Coalition, et al. V. EPA, C01-0132C, (W.D. WA). For further information, please refer to EPA Web Site: <http://www.epa.gov/espp>.

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 THE 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.

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