

36029-10

1/14/2013

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

JAN 14 2013

OFFICE OF CHEMICAL, SAFETY
AND POLLUTION PREVENTION

Blake Hazen
Wilco Distributors, Inc.
P.O. Box 291
Lompoc, CA 93438

Subject: Amendment to add the statement "Not for use in California" for Pocket Gophers in forested areas
EPA Registration No.: 36029-10
Primary Brand Name: Wilco Zinc Ag Bait
Submission Date: January 3, 2013

Dear Mr. Hazen:

The label referred to above, submitted under FIFRA, as amended, is **acceptable**. Please submit one final printed copy for the above mentioned label before releasing the product for shipment. If you have any questions, please contact Gene Benbow at (703) 347-0235 or via email at benbow.gene@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "John Hebert", with a large, stylized flourish extending upwards and to the right.

John Hebert
Product Manager 07
Insecticide-Rodenticide Branch
Registration Division (7505P)

RESTRICTED USE PESTICIDE

DUE TO HAZARD TO NON-TARGET SPECIES

FOR RETAIL SALE TO AND USE ONLY BY CERTIFIED APPLICATORS OR PERSONS UNDER THEIR DIRECT SUPERVISION
AND ONLY FOR THOSE USES COVERED BY THE CERTIFIED APPLICATOR'S CERTIFICATION

ACCEPTED
JAN 14 2013
Under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, for the pesticide Registered under EPA Reg. No. 36029-10



WILCO ZINC AG BAIT

(FOR RODENT CONTROL)

Active ingredient: Zinc Phosphide 2.0%
Other Ingredients 98.0%
Total 100.0%

**KEEP OUT OF REACH OF CHILDREN
CAUTION**

FIRST AID

HAVE LABEL WITH YOU WHEN SEEKING TREATMENT ADVICE (1-800-858-7378)

If you experience signs and symptoms such as nausea, abdominal pain, tightness in chest, or weakness, see a physician immediately. For information on health concerns, medical emergencies, or pesticide incidents, call the National Pesticide Information Center at 1-800-858-7378.

IF SWALLOWED: Call a Poison Control Center, doctor, or 1-800-858-7378 immediately for treatment advice or transport the person to the nearest hospital. Do not give any liquid to the patient. Do not administer anything by mouth. Do not induce vomiting unless told to do so by the poison control center or doctor.

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, doctor, or 1-800-858-7378 immediately 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 mouth-to-mouth, if possible. Call a poison control center, doctor, or 1-800-858-7378 immediately for treatment advice

IF IN EYES: 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, doctor, or 1-800-858-7378 immediately for treatment advice.

TREATMENT FOR PET POISONING

If animal eats bait, call veterinarian at once.

NOTE TO PHYSICIAN OR VETERINARIAN

Contains the phosphine-producing active, Zinc Phosphide. Probable mucosal damage may contraindicate the use of gastric lavage. For animals ingesting bait and/or showing poisoning signs, induce vomiting by using hydrogen peroxide. Sodium bicarbonate can be given orally to neutralize the stomach acidity. The stomach and intestinal tract can be evacuated, oxygen administered and cardiac and circulatory stimulants given. See inside Panel for additional precautionary statements

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

- CAUTION -

Harmful if swallowed, absorbed through the skin, or inhaled. Causes moderate eye irritation. Avoid breathing dust. Any person who retrieves carcasses or unused bait following application of this product must wear waterproof gloves.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

All handlers, including loaders and applicators, must wear long sleeve shirt, long pants, shoes, socks, and waterproof gloves.

In addition, persons loading pellets or baits into aircraft or mechanical ground equipment and persons loading/applying with a hand-pushed or hand-held equipment, such as a push-type spreader or cyclone spreader, must wear a dust/mist filtering respiration (MSHA/NIOSH approval number prefix TC-21C or a NIOSH-approved respirator with a R, P, or HE filter) and protective eyewear.

Any person who retrieves carcasses or unused bait following application of this product must wear waterproof gloves.

MANUFACTURED BY: WILCO DISTRIBUTORS, INC.
PO BOX 291 ~ LOM POC CA 93438
PH# 805-735-2476 ~ FAX# 805-735-3629

Net wt. 25 lbs.

EPA REG NO. 36029-10
EPA EST NO. 61282-WI-01

User Safety Requirements:

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. Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash hands thoroughly after applying bait and before eating, drinking, chewing gum, using tobacco or using the toilet, and change into clean clothing.

ENVIRONMENTAL HAZARDS This product is extremely toxic to birds, fish and other wildlife. Wildlife feeding on treated bait may be killed. Dogs, cats, and other predatory and scavenging mammals and birds might be poisoned if they feed upon animals that have eaten this bait. Do not contaminate water when disposing of equipment wash water or rinsate. Do not apply directly to water.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store only in original container, in a cool, dry place inaccessible to children and pets. Keep containers closed and away from other chemicals.

PESTICIDE DISPOSAL: Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal Law. 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 HANDLING: Nonrefillable container. Do not reuse or refill this container. Dispose of empty container by placing in trash, at an approved waste disposal facility or by incineration.

ENDANGERED SPECIES CONSIDERATION

Notice: The use of this product may pose a hazard to Federally designated endangered/ threatened species. It is a Federal offense to use any pesticide in a manner that results in the death of a member of an endangered species. Consult the nearest U.S. Fish and Wildlife Service regional office or the appropriate State Agency for current information on habitats occupied by endangered species.

Whooping Crane (*Grus americana*). Do not use this product in habitats occupied or occasionally visited by whooping cranes during the period from 30 days before the expected arrival of cranes to 30 days after the time of their usual departure.

Black-footed Ferret (*Mustela nigripes*). Do not use this product within 7 kilometers (4.34 miles) of any prairie dog town to limit risks to the black-footed ferret from exposure to Zinc Phosphide or destruction of its prey base, unless the colony is an isolated black-tailed prairie dog town less than 80 acres in size or an isolated white-tailed prairie dog town less than 200 acres in size, or unless the town had been appropriately surveyed, using methods acceptable to the U.S. Fish and Wildlife Service, and found by the FWS not to be suitable site for ferret reintroductions.

Gray Wolf (*Canis lupus*) and Grizzly Bear (*Ursus actos horribilus*). Unless the local U.S. Fish and Wildlife Service office has determined that there are no gray wolves or grizzly bears in the general vicinity of bait applications in Montana and Wyoming, do not apply this product outdoors within occupied habitat of these species.

Attwater's Greater Prairie Chicken (*Tympanuchus cupido attwateri*). Do not use this product in the present occupied range of the Attwater's Greater Prairie Chicken in the following counties: Aransas, Austin, Brazoria, Colorado, DeWitt, Ft. Bend, Galveston, Goliad, Hams, Refugio, Victoria, Waller, and Wharton (Texas).

Yellow-Shouldered Blackbird (*Agelaius xanthomus*) and Puerto Rican Plain Pigeon (*Columba inornata wetmorei*). This product must not be used in the following areas in Puerto Rico except in tamper-proof bait boxes:

- (1) within 6.3 miles (10 kilometers) of Central Aquirre, Lago Cidra, Ceiba, San German
- (2) within 9.4 miles (15 kilometers) of La Esperanza, south of Highway 2 from city of Mayaguez to the city of Ponce and all Mona Island

Utah Prairie Dog (*Cynomys parvidens*). Do not use this product in critical habitat of the Utah Prairie Dog (Utah).

Salt Marsh Harvest Mouse (*Reithrodontomys raviventris*). Do not use this product in critical habitat within 0.5 miles of salt marsh vegetation and/or brackish water wetlands which are located: 1) near or adjacent to San Pablo Bay and San Francisco Bay, or 2) in the Sacramento River below or adjacent to confluence of the Sacramento River and the San Joaquin River (California)

Morro Bay Kangaroo Rat (*Dipodomys heermanni morroensis*). Do not use this product in critical habitat within 2.5 miles of Baywood Park which is located on Morro Bay (California)

Giant Kangaroo Rat (*Dipodomys ingrens*). Follow the Interim Measures for protecting endangered species in the California Endangered Species Bulletin for the following California counties: Fresno, Kern, Kings, Merced, Monterey, San Benito, San Luis Obispo, Santa Barbara and Tulare (California)

Tipton Kangaroo Rat (*Dipodomys nitratoideis nitratoideis*). Follow the Interim Measures for protecting endangered species in the California Endangered Species Bulletin for the following California counties: Kern, Kings and Tulare (California)

Fresno Kangaroo Rat (*Dipodomys nitratoideis exilis*). Follow the Interim Measures for protecting endangered species in the California Endangered Species Bulletin for the following California counties: Fresno, Kern, Kings, Madera and Merced (California)

Stephan's Kangaroo Rat (*Dipodomys stephens*). Follow the Interim Measures for protecting endangered species in the California Endangered Species Bulletin for the following California counties: San Bernardino, San Diego and Riverside (California)

San Bernardino Kangaroo Rat (*Dipodomys merriami parvus*). Follow the Interim Measures for protecting endangered species in the California Endangered Species Bulletin for the following California counties: San Bernardino and Riverside (California)

Northern Idaho Ground Squirrel (*Spermophilus brunneus brunneus*). Do not use this product within 0.5 miles in critical habitat of the Northern Idaho Ground Squirrel in Adams and Valley counties, Idaho.

DIRECTIONS FOR USE

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

READ THIS LABEL: Read this entire label and follow all use directions and use precautions. Do not apply this product by any method not specified on this label. For information on this pesticide product (including health concerns, medical emergencies, or pesticide incidents), call the National Pesticide Telecommunications Network at 1-800-858-7378.

USE RESTRICTIONS: 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. Keep all other persons out of the treated area during application.

RE-ENTRY STATEMENT

Do not enter treated areas without protective clothing until dusts have settled. Because certain states may require more restrictive re-entry intervals for various crops treated with this product, consult your State Department of Agriculture for further information. The area being treated must be vacated by unprotected persons. Written or oral precautions must be given to workers engaged in agricultural hand labor who are expected to be in a treated area or in an area about to be treated with this product. Written or oral precautions must include the following information: **CAUTION:** Area treated with zinc phosphide on (date of application). Do not enter treated area the day of application without protective clothing and gloves. Protective clothing at a minimum should include clean long pants, long sleeved shirt, shoes and socks. For accidental exposure, see First Aid. Oral precautions must be given if there is reason to believe that written precautions cannot be understood by workers. When oral precautions are given, precautions shall be given in a language customarily understood by workers.

LIMITATIONS

The Following Limitations apply to the Agricultural Areas Listed on this label: Bait must not be applied on roads, near residential areas, or over water. Do not broadcast over growing crops. Apply bait on warm, clear days. Do not graze animals in treated areas.

GRAPE VINEYARDS

USE RESTRICTIONS: For control of deer mice (*Peromyscus maniculatus*), white-footed mice (*P. leucopus*), oldfield mice (*P. polionotus*, except for threatened or endangered subspecies), meadow voles, prairie voles and pine voles (*Microtus spp.*), and meadow jumping mice (*Zapus hudsonius*) in grape vineyards. Do not use this product in areas of Alabama and Florida that are occupied by threatened or endangered subspecies of the Oldfield mouse. Only apply post-harvest or during dormancy.

BROADCAST BAITING: Broadcast bait evenly on the ground between the rows by cyclone seeder or by hand. Wear waterproof gloves during hand-broadcast operations. Apply bait at a rate of 6-10 lbs. per acre (0.12-0.2 lb ai/A).

Do not apply by air.

NURSERY STOCK ORNAMENTAL AND NON-BEARING FRUIT TREES

USE RESTRICTIONS: For control of meadow voles, prairie voles, pine voles, California voles, Oregon voles, mountain voles, and Townsend's voles (Microtus spp.) in nursery stock, and conifer/Christmas tree, poplar/cottonwood, ornamental, and non-bearing fruit tree plantations. Only apply post-harvest or during dormancy.

PREBAITING: None

BROADCASTING BAITING: Under infested nursery stock, conifer/Christmas trees, poplar/cottonwood trees, ornamental trees, or non-bearing fruit trees, broadcast bait evenly by cyclone seeder or by hand. Concentrate in areas with the heaviest vegetative cover. Do not broadcast on bare ground. Apply at a rate of 6-10 lbs. per acre (0.12 - 0.2 lb ai/A).

HAND BAITING: Near the base of infested nursery stock, conifer/Christmas trees, poplar/cottonwood trees, ornamental trees, or non-bearing fruit trees, place teaspoonful quantities (4 grams) of bait at 2-4 locations, either on surface trails or at the mouth of holes leading to underground burrow systems. Cover bait artificially (e.g., mats, boards) or by pulling overhanging grass over bait.

ORCHARDS & GROVES

USE RESTRICTIONS: For control of Meadow, Prairie, Pine, California, Oregon, Mountain, and Townsend's Voles and White-footed Mouse in pome fruit (apple, pear) and stone fruit (peach, cherry, apricot, plum, prune, nectarine). Apply only after fall harvest (including drops), before new spring growth and when no rain or snow is expected for three consecutive days.

HAND BAITING:

Place bait near bases of each infested tree at 2-4 locations, either on surface trails or at mouth of holes leading to underground burrow systems. Cover bait artificially (e.g., mats, boards) or by pulling overhanging grass over bait. Do not allow bait to be exposed on bare ground. Do not disturb the runway system.

Rate: Teaspoon amount (4 grams) per placement, 2 - 3 lb/A (0.04 - 0.06 lb ai/A)

TRAILBUILDER:

Set equipment to drop one teaspoon quantity of bait (4 grams) at 4-5 foot intervals in the artificial trail, made by the machine, just inside the drop line on both side of the trees.

Rate: 2 - 3 lb/A (0.04 - 0.06 lb ai/A)

GROUND BROADCAST:

Broadcast evenly by cyclone seeder or by hand. Concentrate in areas with heaviest vegetative cover. Do not broadcast on bare ground.

Rate: 6 - 10 lb/A (0.12 - 0.2 lb ai/A)

AERIAL BROADCAST:

Do not broadcast on bare ground.

Rate: 6 - 10 lb/A (0.12 - 0.2 lb ai/A)

RANGELAND

USE RESTRICTIONS

This product may only be used to control black-tailed prairie dogs (*Cynomys ludovicianus*) and white-tailed prairie dogs (*C. leucurus*) on rangelands and pasturelands in the States of Arizona, Colorado, Kansas, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, Utah and Wyoming during the period from July of one year to February of the next year. Only one application within this period is permitted in Kansas, Montana, Nebraska, North Dakota, Wyoming and South Dakota. Do not exceed the application rate. Apply only to rangeland with less than 50% ground cover. 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. Keep all other persons out of the treated area during application.

PREBAITING (Mandatory): To condition the prairie dogs to accept the grain used in this product readily, prebait each active mound to be treated with a teaspoon amount (4 grams or 0.14 oz) of untreated oats prior to application of toxic bait. Do not apply this product unless the prairie dogs have consumed the prebait.

OBSERVATIONS FOR NONTARGET SPECIES

Before applying toxic bait, determine the potential for exposing nontarget organisms. Applicators must conduct daily observations prior to applying toxic bait. Do not apply this product if nontarget species are observed to be feeding on bait. It is a violation of Federal Law to feed treated bait to nontarget species, including protected species, intentionally.

BAIT APPLICATION

HAND BAIT APPLICATION ONLY: Using a utility spoon or calibrated, hand-operated, mechanical bait dispenser, apply a teaspoon (4 grams or 0.14oz) of bait per placement, over a six inch diameter circle on the edge of the mound near the opening of only active prairie dog burrows.

FOLLOW-UP: Wearing waterproof gloves collect and properly dispose of all dead, exposed animals and leftover bait that cannot be used according to label directions according to the "Pesticide Disposal" section.

CALIFORNIA GROUND SQUIRRELS, COLUMBIAN, AND RICHARDSON'S GROUND

SQUIRRELS USE RESTRICTIONS: For control of California ground squirrels (*Spermophilus beecheyi*), Columbian (*Spermophilus columbianus*), and Richardson's (*S.richardsonii*) ground squirrels in:

NONCROP RIGHTS-OF-WAY next to canal and ditch banks and other borders during late spring and summer. Do Not apply on roads, near residential areas, over water, or where plants are grown for food or feed. Consult local, state and federal game authorities before use to insure this product is used in accordance with regulations.

PREBAITING (Strongly Recommended): Prebaiting with 6 lbs. of untreated steamed crimped oats (or use whatever substance best matches bait) per acre (0.12 lb ai/A) one or two days prior to using toxic bait is likely to enhance bait acceptance by California and Richardson's ground squirrels.

HANDBAITING: Apply one teaspoon (4 grams) of bait on the ground near active burrows.

BAITING: Treat only once during treatment period. Broadcast bait using hand or ground-driven dispensing devices not to exceed 6 lbs. per acre (0.12 lb ai/A). Dispose of excess bait from application equipment according to "Pesticide Disposal" instructions.

GRASSES: *Rangeland*-broadcast bait-must be applied at a rate of 3 to 6 lbs. swath acre. Hand bait-1 tsp/burrow or mound at a maximum of 1 application/year. *Pasture*-hand bait (edge of mound or adjacent feeding area) must be applied at a rate of 1 tsp/mound or burrow at a maximum of 1 application/year. *Re-seeding of rangeland/reforestation*-must be applied at a rate of 5 1/2 to 9 lbs./A.

GRAPES: *broadcast, ground* -must be applied at a rate of 6 to 10 lbs./A Do not apply by air. Do not apply over growing crop when bait may lodge in plant. Do not graze animals on treated areas. Do not broadcast over growing crops or over bare ground.

GRAPES: *broadcast aerial*-must be applied at a rate of 4 to 9 1/2 lbs./A. Apply during dormant season. Do not apply over growing crop when bait may lodge in plant.

Do not graze animals on treated areas. Do not broadcast over growing crops. Only apply post-harvest or during dormancy.

ALFALFA-(seed crop) Apply only underground. Apply after harvest or in the dormant season.

ALFALFA-Apply only underground or in bait stations. Apply post-harvest or during dormancy.

BARLEY, OATS, WHEAT- Apply only underground. Dormant season use only.

BERRY PRODUCTION AREAS-Apply only underground or in bait stations. Apply bait after harvest only while crop is in a nonbearing phase.

ORCHARD/GROVES-Apply after harvest or anytime during the dormant season, but before tree growth begins in the Spring. Do not broadcast over non-orchard/non-grove crops. Do not graze animals on treated areas.

TIMOTHY-Apply only during crop dormancy. Do not apply over growing crops. Do not graze animals in treated areas. PREBAITING: To increase acceptance of treated bait by California ground squirrels, prebait with one teaspoon untreated wheat around each active burrow 2-3 days prior to using toxic bait.

MEADOW VOLES IN ALFALFA & TIMOTHY HAYFIELDS

USE RESTRICTIONS: For control of meadow voles in timothy and timothy/alfalfa mixtures. Do not apply by air. Do not apply to actively growing timothy or timothy/alfalfa mixtures. This use is restricted to California, Idaho, Oregon and Washington. Do not apply to timothy or timothy/alfalfa mixtures within 60 days of harvest.

BAIT STATIONS: Place bait in bait stations that are resistant to tampering by dogs and children under six years of age. Place at least 4 ounces of bait per station. A maximum of 20 lbs (0.4 lb ai/A) per acre may be applied annually.

POCKET GOPHERS

USE RESTRICTIONS: For control of plains pocket gophers (*Geomys bursarius*), southeastern pocket gophers (*G. pinetis*), yellow-faced pocket gophers (*Pappogeomys castanops*) and pocket gophers (*Thomomys spp.*) on lawns, golf courses, forest areas(not for use in California), parks, nurseries, Rangelands, grain fields, forage crops, hay and alfalfa crops, vineyards, orchards, tree plantations and vegetable crops. Bait must be applied directly into pocket gopher's underground burrow systems or into underground tunnels created by burrow-builder machines. Do not apply bait above ground.

HAND BAITING: Follow the directions indicated below to locate and treat pocket gophers' burrow systems.

Locating Underground Runways: Use a specially designed gopher probe, a metal rod, a strong smooth stick, or other suitable implement to probe the ground 10 to 15 inches away from fan-shaped gopher mounds. Begin probing on the flat side of the fan. When the main runway has been entered, the probe will drop about 2 inches due to decreased resistance from soil.

Applying Bait to Runways: Using a long-handled spoon or mechanical probe, drop one teaspoon (4 grams) of bait into the main runway at each baited point. Cover the opening with sod, a rock, or soil to exclude light. Take care not to cover bait with soil. Depending upon mound density, make two to five bait placements per burrow system. Recover and bury all spilled bait. Applied in this manner, one pound of bait will treat one to eight acres, depending upon the number of pocket gopher burrow systems present.

BURROW BUILDER: Follow manufacturer's instructions for the type of equipment used. Calibrate equipment to drop a teaspoon quantity (4 grams) of bait at 4-5 foot intervals in the artificial burrow made by the machine. Apply at a rate of 2-3 lbs. of bait per acre (0.04 - 06 lb ai/A). Pick up and disposal of all spilled bait according.

KANGAROO RATS IN RANGELAND & PASTURES

USE RESTRICTIONS: For control of the Ord's kangaroo rat (*Dipodomys ordii*), Banner-tailed kangaroo rat (*D. Spectabilis*) and Merriam's kangaroo rat (*D. Merriami*) in rangeland vegetation and pastures.

HAND BAITING: Place one tablespoon of bait at 2 locations on opposite sides of mounds. Place bait in feeding runs near the entrance to burrows.

HAND BAITING:

LAWNS, ORNAMENTALS, GOLF COURSES, PARKS AND NURSERIES

USE RESTRICTIONS: For control of meadow voles, prairie voles, pine voles, California voles, long-tailed voles, Oregon voles, mountain voles and Townsend's voles (*Microtus spp.*), Columbian ground squirrels (*Spermophilus columbianus*), Richardson's ground squirrels (*S. richardsonii*), thirteen-lined ground squirrels

(*S. tridecemlineatus*), and California ground squirrels (*S. beecheyi*) in lawns, ornamentals, golf courses, parks, and nurseries. Bait must not be applied on roads, over water or where plants are grown for food or feed.

PREBAITING: (Strongly Recommended): For ground squirrels only, prebait by placing one teaspoon (4 grams) of untreated steamed crimped oats around each active burrow opening or in each active runway 2 or 3 days prior to using toxic bait to enhance acceptance by ground squirrels or voles.

HAND BAITING: For ground squirrels, place 4 grams (one teaspoon) of bait around each active burrow opening or in each active runway. For voles, place teaspoonful quantities (4 grams) of bait, either on surface trails or at the mouth of holes leading to underground burrow systems. Cover bait artificially (e.g., mats, boards) or by pulling overhanging grass over bait. Allow bait to fall through to the ground surface but do not apply bait to bare ground. Do not place bait in heaps or piles.

BAIT STATIONS: Place bait in tamper-resistance bait stations if children, pets, or nontarget mammals or birds may access the bait.

**CONDITIONS OF SALE AND LIMITATION OF
WARRANTY AND LIABILITY**

NOTICE: Read the entire Directions for Use and Conditions of Sale and Limitation of Warranty and Liability before buying or using this product. If the terms are not acceptable, return the product at once.

Manufacturer and Seller warrant that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated in the Directions for Use, subject to the inherent risks referred to above, when used in accordance with directions under normal use conditions. This warranty does not extend to the use of this product contrary to label instructions, or under abnormal conditions or under conditions not reasonably foreseeable to or beyond the control of Seller or Manufacturer, and to the extent consistent with applicable law Buyer and User assume the risk of any such use. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW MANUFACTURER AND SELLER MAKE NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY EXCEPT AS STATED ABOVE.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW IN NO EVENT SHALL MANUFACTURER OR SELLER BE LIABLE FOR ANY INCIDENTAL, CONSEQUENTIAL OR SPECIAL DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT. THE EXTENT CONSISTENT WITH APPLICABLE LAW THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE EXCLUSIVE LIABILITY OF MANUFACTURER AND SELLER FOR ANY AND ALL CLAIMS, LOSSES, INJURIES OR DAMAGES (INCLUDING CLAIMS BASED ON BREACH OF WARRANTY, CONTRACT, NEGLIGENCE, TORT, STRICT LIABILITY OR OTHERWISE) RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, SHALL BE THE RETURN OF THE PURCHASE PRICE OF THE PRODUCT OR, AT THE ELECTION OF MANUFACTURER OR SELLER, THE REPLACEMENT OF THE PRODUCT.

To the extent consistent with applicable law Manufacturer and Seller offer this product, and Buyer and User accept it, subject to the foregoing conditions of sale and limitations of warranty and of liability, which may not be modified except by written agreement signed by a duly authorized representative of Manufacturer.