



U.S. ENVIRONMENTAL PROTECTION AGENCY

Office of Pesticide Programs
Registration Division (7505P)
1200 Pennsylvania Ave., N.W.
Washington, D.C. 20460

EPA Reg. Number:

42519-40

Date of Issuance:

7/24/20

NOTICE OF PESTICIDE:

Registration
 Reregistration
(under FIFRA, as amended)

Term of Issuance:

Conditional

Name of Pesticide Product:

LBG-63FTA

Name and Address of Registrant (include ZIP Code):

Frederick T. Smith
Senior Regulatory Specialist
Agent for Luxembourg-Pamol, Inc.
c/o SciReg, Inc.
12733 Director's Loop
Woodbridge, VA 22192

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered under the Federal Insecticide, Fungicide and Rodenticide Act.

Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

This product is conditionally registered in accordance with FIFRA section 3(c)(7)(A). You must comply with the following conditions:

1. Submit and/or cite all data required for registration/reregistration/registration review of your product under FIFRA when the Agency requires all registrants of similar products to submit such data.

Signature of Approving Official:

Hope Johnson, Product Manager 21
Fungicide Branch, Registration Division (7505P)

Date:

7/24/20

2. You are required to comply with the data requirements described in the DCI Order identified below:

- a. Tebuconazole GDCI-128997-1598

You must comply with all of the data requirements within the established deadlines. If you have questions about the Generic DCI Order listed above, you may contact the Chemical Review Manager in the Pesticide Reevaluation Division:

<http://iaspub.epa.gov/apex/pesticides/f?p=chemicalsearch:1>

3. The data requirements for storage stability and corrosion characteristics (Guidelines 830.6317 and 830.6320) are not satisfied. A one year study is required to satisfy these data requirements. You have 18 months from the date of registration to provide these data.
4. Make the following label changes before you release the product for shipment:
 - Revise the EPA Registration Number to read, “EPA Reg. No. 42519-40.”
 - Add an appropriate EPA Establishment number and Net Contents information
5. Submit one copy of the final printed label for the record before you release the product for shipment.

Should you wish to add/retain a reference to the company’s website on your label, then please be aware that the website becomes labeling under the Federal Insecticide Fungicide and Rodenticide Act and is subject to review by the Agency. If the website is false or misleading, the product would be misbranded and unlawful to sell or distribute under FIFRA section 12(a)(1)(E). 40 CFR 156.10(a)(5) list examples of statements EPA may consider false or misleading. In addition, regardless of whether a website is referenced on your product’s label, claims made on the website may not substantially differ from those claims approved through the registration process. Therefore, should the Agency find or if it is brought to our attention that a website contains false or misleading statements or claims substantially differing from the EPA approved registration, the website will be referred to the EPA’s Office of Enforcement and Compliance.

If you fail to satisfy these data requirements, EPA will consider appropriate regulatory action including, among other things, cancellation under FIFRA section 6(e). Your release for shipment of the product constitutes acceptance of these conditions. A stamped copy of the label is enclosed for your records. Please also note that the record for this product currently contains the following CSFs:

- Basic CSF dated 06/26/2020

If you have any questions, please contact Maryam K. Muhammad by phone at 703-347-0301, or via email at Muhammad.maryam@epa.gov.

Enclosure

ACCEPTED

Jul 24, 2020

Under the Federal Insecticide, Fungicide and Rodenticide Act as amended, for the pesticide registered under EPA Reg. No. 42519-40

POTASSIUM PHOSPHITE	GROUP	33	FUNGICIDE
TEBUCONAZOLE	GROUP	3	FUNGICIDE
AZOXYSTROBIN	GROUP	11	FUNGICIDE

LBG-63FTA

A systemic fungicide for the control of corn, soybean, and wheat diseases

ACTIVE INGREDIENTS:

Potassium Phosphite ¹	42.45%
Tebuconazole: α -[2-(4-chlorophenyl)ethyl]- α -(1,1-dimethylethyl)-1H-1,2,4-triazole-1-ethanol ²	2.90%
Azoxystrobin: methyl (E)-2-[2-[6-(2-cyanophenoxy) pyrimidin-4-yloxy]phenyl]-3-methoxyacrylate ³	2.61%
OTHER INGREDIENTS:	52.04%
TOTAL:	100.00%

- ¹ 3.338 pounds/gal phosphorous acid equivalent
- ² 0.334 pound/gal tebuconazole
- ³ 0.300 pound/gal azoxystrobin

**KEEP OUT OF REACH OF CHILDREN
CAUTION**

EPA Reg. No. 42519-

EPA Est. No.

Net Contents:
Batch No.

Manufactured for:
Luxembourg-Pamol, Inc.
3647 Willowbend Blvd., Suite 810
Houston, TX 77054, U.S.A.
Customer Service (713) 661-8800

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

CAUTION. Harmful if swallowed or if absorbed through skin. Causes moderate eye irritation. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco.

PERSONAL PROTECTIVE EQUIPMENT (PPE): Natural rubber and polyvinyl chloride are chemical-resistant to this product.

Applicators and other handlers must wear:

- long-sleeved shirt and long pants
- chemical-resistant gloves (nitrile, butyl, neoprene, and/or barrier laminate)
- shoes plus socks

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.

User Safety Recommendations:

Users should:

- Wash hands before eating, drinking, chewing gum, using tobacco, 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.

Environmental Hazards: Tebuconazole and Azoxystrobin are toxic to mammals, estuarine/marine fish and aquatic invertebrates. Do not apply directly to water, or to areas where surface water is present, or to intertidal areas below the mean highwater mark. Drift and runoff may be hazardous to aquatic organisms in neighboring areas. Do not contaminate water when disposing of equipment wash water or rinsate.

Ground Water Advisory: Tebuconazole, Azoxystrobin, and a degradate of Azoxystrobin are known to leach through soil into groundwater under certain conditions as a result of label use. Azoxystrobin can be persistent for several months or longer. Use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination.

Surface Water Advisory: This product may contaminate water through drift of spray in wind or runoff of rain water. It has a high potential for runoff for several months or more after application. Poorly draining soils and soils with shallow water tables are more prone to runoff that contains this product. A level, well-maintained vegetative buffer strip between areas to which this product is applied and surface water features such as ponds, streams, and springs will reduce the potential for contamination of water from rainfall-runoff and sediment. Runoff of this product will be reduced by avoiding applications when rainfall is forecasted within 48 hours.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. For any requirements specific to your State or Tribe, consult the State or tribal agency responsible for pesticide regulation. 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.

Failure to follow the USE DIRECTIONS, RESTRICTIONS, and PRECAUTIONS on this label may result in crop injury or poor disease control and/or illegal residues.

Agricultural Use Requirements

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR Part 170. This Standard contains requirements for the protection of agricultural workers on farms, forests, nurseries and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE), and restricted entry intervals (REI). 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 for all crops.

PPE requirement 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
- chemical-resistant gloves (nitrile, butyl, neoprene, natural rubber, and/or barrier laminate)
- shoes plus socks

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

Requirements for ground applications:

For ground applications, adjust nozzle height and droplet size with wind speed according to the following table:

Wind speed	Nozzle height	Droplet size for standard nozzles (ASAE standard 572)
Less than 10 mph	Up to 2 feet	medium or coarser
	2-4 feet	coarse or coarser
	4-6 feet	very coarse or coarser

10 to 15 mph	0-2 feet	coarse or coarser
	2-4 feet	very coarse or coarser
	4-6 feet	extremely coarse

RESTRICTIONS: Do not apply when the wind speed exceeds 15 mph. Do not apply at a nozzle height of greater than 6 feet above the ground or crop canopy. Apply as a medium or coarser spray (ASAE standard 572).

Requirements for aerial applications:

For aerial applications, apply only when the wind speed is less than or equal to 15 mph using a release height of no more than 10 feet above the ground or crop canopy. If the wind speed is less than 10 mph, apply as a medium or coarser spray (ASAE standard 572). If the wind speed is between 10 mph and 15 mph, apply as a coarse or coarser spray (ASAE standard 572). The boom length must not exceed 75% of the wingspan or 90% of the rotor blade diameter. When aerial applications are made with a cross-wind, the swath will be displaced downwind. The applicator must compensate for this displacement at the downwind edge of the application area by adjusting the path of the aircraft upwind. No aerial application in New York State.

RESTRICTIONS: Do not make aerial applications into temperature inversions.

Make applications by air in a minimum of 2 gallons of water per acre. Approved adjuvants and other additives may be added to the spray solution to improve spray coverage. LBG-63FTA can be tank-mixed with most recommended fungicides, insecticides, herbicides, liquid fertilizers, biological control products, adjuvants and other additives. Under some conditions, the use of additives or adjuvants may improve the performance of LBG-63FTA. However, all varieties and cultivars have not been tested with all possible tank-mix combinations. Physical incompatibility, reduced disease control, or crop injury may result from mixing LBG-63FTA with other products. Therefore, before using any tank-mix, test the combination on a small portion of the crop to ensure that a phytotoxic response will not occur as a result of the tank-mix application.

Spray Drift Management:

Aerial applications: Mount the spray boom on the aircraft so as to minimize drift caused by wing tip vortices. Use the minimum practical boom length, which must not exceed 75 percent of the wingspan or rotor diameter. Use the largest droplet size consistent with pest control. Formation of very small droplets may be minimized by appropriate nozzle selection, by orienting nozzles away from the air stream as much as possible and by avoiding excessive spray boom pressure. Apply in a minimum of 2 gallons of spray solution per acre by aircraft spray equipment. Release spray at the lowest possible height consistent with good pest control and flight safety. **RESTRICTION:** Do not apply more than 10 feet above the crop canopy. Make aerial and ground applications when wind velocity favors on-target product deposition (approximately 3 to 10 mph). **RESTRICTION:** Do not apply when wind velocity exceeds 15 mph (miles per hour). Avoid applications when wind gusts approach 15 mph. Risk of exposure to sensitive aquatic areas can be reduced by avoiding applications when wind direction is toward the aquatic area. Low humidity and high temperatures increase the evaporation rate of spray droplets and therefore the likelihood of spray drift to aquatic areas. **RESTRICTION:** Do not spray during conditions of low humidity and/or high temperature. **RESTRICTION:** Do not make aerial or ground applications during temperature inversions.

Inversions are characterized by stable air and increasing temperatures with height above the ground. Mist or fog may indicate the presence of an inversion in humid areas. The applicator may detect the presence of an inversion by producing smoke and observing a smoke layer near the ground surface.

OBSERVE THE FOLLOWING RESTRICTIONS WHEN SPRAYING IN THE VICINITY OF AQUATIC AREAS SUCH AS LAKES, RESERVOIRS, RIVERS, PERMANENT STREAMS, MARSHES OR NATURAL PONDS, AND ESTUARIES.

Apply only during alternate years in fields adjacent to aquatic areas listed above.
Do not apply by ground or air within 100 feet of aquatic areas listed above.
Do not cultivate within 10 feet of an aquatic area to allow growth of a vegetative filter strip.

Rotational Crop Restrictions:

Treated areas may be replanted with any crop specified on this label as soon as practical after last application. Any other crop approved for use on tebuconazole, azoxystrobin and potassium phosphite, except buckwheat and millet, may be planted into treated areas 120 days after last application. Buckwheat and millet may be planted 365 days after last application.

Product Information:

LBG-63FTA is a systemic product. When used in conjunction with good cultural management practices and as part of a complete disease control program, LBG-63FTA will control/suppress specified diseases associated with corn, soybeans, and wheat. In order to achieve maximum results in controlling/suppressing the diseases, carry out spraying before the appearance of the diseases or when diseases are first observed. Initiate applications when environmental conditions are favorable for disease development. **Not approved for use on corn and soybeans in New York State.**

Resistance Management:

For resistance management, please note that LBG-63FTA contains; Potassium Phosphite, a Group 33 fungicide, Azoxystrobin, a Group 11 fungicide, and Tebuconazole a Group 3 fungicide. A gradual or total loss of pest control may occur over time if these fungicides are used repeatedly in the same fields. Appropriate resistance-management strategies should be followed.

To delay fungicide resistance, take one or more of the following steps:

- Rotate the use of LBG-63FTA or other Group 33, 11, and 3 fungicides within a growing season sequence with different groups that control the same pathogens.
- Use tank mixtures with fungicides from different groups that are equally effective on the target pest when such use is permitted. Use at least the minimum application rate as labeled by the manufacturer.
- Adopt an integrated disease management program for fungicide use that includes scouting, uses historical information related to pesticide use, and crop rotation, and which considers host plant resistance, impact of environmental conditions on disease development, disease thresholds, as well as cultural, biological and other chemical control practices.
- Where possible, make use of predictive disease models to effectively time fungicide applications. Note that using predictive models alone is not sufficient to manage resistance.

- Monitor treated fungal populations for resistance development.
- Contact your local extension specialist or certified crop advisor for any additional pesticide resistance-management and/or IPM recommendations for specific crops and pathogens.
- For further information or to report resistance contact Luxembourg-Pamol, Inc. at *Website: www.luxpam-usa.com*. You can also contact your pesticide distributor or university extension specialist to report resistance.

MIXING AND APPLICATION INSTRUCTIONS

Apply LBG-63FTA in a minimum of 10 gallons of water per acre by ground sprayer or in a minimum of 2 gallons of spray solution per acre by aircraft.

Check equipment calibration frequently. Complete coverage and uniform application are essential for the most effective results, especially when lower spray volumes are applied. If necessary, increase the volume of water in the spray tank for complete crop coverage. **RESTRICTION:** Do not exceed specified application rates. Fill spray tank halfway with clean water. Add the required amount of LBG-63FTA to the tank, as indicated in the application instructions. While agitating, add the remaining amount of water. Apply solution directly to the foliage. For optimum control, thorough coverage is required. LBG-63FTA spray must have a minimum of 2 hours of drying time on plant foliage for the active ingredients to move into the plant tissue before rain or irrigation occurs.

Compatibility:

Conduct a tank spray compatibility test when you plan to mix this product with other products. To determine the physical compatibility of this product with other products, use a jar test. Using a quart jar, add the proportionate amounts of the products to approximately one quart of water with agitation. Add dry formulations first, then flowables, and then emulsifiable concentrates last. After thorough mixing, allow this mixture to stand for 5 minutes. If the combination remains mixed or can be readily remixed, it is physically compatible. Once compatibility has been proven, use the same procedure for adding products to the spray tank. Follow the more restrictive labeling requirements of any tank mix partner. **RESTRICTION:** Do not tank mix with products whose label prohibits tank mixing. It is the pesticide user's responsibility to ensure that all products are registered for the intended use. Read and follow the applicable restrictions and limitations and directions for use on all product labels involved in tank mixing. Users must follow the most restrictive directions for use and precautionary statements of each product in the tank mixture.

Phytotoxicity indications:

The components of this product have been evaluated for phytotoxicity on a large variety of crops under various normal field conditions. However, testing all plant varieties, in all mixtures and combinations is not feasible. Test a small portion of the area to be treated for phytotoxicity, before treating the entire area. Test tank-mix combinations on a small number of plants before treating large areas, as crop sensitivity to these mixtures may vary. Do not apply to plants under stress. This product is extremely phytotoxic to certain apple varieties. **AVOID SPRAY DRIFT.** Extreme care must be used to prevent injury to apple trees (and apple fruit). **DO NOT** spray this product where spray drift may reach apple trees.

DISEASE CONTROL AND APPLICATION INSTRUCTIONS

LBG-63FTA is for use on the following crops, all of which have an REI of 12 hours.

DIRECTIONS FOR USE

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

DISEASE CONTROL AND APPLICATION INSTRUCTIONS

CROP	DISEASE	RATE	INSTRUCTIONS
CORN* Field corn, Sweet corn, Seed corn, Popcorn	Rust (<i>Puccinia</i> spp.)	2-3 pints/acre	Apply the higher specified rate (3 pts/acre) when conditions favor severe disease development.
	Northern leaf blight (<i>Exserohilum turcicum</i>) Southern leaf blight (<i>Bipolaris maydis</i>) Northern leaf Spot (<i>Bipolaris zeicola</i>) Gray leaf spot (<i>Cercospora zea-maydis</i>)	2.5-3 pints/acre	Apply preventatively when weather favors disease development. Repeat on a 7-14 day interval.

Specific Use Restrictions:

- 1) Do not make more than 2 applications per year.
- 2) Do not apply more than 0.45 pounds of ai tebuconazole-containing products/A/year.
- 3) Do not apply more than 2.0 pounds of ai azoxystrobin-containing products/A/year
- 4) Do not apply more than 6 pints per acre of product per year.
- 5) Do not apply within 7 days of harvest (PHI=7 days).
- 6) Do not apply to sweet corn within 7 days of harvest for ears or forage.

* Not for use in California, New York, and Washington.

CROP	DISEASE	RATE	INSTRUCTIONS
SOYBEAN*	Soybean rust (<i>Phakopsora pachyrizi</i>)	2 pints/acre	For rust, apply preventively when weather conditions favor disease development. Repeat applications on a 7-14 day interval.
	Downy mildew (<i>Peronospora manshurica</i>), Powdery mildew (<i>Microsphaera</i>)	2.5 pints/acre	Apply the higher specified rate (2.5 pts/acre) when conditions favor severe disease development

<p><i>diffusa</i>), Frogeye leafspot (<i>Cercospora</i> <i>sojina</i>), Aerial blight (<i>Rhizoctonia</i> <i>solani</i>), Brown Leaf spot (<i>Septoria</i> <i>glycines</i>)</p>		<p>Make applications between R1 and R5 (flowering through visible seed in the pod in the upper 4 nodes of the plant). Make a second application 21 days later if necessary.</p> <p>Use spray volumes of 2 gallons or more by air, and 10 gallons or more by ground.</p> <p>To prevent mixing issues, add recommended surfactant. Keep under constant agitation during spraying. Use adjuvants at their lowest labeled rate.</p>
---	--	---

Specific Use Restrictions:

- 1) Do not make more than 2 applications per year.
- 2) Do not apply more than 0.225 pounds of tebuconazole-containing products/A/year.
- 3) Do not apply more than 1.5 pounds of ai azoxystrobin-containing products/A/year.
- 4) Do not apply more than 4 pints per acre of product per year.
- 5) Do not apply within 21 days of harvest (PHI=21 days).

* Not for use in California, New York, and Washington.

CROP	DISEASE	RATE	INSTRUCTIONS
WHEAT	<p>Rusts, leaf, stem, and stripe (<i>Puccinia</i> spp.)</p> <p>Head blight or scab (<i>Fusarium</i> spp.) suppression</p> <p>Septoria Glume Blotch (<i>Staganospora nodorum</i>)</p> <p>Powdery mildew (<i>Erysiphe graminis/Blumeria graminis</i>)</p> <p>Tan spot (<i>Pyrenophora triticirepenis</i>)</p> <p>Septoria Leaf Spot (Septoria complex)</p>	2 pints/acre	<p>Scout fields for symptoms. Apply preventively at earliest sign of disease. For head blight, application is typically best made at growth stage 10.5.</p> <p>Rusts, leaf, stem, and stripe: Apply at first sign of pustules. Use the higher specified rate under heavy disease pressure or if conditions are conducive for disease.</p> <p>Head blight (suppression): Apply at beginning of flowering (Feekes 10.51).</p> <p>Septoria Glume Blotch: Apply when 50% of the heads on the main stem are in flower.</p> <p>Powdery mildew: Apply at the onset of disease.</p> <p>Tan spot and Septoria Leaf Spot: Apply at flag leaf emergence, or at the first sign of disease until end of flowering.</p> <p>Monitor fields carefully for disease, especially during times of weather conducive for disease. Apply a surfactant at the lowest label rate to optimize control.</p>

Specific Use Restrictions:

- 1) Do not make more than 1 application per year.
- 2) Do not apply more than 2.5 pints per acre of LBG-63FTA per year.
- 3) Do not apply more than 0.1125 pounds of the active ingredient tebuconazole/A/year.
- 4) Do not apply more than 0.4 pound ai of azoxystrobin-containing products/A/year.
- 5) Do not apply within 30 days of harvest (PHI=30 days). Straw may be used for bedding.
- 6) Grazing or feeding forage to livestock is permitted 14 days after the last application.
- 7) Do not apply after feekes stage 10.54.

* Not for use in California for stem rust, head blight or scab, Septoria glume blotch, powdery mildew, tan spot, or Septoria leaf spot.

Rate Conversion Table

Crop	Rate	Equivalent Lbs. Azoxystrobin/A	Equivalent Lbs. Potassium Phosphite/A	Equivalent Lbs. Tebuconazole/A
Corn	2.0 pints per acre	0.075	0.83	0.084
	2.5 pints per acre	0.0937	1.037	0.105
	3.0 pints per acre	0.112	1.25	0.126
Soybean	2.0 pints per acre	0.075	0.83	0.084
	2.5 pints per acre	0.0937	1.037	0.105
Wheat	2.0 pints per acre	0.075	0.83	0.084

STORAGE AND DISPOSAL

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

Pesticide Storage: Store in a dry, secure, cool place.

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

Container Handling: Nonrefillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying.

Container sizes of 5 gallons or less: Triple rinse as follows: Empty the remaining contents into the 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.

Container sizes of greater than 5 gallons: Triple rinse as follows: Empty the remaining contents into the 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, if available, or puncture or dispose of in a sanitary landfill, or by incineration. Do not burn unless allowed by state and local ordinances. If burned, stay out of smoke.

Warranty Limitations and Disclaimer

To the extent consistent with applicable law, Luxembourg warrants that at the time of delivery, the product will conform to its chemical description on the label, that it will pass without objection in the trade under the contract description, that seller will convey good title thereto, and that such product will be delivered free from any lawful security interest, lien or encumbrance.

This is the only warranty made on this product. Luxembourg EXPRESSLY DISCLAIMS ANY IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE AND, EXCEPT AS SET FORTH IN THE ABOVE PARAGRAPH, ANY OTHER EXPRESS OR IMPLIED WARRANTIES. To the extent consistent with applicable law, buyer assumes all risk of use of this material when such use is contrary to label instructions. Read and follow the label directions carefully.

**[CONDITIONS OF SALE - LIMITED WARRANTY
AND LIMITATIONS OF LIABILITY AND REMEDIES**

Read the Conditions of Sale - Warranty and Limitations of Liability and Remedies before using this product. If the terms are not acceptable, return the product, unopened, and the full purchase price will be refunded.

The directions on this label are believed to be reliable and must be followed carefully. Insufficient control of pests and/or injury to the crop to which the product is applied may result from the occurrence of extraordinary or unusual weather conditions or the failure to follow the label directions or good application practices, all of which are beyond the control of {company} (the "Company") or seller. In addition, failure to follow label directions may cause injury to crops, animals, man or the environment. The Company warrants that this product conforms to the chemical description on the label and is reasonably fit for the purpose referred to in the directions for use subject to the factors noted above which are beyond the control of the Company. To the extent consistent with applicable law, The Company makes no other warranties or representations of any kind, express or implied, concerning the product, including no implied warranty of merchantability or fitness for any particular purpose, and no such warranty shall be implied by law.

To the extent consistent with applicable law, the exclusive remedy against the Company for any cause of action relating to the handling or use of this product shall be limited to, at {company's} election, one of the following:

1. Refund of the purchase price paid by buyer or user for product bought, or
2. Replacement of the product used

To the extent consistent with applicable law, the Company shall not be liable and any and all claims against the Company are waived for special, indirect, incidental, or consequential damages or expense of any nature, including, but not limited to, loss of profits or income. The Company and the seller offer this product and the buyer and user accept it, subject to the foregoing conditions of sale and limitation of warranty, liability and remedies.]