

BioCover™ UL

ACCREDITED
JUL 31 2002

Under the Federal Insecticide, Fungicide, and Rodenticide Act as amended, for the pesticide registered under 34704-806.

ACTIVE INGREDIENT:	Petroleum Oil	By Weight	98.00%
INERT INGREDIENTS:		TOTAL	100.00%
Unsulphonated Residue		(minimum)	99.00%
Aromatic Composition by ASTM D2140			0.0%

cultural 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 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.
 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.

KEEP OUT OF REACH OF CHILDREN CAUTION

See Below For Additional Precautionary Statements.

FIRST AID

Have the product container label with you when calling a poison control center or doctor or going for treatment.

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 by a poison control center or doctor.
If in eyes:	<ul style="list-style-type: none"> Hold eyes 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.
If on skin:	<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"> Move 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.

NOTE TO PHYSICIAN: Petroleum distillate poses aspiration pneumonia hazard. Only minor irritation should be expected from any type of exposure other than pulmonary aspiration. Ingestion may result in some gastroenteritis and mild diarrhea. Since systemic toxicity is not expected, the added risk of aspiration from attempts to induce vomiting or lavage are deemed not warranted.

FOR A MEDICAL EMERGENCY INVOLVING THIS PRODUCT CALL:
1-800-228-5635, EXT. 136, OR CALL COLLECT, 612-851-8180, EXT. 136.

EPA REG. NO. 34704-806
EPA EST. NO. _____

NET CONTENTS _____ GAL. (_____) L)
IHT EXP 09Y01

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS CAUTION

Harmful if swallowed or absorbed through skin or inhaled. Prolonged or frequently repeated skin contact may cause allergic reaction in some individuals. This product is a potential skin sensitizer. Causes moderate eye irritation. Avoid contact with eyes, skin, or clothing. Avoid breathing spray mist. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash clothing before reuse.

Personal Protective Equipment:
Some materials that are chemical-resistant to this product are listed below. If you want more options, follow the instructions for category E on the EPA chemical resistance category selection chart.

Applicators and other handlers must wear: long-sleeved shirt and long pants, chemical-resistant gloves, such as barrier laminate, nitrile rubber, butyl rubber, neoprene rubber or viton and shoes plus socks.

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

Engineering controls statements:
When handlers use closed systems, enclosed cabs, or aircraft in a manner that meets with requirements listed in the Worker Protection Standard (WPS) for agri-

ENVIRONMENTAL HAZARDS

This product is toxic to fish. For terrestrial uses, 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 when disposing of equipment wash waters. Apply this product only as specified on the label.

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 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.

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 4 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 long-sleeved shirt and long pants, shoes plus socks and chemical-resistant gloves, such as barrier laminate, nitrile rubber, butyl rubber, neoprene rubber or viton.

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.
Keep children and pets out of the treated area until sprays have dried.

STORAGE AND DISPOSAL

PESTICIDE STORAGE: Keep out of reach of children and animals. Store in original containers only. Store in a cool, dry place and avoid excess heat. Carefully open containers. After partial use, replace lids and close tightly. Do not put concentrate or dilute material into food or drink containers. Do not contaminate other pesticides, fertilizers, water, food, or feed by storage or disposal.

In case of spill, avoid contact, isolate area and keep out animals and unprotected persons. Confine spills. Call collect: CHEMTREC (800) 424-9300.

To confine spill: If liquid, dike surrounding area or absorb with sand, cat litter or commercial clay. If dry material, cover to prevent dispersal. Place damaged package in a holding container. Identify contents.

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: Metal: 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. Do not cut or weld metal containers. Plastic: Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

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MIXING DIRECTIONS

Use only in equipment with sufficient agitation to keep spray thoroughly mixed. Be sure tank is clean. With agitator running, start filling tank with water; add oil when tank is about 1/2 full. Pump this mixture through the overflow and back into tank for about two minutes. If this mixture turns white, it indicates good emulsification. Fill the tank with water, adding other desired materials as tank is filling. If wettable powders are used, add and thoroughly mix before adding oil. Observe all cautions and limitations on labeling of all products used in mixtures. Keep agitator running at all times. If an injector is used, first add 25 to 50 gals. of water to tank with engine running to provide good pressure. Put injector suction tube into the measured amount of spray oil, opening injector valve to allow the oil to be sucked into the tank, then fill the tank with water.

DO NOT USE THIS MATERIAL IF IT DOES NOT EMULSIFY.

Apply when pests are present and as recommended below. Do not use in undiluted form. Sensitive foliage may be injured. It may be used on evergreens, taking into consideration the Precautions in Using noted elsewhere on this label. Apply using rates and quantities of spray solution given in the tables below. All quantities of spray solution are for mature trees and vines with normal foliage cover. Quantities should be reduced proportionally for smaller immature trees and vines. The goal is to use enough spray solution to completely penetrate the leaf canopy and cover both top and bottom of all of the leaves and stems until wet but without significant runoff.

Note: Use efficient equipment of the proper type. Avoid spraying during or immediately prior to hot or freezing weather (over 95°F. or under 32°F.), hot dry winds, rain or other unsuitable conditions; avoid overspraying or double spraying. Plants should be sprayed only when in vigorous condition and when their moisture condition is suitable. Before using, make certain spray tank is free of sulfur residues. Do not apply sulfur within 30 days except in the Northwest (Oregon and Washington) where it may be used in combination on Pears as a Post Harvest (after old fruit is off the tree), Dormant and Delayed Dormant (before the scales slip, or at or prior to bud swell) treatment and on Apples prior to or up to the Delayed Dormant (1/2 inch green) period. In states west of the Mississippi River do not apply to Captan treated trees within 90 days after or 60 days before this oil. In states east of the Mississippi River do not apply to Captan treated trees within 10 to 14 days before and after this oil. If in doubt, spray a portion of one tree previously treated with Sulfur or Captan using 1 quart to 25 gallons water. Burn will show in several days if sufficient time has not elapsed.

APPLES AND PEARS:

PESTS	APPLICATION RATE & TIMING	COMMENTS
ON APPLES AND PEARS: European Fruit Lecanium Scale Olive Scale San Jose Scale European Red Mite Eggs	DORMANT OR DELAYED DORMANT: Use 1 to 2 gals. per 100 gals. of water at 100 to 800 gals. per acre. (Concentrate Spray: Use 3 to 8 gals. per acre in a minimum of 20 to 100 gals. water per acre.)	
Two Spotted Spider Mite Pacific Red Mite European Red Mite	FOLIAR SPRAY (Post Bloom): East of the Mississippi: Use 1-1 1/2 qts. per 100 gals. of water at 100 to 800 gals. per acre. Do Not exceed more than 1 1/2 gals. per acre per application for SUMMER treatments. (Concentrate Spray: Do not exceed more than 1 1/2 gals. per acre per application. Apply a minimum of 50 gals. water per acre.) West of the Mississippi: Use 1 qt. to 1 1/2 gals. per 100 gals. of water at 100 to 800 gals. per acre. (Concentrate Spray: Do not exceed more than 1 1/2 gals. per acre per application. Apply a minimum of 20 to 100 gals. water per acre.)	
ON APPLES ONLY: Rosy Apple Aphid Apple Aphid Eggs	DORMANT OR DELAYED DORMANT: Use 1 to 2 gals. per 100 gals. of water at 100 to 800 gals. per acre. (Concentrate Spray: Use 3 to 8 gals. per acre in a minimum of 20 to 100 gals. water per acre.)	
Fruit Tree Leafroller Apple Red Bug European Red Mite	GREEN TIP TO DELAYED DORMANT: Use 1 to 3 gals. per 100 gals. of water at Scurfy Scale 100 to 800 gals. per acre. (Concentrate Spray: Use 3 to 12 gals. per acre in a minimum of 20 to 100 gals. water per acre.)	 Delayed dormant preferred
San Jose Scale Forbes Scale	DORMANT, GREEN TIP TO DELAYED DORMANT: Use 1 to 2 gals. per 100 gals. of water at 100 to 800 gals. per acre. (Concentrate Spray: Use 3 to 8 gals. per acre in a minimum of 20 to 100 gals. water per acre.)	
ON PEARS ONLY: Pear Psylla	DORMANT: Use 1 to 2 gals. per 100 gals. of water at 100 to 800 gals. per acre. (Concentrate Spray: Use 3 to 8 gals. per acre in a minimum of 20 to 100 gals. water per acre.)	Apply before eggs are laid.
Fruit Tree Leafroller Pear Leaf Blister Mite	DORMANT: Use 1 to 3 gals. per 100 gals. of water at 100 to 800 gals. per acre. (Concentrate Spray: Use 3 to 12 gals. per acre in a minimum of 20 to 100 gals. water per acre.)	

For Aerial Application: Dormant and Delayed Dormant Application Only: Apply 3 to 5 gals. in a minimum of 20 gals. of water per acre. Apply by air only when soil conditions do not permit regular ground application.

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WALNUTS:

PESTS	APPLICATION RATE & TIMING	COMMENTS
Black Scale Calico Scale European Fruit Lecanium Scale Frosted Scale Olive Scale San Jose Scale European Red Mite Eggs Walnut Aphid Eggs	DELAYED DORMANT: Use 4 to 6 gals. per acre in 200 to 500 gallons water per acre.	Use only on trees that have not suffered from lack of moisture at any time during the growing season. Do not apply to orchards where soil moisture is low. Trees must be fully dormant.
Spider Mites Soft Scales	SUMMER FOLIAR (when leaves fully expanded): Use 4 to 6 gals. per acre in 200 to 500 gals. water per acre.	

GRAPES:

PESTS	APPLICATION RATE & TIMING	COMMENTS
Mealybug	DORMANT: Use 2 to 3 gals. plus the appropriate label rate of insecticide registered for use on grapes in 200 to 300 gals. of water per acre.	

OLIVES:

PESTS	APPLICATION RATE & TIMING	COMMENTS
Olive (Parlatoria) Scale Oleander Scale Black Scale	POSTBLOOM THROUGH AUGUST AND POST HARVEST: Use 1 to 1½ gals. per 100 gals. of water at 400 to 1500 gals. acre.	

ORNAMENTALS AND SHADE TREES:

PESTS	APPLICATION RATE & TIMING	COMMENTS
Scales (Brown Soft, Oyster Shell, Brown Apricot, Black, San Jose, European Fruit Lecanium, European Elm, Scurfy, Putnam, Terrapin, Euonymus), Red Spider Mites and Red Spider Mite Eggs	(CONIFERS [see note]), HOLLY, PYRACANTHA, SYCAMORES, HAWTHORNE, FLOWERING PEACH, CHERRY, APPLE, MAGNOLIA, MAPLE, OAK, DOGWOOD, PRIVET, BIRCH): Use ½ to 1 gal. per 100 gals. of water. DORMANT SPRAY ON DECIDUOUS VARIETIES: Use ½ to 2 gallons per 100 gallons of water. DORMANT SPRAY ON OTHER VARIETIES: Use ½ to 1½ gallons per 100 gallons of water.	NOTE: May cause discoloration of Blue Spruce. Do not use on conifers or ferns not tolerant to oil sprays. Use enough spray solution to completely penetrate the leaf canopy and cover both top and bottom of all of the leaves and stems until wet but without significant runoff.
Scale insects, Red Spider Mite, Spruce Gall Aphid, Pine Bark Aphid	(EVERGREENS): SPRING: Use ½ to 1½ gallons in 100 gallons of water.	Apply with a fine misty spray just before the new growth starts. See section on precautions in using.

ALMONDS, APRICOTS, CHERRIES, NECTARINES, PEACHES, PLUMS AND PRUNES: (Directions for use on Plums and Prunes in California's Sacramento Valley can be found in the table following this one):

PESTS	APPLICATION RATE & TIMING	COMMENTS
Black Scale European Fruit Lecanium Scale San Jose Scale Olive Scale Frosted Scale Aphid Eggs European Red Mite Eggs Brown Mite Eggs Fruitree Leafroller Eggs	DORMANT AND DELAYED DORMANT: Use 1 to 2 gals. per 100 gals. of water at 300 to 600 gals. per acre. (Concentrate Spray: Use 6 to 8 gals. per acre in a minimum of 20 gals. of water per acre.)	Preferred times of application for European Fruit Lecanium Scale and European Red Mite Eggs is Green Tip to Delayed Dormant, and for San Jose Scale is Dormant, Green Tip to Delayed Dormant.
Terrapin Scale	DELAYED DORMANT: Use 2 to 3 gals. per 100 gals. of water at 300 to 600 gals. per acre. (Concentrate Spray: Use 8 to 12 gals. per acre in a minimum of 20 gals. of water per acre.)	
Cottony Peach Scale	DORMANT: Use 2 to 3 gals. per 100 gals. of water in 300 to 600 gallons per acre. (Concentrate Spray: Use 8 to 12 gals. per acre in a minimum of 20 gals. of water per acre.)	
Two-spotted Spider Mite Pacific Mite European Red Mite Brown Mite	FOLIAR SPRAY: Use ½ to 1½ gals. per 100 gals. of water at 300 to 600 gals. per acre. (Concentrate Spray: Do not use more than 4 gals. per acre in a minimum of 20 gals. water per acre.)	Certain varieties of plums and prunes may be injured by oil sprays, check for tolerance prior to treatment.

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ALMONDS, APRICOTS, CHERRIES, NECTARINES, PEACHES, PLUMS AND PRUNES: (Directions for use on Plums and Prunes in California's Sacramento Valley can be found in the table following this one) cont'd.

PESTS	APPLICATION RATE & TIMING	COMMENTS
White Peach Scale on Peaches: Only for use in Georgia, Florida, South Carolina, North Carolina, and Alabama.	DORMANT: Use 1½ to 2 gals. per 100 gals. of water at 300 to 600 gals. per acre. (Concentrate Spray: Use 6 to 8 gals. per acre in a minimum of 20 gals. of water per acre.)	Apply before buds begin to swell in the spring. Make 2 applications 7 to 14 days apart, according to local recommendations, during the dormant period.

For Aerial Application: Dormant and Delayed Dormant Application Only: Apply 3 to 5 gals. in a minimum of 20 gals. of water per acre. Apply by air only when soil conditions do not permit regular ground application.

PLUMS AND PRUNES: (Sacramento Valley of California Only)

PESTS	APPLICATION RATE & TIMING	COMMENTS
Black Scale European Fruit Lecanium Scale San Jose scale, Olive Scale Frosted Scale Mealy Plum Aphid Eggs Leaf Curl Plum Aphid Eggs Brown Mite Eggs European Red Mite Eggs	PRE-BLOOM WHEN FRUIT BUDS SHOW GREEN TIPS: Use 1½ to 2 gals. per 100 gals. of water at 300 to 600 gals. per acre. (Concentrate Spray: Use 6 to 8 gals. per acre in a minimum of 20 gals. water per acre.)	Application at this time is preferred.
Two-spotted Spider Pacific Mite European Red Mite Brown Mite	FOLIAR SPRAY: Use ½ to 1 gals. per 100 gals. water at 300 to 600 gals. per acre. (Concentrate Spray: Use 4 to 6 gals. per acre in a minimum of 20 gals. water per acre.)	Certain varieties of plums and prunes may be injured by oil sprays, check for tolerance prior to treatment.

For Aerial Application: Dormant and Delayed Dormant Application Only: Apply 3 to 5 gals. in a minimum of 20 gals. of water per acre. Apply by air only when soil conditions do not permit regular ground application.

CITRUS: Grapefruit, Lemons, Oranges (Navel and Valencia), Limes, Tangelos, and Tangerines

PESTS	APPLICATION RATE & TIMING	COMMENTS
Mites -Citrus Bud -Citrus Red -Citrus Rust	Apply ½ to 1½ gals. per 100 gals. of water as thorough coverage spray (TC). Apply as a low volume spray (LV) 1 to 10 gals. of oil per acre.	Does not control snow scale. In California do not make an oil application within 60 days prior to or after an application of sulfur. Do not apply prior to or during a period of excessively high summer temperatures. Do not apply oil spray when trees show stress.
Scale Insects -Black -Brown Soft -California Red -Citicola -Purple -Red -Yellow	Apply up to 10 gals. of oil per acre on bearing trees up to 10 feet in height. Add 1 gal. of oil per acre for each foot of height over 10 feet. Apply as low volume spray (LV) 1 to 10 gals. of oil per acre	In Florida and Texas do not apply oil and sulfur within 3 weeks of each other. Oil spray applied after October 1 in Florida and Texas may increase susceptibility of trees to cold damage and may reduce the fruit crop the following year. Oil sprays applied in the fall may inhibit solids formation in the juice and retard coloring of fruit and should not be applied within 60 days of anticipated harvest. Sensitive foliage may be damaged. Consult with your local Cooperative Extension Citrus Specialist or Agricultural Experiment Station for proper timing of applications and spraying program.

Thorough coverage spray (TC): Applications achieving a uniform film wetting of all portions of the tree at 250 to 4500 gallons of spray solution per acre, the total volume is dependent of the size of the trees.
Low-volume spray (LV): Applications with droplet depositions achieved on all interior and exterior parts of the tree using 10 to 100 gallons of spray solution per acre.

AVOCADOS - HAAS VARIETY ONLY:

PESTS	APPLICATION RATE & TIMING	COMMENTS
Avocado Brown Mite	Use ½ to 1 gal. per 100 gals. of water with thorough coverage in 400 to 3000 ga. per acre. (Concentrate Spray: Use 4 to 15 gals. per acre in a minimum of 50 to 100 gals. per acre.)	Apply through late fall. Consult with your local University of California Cooperative Extension Service for proper timing and application parameters.

BANANAS:

PESTS	APPLICATION RATE & TIMING	COMMENTS
Black Leaf Streak (<i>Mycosphaerella fijiensis</i>)	Use ½ to 1½ gals. in 20 to 100 gals. of water per acre. (Mist Blower: Use 1½ gals. in 6 gals. of water per acre.)	Begin application when disease first appears and continue every 10 to 15 days during rainy periods if as is needed. Do not apply when daytime temperatures exceed 86°F as injury may occur. Phytotoxicity may be affected by the quantity of oil used, vigor of trees and temperature at the time of application. Bag fruits, or use a directed spray on unbagged fruits. Bagged fruit improves crop safety where as unbagged fruit may show some phytotoxicity.

COFFEE:

PESTS	APPLICATION RATE & TIMING	COMMENTS
Green Scale	Use 3 to 6 gallons in 100 gallons of water per acre. Use only water as a diluent.	Apply when insects appear and treat as necessary at 30 to 60 day intervals. Do <u>not</u> exceed 18 gallons of oil per acre in a growing season. Do <u>not</u> apply within 30 days of harvest when berries are handpicked. Oil residues make picking difficult.

Do not apply this product through any type of irrigation system. Phytotoxicity may be affected by the quantity of oil used, vigor of trees and temperature at the time of application.

PECANS:

PESTS	APPLICATION RATE & TIMING	COMMENTS
Obscure Scale Aphids (eggs) Mites (eggs)	Use 2 to 3 gallons in 100 gallons of water using a minimum of 200 gallons of water per acre. Use the lower rate of oil when trees are in a weakened condition. (Concentrate Spray: Use 6 to 8 gallons per acre in a minimum of 20 to 125 gallons of water.)	Apply from late February until buds first break.

For Aerial Application: Use 6 to 8 gallons of oil in a minimum of 20 gallons of water per acre. Apply by air only when soil conditions do not permit regular ground application.

TROPICAL FRUIT: Kiwi, Mango and Papaya.

PESTS	APPLICATION RATE & TIMING	COMMENTS
ON KIWI Latania Scale Greedy Scale Oleander Scale San Jose Scale	Use 4 to 6 gallons of oil in a minimum of 100 gallons of water per acre. Use higher rate when scale populations are high.	Do <u>not</u> apply after budbreak. Do <u>not</u> use on weak or stressed vines, or where soil moisture is inadequate.
ON MANGO Mites Powdery Mildew	Use 1 to 1.5 gallons of oil in 100 gallons of water per acre.	Apply every 2 to 3 weeks as necessary depending on level of pest pressure.
ON PAPAYA Mites Powdery Mildew Papaya Ringspot Virus	Use 0.75 to 1.5 gallons in 100 gallons of water per acre.	For Powdery Mildew/Mites: Spray every 10 to 14 days depending on the level of pest pressure. For Virus: Initiate spray when seeds are germinated. Spray weekly using 400 psi spray pressure and ceramic hollow cone nozzles.

NOTICE

IT IS IMPOSSIBLE TO ELIMINATE ALL RISKS INHERENTLY ASSOCIATED WITH THE USE OF THIS PRODUCT. CROP INJURY, INEFFECTIVENESS, OR OTHER UNINTENDED CONSEQUENCES MAY RESULT BECAUSE OF SUCH FACTORS AS WEATHER CONDITIONS, PRESENCE OF OTHER MATERIALS, OR THE MANNER OF USE OR APPLICATION, ALL OF WHICH ARE BEYOND THE CONTROL OF PLATTE, THE MANUFACTURER OR SELLER. IN NO CASE SHALL PLATTE, THE MANUFACTURER OR SELLER BE LIABLE FOR CONSEQUENTIAL, SPECIAL OR INDIRECT DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT. ALL SUCH RISKS SHALL BE ASSUMED BY THE BUYER. EXCEPT AS EXPRESSLY PROVIDED HEREIN, PLATTE, THE MANUFACTURER OR SELLER MAKES NO WARRANTIES, GUARANTEES, OR REPRESENTATIONS OF ANY KIND, 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. BUYER'S OR USER'S EXCLUSIVE REMEDY, AND PLATTE'S, THE MANUFACTURER'S OR SELLER'S TOTAL LIABILITY, SHALL BE FOR DAMAGES NOT EXCEEDING THE COST OF THE PRODUCT.