

34704 - 940

11/22/2006

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

NOV 22 2006

Mr. John T. Tice
Loveland Product, Inc.
P.O. Box 1286
Greeley, Colorado 80632-1286

Subject: Expanded Registration Using Own CSF
Dyna-Shield Imidacloprid 5
EPA Reg. No. 34704-940
Your Submission date, May 31, 2006

Dear Mr. Tice:

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act as amended is acceptable provided the following is done:

1. Within eighteen months of the date of this registration submit the results of a one year storage stability (830.6317) and corrosion characteristics (830.6320) to the Agency. It is recommended that the observation be made at 0, 3, 6, 9 and 12 month intervals. The results must be submitted in a hard copy and an electronic format is also requested.
2. Make the following changes in the "Warranty Statement".
 - Change the statement "To the extent allowed by applicable law" to read "To the extent consistent with applicable law" any where it appears in the "Warranty" statement.

2713

A stamped copy is enclosed for your records. Submit two (2) copies of your final printed labeling before you release the product for shipment. If there are questions call me at 703 305-5409.

Sincerely,



Dani Daniel
Insecticide-Rodenticide Branch
Registration Division 7505P

Enclosure:

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Dyna-Shield™ Imidacloprid 5

Contains 5 lbs. active ingredient per gallon (600 grams per liter) @ 20°C

ACTIVE INGREDIENT:

Imidacloprid: 1-[(6-Chloro-3-pyridinyl)methyl]-N-nitro-2-imidazolidinimine ...48.7%

OTHER INGREDIENTS...51.3%

TOTAL....100.0%

EPA REG NO. 34704-940

EPA EST. NO. 34704-MS-2

NET CONTENTS: 2.5 gallons

KEEP OUT OF REACH OF CHILDREN CAUTION

FIRST AID	
If swallowed	Call a poison control center or doctor immediately for treatment advice. Have person sip a glass of water if able to swallow. Do not induce vomiting unless told to do so by a poison control center or doctor. Do not give anything by mouth to an unconscious person.
If on skin or clothing	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	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.
Have a product container or label with you when calling a poison control center. FOR A MEDICAL EMERGENCY INVOLVING THIS PRODUCT CALL: 1-800-301-7976.	

See inside label booklet for additional Precautionary Statements and Directions For Use

ACCEPTED
with COMMENTS
In EPA Letter Dated:
NOV 22 2006

Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
as amended, for the pesticide
registered under EPA Reg. No.
34704-940



P.O. Box 1286
Greeley, CO 80632

PRECAUTIONARY STATEMENTS

CAUTION

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

Harmful if swallowed, absorbed through skin or inhaled. Avoid breathing vapor or spray mist. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

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

Applicators and other handlers must wear: Long-sleeved shirt and long pants, socks and shoes and chemical-resistant gloves (such as nitrile, butyl, neoprene, barrier laminate, polyvinyl chloride or viton). 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. Users should remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. Users should remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change clothing.

ENVIRONMENTAL HAZARDS

This pesticide is highly toxic to birds and aquatic invertebrates. 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. Cover or incorporate spilled treated seeds.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

For use in commercial seed treaters only, with the exception of application to canola, cotton (delinted seed), field corn, sorghum, wheat and barley, which may be made either by commercial seed treatment or as an end-use seed treatment on agricultural establishments at, or immediately before, planting. This product is to be used in liquid or slurry treaters. 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.

Mix thoroughly before use or use entire container at one time. All tank mixes should be pre-tested to determine physical compatibility between formulations. Observe all cautions and limitations on labeling of all products used in mixtures.

Treatment of highly mechanically scarred or damaged seed, or seed known to be of low vigor and poor quality may result in reduced germination and/or reduction of seed and seedling vigor. Conduct germination tests on a representative sample of the seed lot before

committing the total seed lot to a selected seed treatment. Because seed quality and seed storage conditions are beyond the control of Loveland Products, Inc., claims are made to guarantee the germination of carry-over seed or propagating materials for all crops.

STORAGE AND DISPOSAL

PROHIBITIONS: Do not contaminate water, food or feed by storage, disposal, or by cleaning of equipment. Do not reuse empty container. Open dumping is prohibited.

PESTICIDE STORAGE: Store in a cool place. Do not store in direct sunlight. Protect from freezing temperatures.

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: Contact Loveland Products, Inc. or your chemical supplier for container return instructions. If container is not returned in accordance with instructions, triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

For help with any spill, leak, fire or exposure involving this material, call day or night CHEMTREC - 1-800-424-9300.

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. Exception: If the seed is treated with the product and the treated seed is soil-injected or soil-incorporated, the Worker Protection Standard, under certain circumstances, allows workers to enter the treated area if there will be no contact with anything that has been treated. PPE required for early entry to treated areas 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, waterproof gloves, shoes plus socks, protective eyewear.

ROTATIONAL CROPS

Treated areas may be replanted with any crop specified on an imidacloprid label, or any crop for which a tolerance exists for the active ingredient, as soon as practical following the last application. The following plant-back intervals should be observed for listed crops:

ROTATIONAL PLANT-BACK INTERVALS*			
IMMEDIATE PLANT-BACK			30-DAY PLANT-BACK
Artichoke	Cranberry	Mustard seed	Strawberry
Barley	Cucurbits	Okra	Sugar beet
Brassica (cole) leafy veg.	Eggplant	Pepinos	Tomatillo
Canola	Ground cherry	Pepper	Tomato
Cilantro	Leaf petiole veg.	Popcorn	Triticale
Corn, Field	Legume veg. (succulent or dried, except soybean)	Potato	Veg. Root and Tuber
Corn, Sweet		Rapeseed	Watercress
Cotton		Sorghum	Wheat
		Soybean	
			Cereals, including: Buckwheat Millet Rice Safflower
*Cover crops for soil building or erosion control may be planted any time, but do not graze or harvest for food or feed.			
*For all other crops not listed on an imidacloprid label, or for crops for which no tolerance for the active ingredient has been established, a 12-month plant-back interval should be observed.			

NOTIFICATION of the crop rotational restriction must be conveyed to the grower by appropriate seed tag labeling or bag printing on all seed units.

NOTE: The purchaser of this product is responsible for ensuring that all seed treated with this product are adequately dyed with a suitable color to prevent its accidental use as food for man or feed for animals. Refer to 21 CFR, Part 2.25. Any dye or colorant added to treated seed must be cleared for use under 40 CFR, Part 180.1001. Federal regulations have established official tolerances for certain pesticide residues. In order that residues on food and forage crops will not exceed established tolerances, use only at recommended rates.

Treated seed must not be used for or mixed with food or processed for oil. Seed commercially treated with Dyna-Shield Imidacloprid 5 must be labeled in accordance with all applicable requirements of the Federal Seed Act.

Labels for commercially treated seed should include the following addition to the Environmental Hazards statements:

Exposed treated seed may be hazardous to birds. Dispose of all excess treated seed and seed packaging by burial away from bodies of water. Cover or incorporate spilled treated seeds.

USE RESTRICTION:

Rape greens grown and harvested from Dyna-Shield Imidacloprid 5 treated seed must not be used for human and/or feed consumption. Rapeseed grown and harvested from Dyna-Shield Imidacloprid 5 treated seed is only for industrial uses and can not be used for edible oil or any other human and/or feed consumption.

Wheat, Barley, Triticale, Sorghum: Do not graze or feed livestock on treated areas for 45 days after planting.

Cotton (delinted seed only): Regardless of the type of application (seed treatment, soil or foliar) do not apply more than a total of 0.5 lb. of imidacloprid per acre per cropping cycle.

Stored Seed Protection:

Applied at labeled rates equal to or above 0.8 fl. oz. per hundredweight, Dyna-Shield Imidacloprid 5 will provide protection to seed against injury from the following insects: Indian Meal Moth (*Plodia interpunctella*), Rice Weevil (*Sitophilus oryzae*), Red Flour Beetle (*Tribolium castaneum*), and Lesser Grain Borer (*Rhizopertha dominica*). It is recommended that seed with existing populations of stored grain pests be fumigated prior to treating and bagging seed.

For Early Season Protection Against Certain Sucking Insects:

Dyna-Shield Imidacloprid 5 will aid in the protection of seeds and seedlings against injury by certain early season insects.

Canola, rapeseed, mustard seed:

To provide early season protection of seedlings against injury by aphids, flea beetles and wireworms apply as a commercial seed treatment at 10.24 to 25.6 fl. oz. per hundredweight of seed. In areas where flea beetles and foliar insects are in high numbers, the higher application rate is recommended. Please consult your local agricultural office for pest patterns, history, and forecasts to assist in determining the appropriate rate for your region. For suppression of *Lygus* bugs, including *Lygus* spp. in their second generation and cabbage Seedpod Weevil larvae, including *Ceutorhynchus assimilis*, apply 15.36 to 25.6 fl. oz. per hundredweight of seed.

Canola, rapeseed, mustard seed: For End-Use Application At Agricultural Establishments:

Apply using an HCBT or a Batch Treater. Shake Dyna-Shield Imidacloprid 5 thoroughly before use. Apply 5.1 to 12.8 fl. oz. of Dyna-Shield Imidacloprid 5 per 50 pound bag. Dyna-Shield Imidacloprid 5 may be diluted with an approved Loveland Products, Inc. fungicide mixture for extended disease protection. Treat one-half of seed with one-half of slurry mix. Add the balance of the seed and apply balance of slurry. Allow mixing until seed is thoroughly covered.

Field Corn:

For the protection of corn plants from the corn insect pests listed below. Apply as a seed treatment at the recommended rates listed.

Pest	Dyna-Shield Imidacloprid 5	
	Mg AI / Kernel	Fl. oz. / 80,000 Units of Seed
Corn root worm (including Northern, Western, Southern and Mexican) ¹ Flea beetle Chinch bug Southern green stinkbug White grub Seed corn maggot Thrips Wireworm Corn leaf aphid Imported fire ant Southern corn leaf beetle Billbug ² Grape colaspis ² Black cutworm ³	1.34	6.0
Flea beetle Chinch bug Seed corn maggot Thrips Wireworm Corn leaf aphid Imported fire ant Grape colaspis ² White grub	0.60	2.70
Seed corn maggot (seed protection only) Wireworm (seed protection only) Imported fire ant White grub ⁴	0.16	0.72

¹ In areas of heavy to severe corn rootworm populations, protection will not be adequate. Use only in areas of light to moderate corn rootworm populations. Consult your State Agricultural Extension Service on levels of corn rootworm populations.

² Reduces early season feeding damage.

³ Will reduce feeding damage caused by leaf feeding black cutworms that are ½ inch or less in length.

⁴ Reduces feeding damage during emergence and seedling stages.

Field Corn: For End-Use Application At Agricultural Establishments:

Apply using an HCBT or an Eight-Bag Batch Treater. Shake Dyna-Shield Imidacloprid 5 thoroughly before use. Dilute Dyna-Shield Imidacloprid 5 with water and/or an approved

Loveland Products, Inc. fungicide mixture. The final slurry rate should be adjusted to apply a rate of 8 – 10 fl. oz. of diluted slurry per 50-pound bag of seed. Treat one-half of seed with one-half of slurry mix. Allow mixing until seed is thoroughly covered. Apply 0.75 oz. of dry TALC per 50-pound bag of seed following the Dyna-Shield Imidacloprid 5 application and allow it to distribute evenly on the seed.

Wheat, Barley, Triticale:

To provide early season protection of seedlings against injury by aphids (including Bird cherry-oat, English grain, Greenbug, and Russian wheat aphid), Hessian fly, apply 0.8 to 2.4 fluid ounces per hundredweight of seed prior to planting as a slurry treatment. Low use rate for “wireworm-only” protection: Dyna-Shield Imidacloprid 5 applied at 0.13 – 0.26 fl. oz. per hundredweight of seed offers suppression of wireworm activity on seed and young seedlings. To provide early season protection from grasshopper damage, Dyna-Shield Imidacloprid 5 should be applied to seed at 1.2 to 2.4 fluid ounces per hundredweight. To reduce early season damage caused by grasshopper, Dyna-Shield Imidacloprid 5 treated seed may be planted as a 50 to 60 foot border around the edges of the field. Consult your local university extension entomologist for details regarding grasshopper control in your area. For maximum effectiveness, seed should be treated uniformly. Use the higher rate to provide increased length of protection and from heavy insect pressure and from wireworms, and to reduce potential spread of Barley yellow dwarf virus due to aphid vectors. Do not graze or feed livestock on treated areas for 45 days after planting.

Wheat, Barley, Triticale: For End-Use Application at Agricultural Establishments:

Apply using a Total Slurry Treater (TST), Farmer Applied Seed Treater (F.A.S.T.), Bayer CropScience Air Pressure System (BCSAP) or other on-farm seed treating equipment to deliver accurate rates of Dyna-Shield Imidacloprid 5 to achieve optimum product performance. Apply 0.8 – 2.4 fl. oz. per hundred weight of seed. Dyna-Shield Imidacloprid 5 should be combined with a Loveland Products fungicide product for seed and seedling protection against fungal pathogens, as well as insect pests. Dilution with water may be necessary depending on fungicide formulation used. Dyna-Shield Imidacloprid 5 may also be applied on-farm as an over-treatment to seed pretreated with a fungicide. In this case, dilution is necessary. Do not graze or feed livestock on treated areas for 45 days after planting.

Sorghum:

To provide early season protection of seedlings against injury by Aphids (including Corn leaf, English grain, Greenbug, and Yellow sugar cane aphid), Chinch bugs, Fire ants and Wireworms, apply 6.4 fluid ounces per hundredweight of seed prior to planting as a slurry treatment. Ensure thorough coverage. Do not graze or feed livestock on treated areas for 45 days after planting.

Sorghum: For End-Use Application At Agricultural Establishments:

Apply using an HCBT or an Eight-Bag Batch Treater. Shake Dyna-Shield Imidacloprid 5 thoroughly before use. Dilute 3.2 fluid ounces of Dyna-Shield Imidacloprid 5 with water. The final slurry rate should be adjusted to apply a rate of 8 – 10 fluid ounces of diluted slurry per 50-pound bag of seed. Treat one-half of seed with one-half of slurry mix. Add the balance of the seed and apply balance of slurry. Allow mixing until seed is thoroughly

covered. Apply 0.75 oz. of dry TALC per 50-pound bag of seed following the Dyna-Shield Imidacloprid 5 application and allow it to distribute evenly on the seed. Do not graze or feed livestock on treated areas for 45 days after planting.

Cotton (Delinted Seed Only):

To provide protection of seedlings against injury by early season thrips and aphids, and where the specific application rate is desired on an individual seed basis apply at 0.375 mg. AI. per seed (do not apply more than 12.8 fluid ounces per hundredweight of seed) prior to planting as a slurry treatment so as to ensure thorough coverage. Otherwise, apply at 12.8 fluid ounces per hundredweight of seed. Regardless of the type of application (seed treatment, soil or foliar) do not apply more than a total of 0.5 lb. of imidacloprid per acre per cropping season.

Cotton (Delinted Seed Only): For End-Use Application At Agricultural Establishments:

Apply using an HCBT or an Eight-Bag Batch Treater. Shake Dyna-Shield Imidacloprid 5 thoroughly before use. Dilute 6.4 fluid ounces of Dyna-Shield Imidacloprid 5 with water or a ready to use fungicide mixture, such as RTU®-VITAVAX® -Thiram or Dyna-Shield™ Metalaxyl Fungicide, for each 50-pound bag of cotton seed to be treated. The final slurry rate should be adjusted to apply a rate of 8 to 10 fluid ounces of diluted slurry per 50-pound bag of seed. Treat one-half of seed with one-half of slurry mix. Add the balance of the seed and apply balance of slurry. Allow mixing until seed is thoroughly covered.

Sugar Beets:

To provide early season protection of seedlings against injury by Whitefly, Aphids, Leafhoppers (including to reduce potential for spread of Curly top and Yellow mosaic virus due to aphid and leafhopper vectors), Root aphid, Thrips and Wireworms, apply as a commercial seed treatment at 2.4 to 5.0 fluid ounces of Dyna-Shield Imidacloprid 5 in or on a unit of pelleted sugar beet seed with a weight ratio of 2:1 pelleting mixture to raw seed (seed count 100,000 seed – approximately 1 kilogram by weight). Apply in a film coat directly to raw seed (100,000 seed or approximately 1 kilogram by weight) at a rate of 2.4 fluid ounces per unit of seed. If rates exceed 2.4 fluid ounces per unit, seed must be pelleted.

Sweet Corn:

For protection of sweet corn plants from the insect pests listed below. Apply as a seed treatment at the recommended rates listed.

Pest	Dyna-Shield Imidacloprid 5 fl. oz. / CWT of seed
Flea beetle Early season corn leaf aphid Seed corn maggot Wireworm	6.4
Imported fire ant Early season corn leaf aphid Seed corn maggot Wireworm	3.2 – 6.4
Imported fire ant Seed corn maggot (seed protection) Wireworm (seed protection)	1.6 – 3.2
Wireworm (seed protection)	0.8 – 1.6

The final slurry rate should be adjusted to apply a rate of 16 – 20 fl. oz. of dilute solution per hundredweight of seed with commercial application equipment.

Popcorn:

To provide early season protection of seedlings against injury by flea beetles, apply as a commercial seed treatment at 6.4 fl. oz. per hundredweight of seed.

Soybean:

For protection of planted seeds from damage caused by seed corn maggot, to reduce feeding damage caused by soybean aphids and over-wintering bean leaf beetles, and to help suppress the spread of certain viruses, apply 1.6 – 3.2 fl. oz. per hundredweight of seed. Use higher rates to provide increased length of protection and for heavy insect pressure. Dyna-Shield Imidacloprid 5 can be used as an over-treatment. Do not graze or feed livestock on soybean forage or hay.

Adzuki Bean, Asparagus Bean, Broad Bean (Succulent or Dry), Catjan Bean, Chinese Longbean, Field Bean, Guar Bean, Jackbean, Kidney Bean, Lablab Bean, Lima Bean (Succulent or Dry), Moth Bean (Succulent or Dry), Mung Bean, Navy Bean, Pinto Bean, Rice Bean, Runner Bean, Snap Bean, Sword Bean, Tepary Bean, Urd Bean, Wax Bean, Yardlong Bean, Blackeyed Pea (Succulent or Dry), Chickpea, Cowpea (Succulent or Dry), Crowder Pea, Dwarf Pea, Edible-Pod Pea, English Pea, Field Pea, Garden Pea, Green Pea, Pigeon Pea (Succulent or Dry), Snow Pea, Southern Pea (Succulent or Dry), Sugar Snap Pea, Grain Lupin, Sweet Lupin, White Lupin, White Sweet Lupin, Lentil:*

To provide early season protection of seedlings against injury by wireworm, bean leaf beetle, imported fire ant, and aphid, apply as a commercial seed treatment at 1.6 – 3.2 fl. oz. per hundredweight of seed prior to planting.

***Seed-and-pod vegetable seed treated in California must be destined for planting in states other than California and is not to be planted in California.**

Carrot:

To provide early season protection of seedlings against injury by seed maggot and wireworm, apply as a commercial seed treatment at 6.4 fl. oz. per hundredweight of seed.

CONDITIONS OF SALE AND LIMITATION OF WARRANTY AND LIABILITY

BEFORE BUYING OR USING THIS PRODUCT, read the entire Directions for Use and the following Conditions of Sale and Limitation of Warranty and Liability. By buying or using this product, the buyer or user accepts the following Conditions of Sale and Limitation of Warranty and Liability, which no employee or agent of LOVELAND PRODUCTS, INC. or the seller is authorized to vary in any way.

Follow the Directions for Use of this product carefully. It is impossible to eliminate all risks inherently associated with the use of this product. Crop or other plant injury, ineffectiveness, or other unintended consequences may result from such risks as weather or crop conditions, mixture with other chemicals not specifically identified in this product's label, or use of this product contrary to the label instructions, all of which are beyond the control of LOVELAND PRODUCTS, INC. and the seller. The buyer or user of this product assumes all such inherent risks.

Subject to the foregoing inherent risks, LOVELAND PRODUCTS, INC. warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated in the Directions for Use when the product is used in strict accordance with such Directions for Use under normal conditions of use. EXCEPT AS WARRANTED IN THIS LABEL, THIS PRODUCT IS SOLD AS IS TO THE EXTENT ALLOWED BY APPLICABLE LAW. LOVELAND PRODUCTS, INC. MAKES NO OTHER WARRANTY, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, OR ELIGIBILITY OF THIS PRODUCT FOR ANY PARTICULAR TRADE USAGE.

IN THE UNLIKELY EVENT THAT BUYER OR USER BELIEVES THAT LOVELAND PRODUCTS, INC. HAS BREACHED A WARRANTY CONTAINED IN THIS LABEL, BUYER OR USER MUST SEND, TO THE EXTENT REQUIRED BY APPLICABLE LAW, WRITTEN NOTICE OF SUCH CLAIM TO THE FOLLOWING ADDRESS: LOVELAND PRODUCTS, INC., ATTENTION: LAW DEPARTMENT, 7251 WEST 4TH STREET, GREELEY, CO 80634.

TO THE EXTENT ALLOWED BY APPLICABLE LAW, THE BUYER'S OR USER'S EXCLUSIVE REMEDY FOR ANY INJURY, LOSS, OR DAMAGE RESULTING FROM THE HANDLING OR USE OF THIS PRODUCT, INCLUDING BUT NOT LIMITED TO CLAIMS OF BREACH OF WARRANTY OR CONTRACT, NEGLIGENCE, STRICT LIABILITY, OR OTHER TORTS, SHALL BE LIMITED TO ONE OF THE FOLLOWING, AT THE ELECTION OF LOVELAND PRODUCTS, INC. OR THE SELLER: DIRECT DAMAGES NOT EXCEEDING THE PURCHASE PRICE OF THE PRODUCT OR REPLACEMENT OF THE PRODUCT. TO THE EXTENT ALLOWED BY APPLICABLE LAW, LOVELAND PRODUCTS, INC. AND THE SELLER SHALL NOT BE LIABLE TO THE BUYER OR USER OF THIS PRODUCT FOR ANY CONSEQUENTIAL, SPECIAL, OR INDIRECT DAMAGES, OR DAMAGES IN THE NATURE OF A PENALTY.

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