



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

September 18, 2018

Carolyn Miter
Registrations Specialist
Albaugh, LLC
PO Box 2127
Valdosta, GA 31604-2127

Subject: Notification per PRN 98-10 – Adding minor state related clarification statement
Product Name: MCPA Amine 4
EPA Registration Number: 42750-14
Application Date: January 24, 2018
Decision Number: 543929

Dear Ms. Miter:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 for the above referenced product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action requested falls within the scope of PRN 98-10. The label submitted with the application has been stamped “Notification” and will be placed in our records.

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 have any questions, you may contact Julia Kerr at 703.347.0386 or via email at kerr.julia@epa.gov.

Sincerely,

A handwritten signature in black ink that reads "Kathryn V. Montague".

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

NOTIFICATION

42750-14

The applicant has certified that no changes, other than those reported to the Agency have been made to the labeling. The Agency acknowledges this notification by letter dated:

09/18/2018

MCPA AMINE 4

HERBICIDE FOR SELECTIVE CONTROL OF CERTAIN WEEDS IN WHEAT, OATS, BARLEY, RYE, FLAX, ESTABLISHED GRASSLANDS, GOLF COURSES, SOD FARMS AND NON-CROP AREAS

ACTIVE INGREDIENT:

Dimethylamine salt of 2-methyl-4-chlorophenoxyacetic acid* 48.89%

OTHER INGREDIENTS:..... 51.11%

TOTAL..... 100.00%

*This product contains 3.7 pounds 2-methyl-4-chlorophenoxyacetic acid per gallon or 39.9%. Isomer specific by AOAC Method No. 6.A-18-22 (13th Ed.).

KEEP OUT OF REACH OF CHILDREN

DANGER – PELIGRO

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle. (If you do not understand the label, find someone to explain it to you in detail).

| FIRST AID | |
|--|--|
| IF IN EYES | <ul style="list-style-type: none"> Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. Call a poison control center or doctor for treatment advice. |
| IF SWALLOWED | <ul style="list-style-type: none"> Call 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 the poison control center or doctor. Do not give anything by mouth to an unconscious person. |
| 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. |
| IF ON SKIN OR CLOTHING | <ul style="list-style-type: none"> Take off contaminated clothing. Rinse skin immediately with plenty of water for 15-20 minutes. Call a poison control center or doctor for treatment advice. |
| HOT LINE NUMBER – You may contact CHEMTREC at 1-800-424-9300 for emergency medical treatment information. Have the product container or label with you when calling a poison control center or doctor, or going for treatment. | |
| NOTE TO PHYSICIAN - Probable mucosal damage may contraindicate the use of gastric lavage. | |

See additional Precautionary Statements on side panel.

EPA Reg. No. 42750-14

EPA Est. No. 42750-MO-1

NET CONTENTS:

MANUFACTURED BY:
Albaugh, LLC
Ankeny, Iowa 50021

FOR CHEMICAL SPILL, LEAK, FIRE, OR EXPOSURE CALL CHEMTREC (800) 424-9300

PRECAUTIONARY STATEMENTS

DANGER

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

Corrosive. Causes irreversible eye damage. Harmful if swallowed, absorbed through skin or inhaled. Do not get in eyes, on skin, or on clothing. Avoid breathing spray mist. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Mixers, loaders, applicators, flaggers and other handlers must wear:

1. Long-sleeved shirt and long pants,
2. Waterproof gloves
3. Shoes plus socks,
4. Protective eyewear, goggles or face shield and
5. Chemical-resistant headgear for overhead exposure.

Additional PPE requirements for mixers and loaders supporting aerial application to rangelands, pasture lands, or noncropland. These mixers/loaders also must wear:

1. A chemical resistant apron, and
2. A NIOSH-approved respirator with a dist/mist filter with MSHA/NIOSH approval number prefix TC-21C or any N², R, P, or HE filter.

See engineering controls for additional requirements.

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

ENGINEERING CONTROLS

Pilots must use an enclosed cockpit that meets the requirements listed in the WPS for agricultural pesticides [40 CFR 170.240(d)(6)]

When handlers use closed systems, enclosed cabs, or aircraft in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.240(d)(4-6)], the handler PPE requirements may be reduced or modified as specified in the WPS.

USER SAFETY RECOMMENDATIONS

Users should:

1. Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.
2. Remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
3. 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

This pesticide may be toxic to fish, aquatic invertebrates and aquatic plants. Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment washwaters or rinsate. Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas. Runoff of this product will be reduced by avoiding applications when rainfall is forecasted to occur within 48 hours.

GROUNDWATER ADVISORY: This chemical has properties and characteristics associated with chemicals detected in groundwater. The use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination.

CHEMICAL HAZARDS ADVISORY: Do not use, pour, spill or store near heat or open flame.

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 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 48 hours.

PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil, or water, is:

1. Coveralls,
2. Chemical resistant gloves made of any waterproof material
3. Shoes plus socks, and
4. Protective eyewear

NON-AGRICULTURAL USE REQUIREMENTS

The requirements in this box apply to uses of this product that are NOT within the scope of the Worker Protection Standard for agricultural pesticides (40 CFR Part 170). The WPS applies when this product is used to produce agricultural plants on farms, forests, nurseries, or greenhouses.

Do not enter treated areas without protective clothing until sprays have dried.

SPRAY DRIFT MANAGEMENT

Avoiding spray drift at the application site is the responsibility of the applicator. The interaction of many equipment-and-weather related factors determine the potential for spray drift. The applicator and the grower are responsible for considering all these factors when making decisions.

Apply only as a medium or coarser spray (ASAE standard 572) or a volume mean diameter of 300 microns or greater for spinning atomizer nozzles.

Apply only when wind speed is 2-10 mph at the application site.

FOR AERIAL APPLICATION:

- The distance of the outer most nozzles on the boom must not exceed 75% of the wingspan or 90% rotor blade diameter.
- Release spray at the lowest height consistent with efficacy and flight safety. Do not release spray at a height greater than 10 feet above the crop canopy.

FOR GROUND BOOM APPLICATION:

- Do not apply with a nozzle height greater than 4 feet above the crop canopy.

SWATH ADJUSTMENT: When applications are made with a crosswind, the swath will be displaced downward. The applicator must compensate for this displacement at the downwind edge of application area by adjusting the path of the aircraft upwind.

TEMPERATURE INVERSIONS: Do not make applications during a temperature inversion because drift potential is high.

SENSITIVE AREAS: Only apply this pesticide when the potential for drift to adjacent sensitive areas (e.g. residential areas, bodies of water, known habitats for threatened or endangered species, non-target crops) is minimal (e.g., when wind is blowing away from the sensitive areas).

Where states have more stringent regulations, they must be observed. The applicator should be familiar with and take into account the information covered in the Aerial Drift Reduction Advisory Information.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store in a dry location away from children, animals, foods, feeds, seeds, or other agricultural chemicals. Do not store below 40°F or expose to subfreezing temperatures. Handle in accordance with information given under "Precautionary Statements." In the event of spillage or leakage, soak up material with absorbent clay, sand, sawdust or other absorbent material. Scrape up and dispose of in accordance with information given under "Disposal." Repackage and relabel useable product in a sound container. In case of fire or other emergency, report at once by toll-free telephone to 800-424-9300.

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: Non-refillable containers (1, 2.5, 30 & 55 gallon): Do not reuse or refill this container. Offer for recycling, if available. Triple rinse or pressure rinse container (or equivalent) promptly after emptying.

(non-refillable <5 gallons): Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container ¼ full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times.

(non-refillable >5 gallons): Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container ¼ full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times.

Pressure rinse as follows (all sizes): Empty the remaining contents into application equipment or a mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or mix tank or collect rinsate for later use or disposal. Insert pressure rinsing nozzle inside of the container, and rinse at about 40 PSI for at least 30 seconds. Drain for 10 seconds after the flow begins to drip.

Refillable container (250 gallon & bulk): Refill this container with pesticide only. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller.

To clean the container before final disposal, empty the remaining contents from the container into application equipment or mix tank. Fill the container about 10 percent full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing process two more times.

USE RESTRICTIONS

Do not use MCPA Amine 4 Herbicide in the vicinity of vegetables, flowers, grapes, tomatoes, cotton, beans and other legumes, etc., or other susceptible crops as severe damage may result. Extreme care must be exercised to prevent drifting of this material. Do not apply on windy days. Coarse sprays are less likely to drift. Do not apply this product through any type of irrigation system. Do not use around the home, recreation areas or similar sites. Equipment used to apply MCPA Amine 4 must not be used to apply other agricultural chemicals to susceptible crops. When cleaning equipment, do not pour washwater on the ground; spray or drain over a large area away from wells and other water sources.

AMOUNT OF SPRAY TO APPLY

Apply 5 to 15 gallons of total spray per acre when making applications with ground equipment and 3 to 5 gallons of total spray per acre when making applications by aircraft, unless directed otherwise under specific directions. Carefully read the Environmental Hazards section of the Precautionary Statements for further information on spray volume.

CONTROLS THESE WEEDS

SUSCEPTIBLE (MOST AREAS):

| | | |
|---------------------------|-------------------|-----------------|
| Cocklebur | Marshelder | Stinkweed |
| Dragonhead mint | Mustards (annual) | Wild radish |
| Field peppergrass | Pennycress | Yellow rocket |
| Fanweed | Puncturevine | or wintercress |
| Goatsbeard | Ragweed | and many others |
| Lambsquarters (goosefoot) | Shepherdspurse | |

LESS SUSCEPTIBLE:

| | | |
|----------------|-----------------|-----------------|
| Buttercups | Plantains | Vetch |
| Canada thistle | Purslane | White top |
| Dandelions | Russian pigweed | and hoary cress |
| Hempnettle | Sow thistle | and many others |
| Kochia | Stinging nettle | |
| Pigweed | Sunflower | |

DIRECTIONS FOR USE

SELECTIVE SPRAYING:

SMALL GRAINS: Wheat, Oats, Barley and Rye –

Apply as a water mix spray by ground sprayer or airplane. Use 1/2 to 1 pint per acre for the more susceptible weeds after crop has reached the 3 to 4 leaf stage up to boot stage. Use up to 1-2/3 pints per acre for less susceptible weeds after crop has tillered and up to early boot stage. Do not spray from boot to dough stage. For small grains underseeded with legumes, see the following paragraph.

Underseeded with Alfalfa, Lespedeza, Red and White Clover: For emergency control of serious infestations of Mustard, Yellow Rocket and other susceptible broadleaf weeds, apply 1/4 to 1/2 pint in not more than 5 to 10 gallons of water per acre. Make application after cereal is well tillered (4 to 8 inches tall) and before reaching boot stage. The nurse crop and weeds should provide a protecting canopy which, together with the use of low gallonage applied at low pressure, will reduce the risk of damage to the legumes. Do not apply to small grains underseeded with Vetch or Sweet Clover, which are very susceptible. There is also some risk to other legumes if only thinly protected by a canopy.

- Do not forage or graze meat animals on treated areas within 7 days of slaughter.
- Do not apply more than 1-2/3 pints (0.75 lb acid equivalent) per acre per year

CLOVER: Seedling clover alone, or underseeded with grain and established stands of Arrowleaf, Crimson, Ladino, Red, and White clover (except Dutch)

Seedling clovers (except Dutch) - For control of broadleaf weeds apply 1/2 pint after they have 2 or more true leaves (trifoliate stage).

Established stands - For control of broadleaf weeds apply $\frac{3}{4}$ to 1 pint/Acre in late fall following frosts when the legumes are dormant before active growth starts. Old stands of Red Clover may be retarded by application of MCPA. The temperature at the time of spraying must be above 40° F.

RESTRICTIONS:

- For use only in Pacific Northwest.



- Do Not apply to Sweet Clover
- Do Not apply more than 1.0 pint (0.5 pound of acid equivalent) per year per acre.
- Do Not forage or graze meat animals on treated areas within 7 days of slaughter.
- Do Not forage or graze dairy animals on treated area within 7 days after treatment.

ESTABLISHED ALFALFA:

For control of Yellow Rocket and other susceptible annual weeds such as Pennycress or Fanweed, apply 1.0 pint (0.5 pound acid equivalent) per acre of MCPA Amine. Apply in late fall following frosts when the legumes are dormant before active growth starts. Make applications only once daytime temperatures are above 40° F.

RESTRICTIONS:

- Do Not apply more than 1.0 pint (0.5 pound of acid equivalent) per year per acre.
- Do Not forage or graze meat animals on treated areas within 7 days of slaughter.
- Do Not forage or graze dairy animals on treated area within 7 days after treatment.

CANNING PEAS (for use in the Pacific Northwest only):

Use MCPA Amine at $\frac{1}{4}$ to $\frac{3}{4}$ pint in sufficient water to cover 1 acre. Apply to peas after the 3 node stage and before the first pea flowering. Do not apply during bloom period of crop. To control Canada Thistle, use $\frac{1}{2}$ to $\frac{3}{4}$ pint of MCPA Amine per acre. Peas may be injured somewhat at the higher rate of application, but if thistle growth is heavy, control will more than compensate for injury to peas.

- Do not apply more than $\frac{3}{4}$ pint (0.375 lb acid equivalent) per acre per year.

FLAX:

Use $\frac{1}{4}$ to $\frac{1}{2}$ pint. Apply by ground sprayer or by airplane. Use sufficient water to give uniform and adequate coverage. Apply only when weeds are up and when flax is 4 to 8 inches high and before it comes into bud. Treatment after early bud stage may result in severe damage. If Canada Thistle is present, it may be necessary to go as high as $\frac{1}{2}$ pint per acre to prevent seed head production. Some injury to the flax may result.

- Do not forage or graze meat animals on treated areas within 7 days of slaughter.
- Do not apply more than $\frac{1}{2}$ pints (0.25 lb acid equivalent) per acre per year

ESTABLISHED GRASSLAND AND PASTURES:

Use 1 to 3 pints per acre in sufficient water (10 to 100 gallons) in airplane or ground sprayer application and give thorough coverage. Use higher rate for White Top, Canada Thistle and other less easy-to-kill weeds; spray perennials in early bud to full bloom stage and also regrowth in fall. Spray other weeds in spring or fall.

- Do not forage or graze meat animals on treated areas within 7 days of slaughter.
- Do not forage or graze dairy animals on treated areas within 7 days after treatment.
- Do not apply more than 3 pints (1.5 lb acid equivalent) per acre per year
- Do not apply more than 2 applications per year with a minimum retreatment interval of 21 days.

GRASSES GROWN FOR SEED:

Use 1 to 2 pints per acre in sufficient water to give adequate coverage. Use higher rate where weed stands are heavy. In established grasses, apply in spring before head comes into boot and on seedling grass after grass has tillered.

NOTE: In weed control in grasses, repeat treatment may be needed for less susceptible weeds. White Clover and other legumes may be temporarily injured or killed. In some areas, Bent, Buffalo, Carpet and St. Augustine grasses may also be injured by the treatment.

- Do not apply more than 3 pints (1.5 lb acid equivalent) per acre per year
- Do not apply more than 2 applications per year with a minimum retreatment interval of 21 days.

RANGELAND:

For control of Whitebrush - Use 2-½ pints in a mixture of 1 gallon of diesel oil and sufficient water to make 8 gallons of solution per acre. Apply in spring or fall under good moisture conditions, full leaf, before blossoms begin to fall.

- Do not apply more than 3 pints (1.5 lb acid equivalent) per acre per year
- Do not apply more than 2 applications per year with a minimum retreatment interval of 21 days.

GRASS CUT FOR HAY:

(Not for Use in California)

Use 1 to 4 pints per acre in sufficient water (3 to 5 gallons) by airplane or (10 to 100 gallons) by ground sprayer application to provide thorough coverage. Use the higher application rate for White top, Canada thistle and other hard-to-kill weeds: spray perennials in early bud to full bloom stage and regrowth in fall. Other weeds in spring or fall.

Precautions and Restrictions

When using on Grass Cut for Hay there is a:

- 7 day pre-grazing interval for dairy cattle;
- 3 day pre-slaughter interval for meat animals

NON-CROP SPRAYING - (In non-crop areas such as Roadsides, Fence Rows, Rights-of-Way and similar places to control Canada Thistle, White Top And Meadow Buttercup)

For spot treatment, use 1/4 pint in 3 to 4 gallons of water. Spray to wet weeds thoroughly when in bud to early bloom and again on fall regrowth.

- Do not apply more than 6 pints (3.0 lb acid equivalent) per acre per year.

For broadcast treatment apply 2 to 3 pints per acre in sufficient water to give coverage for most extensive areas. Spray to wet weeds thoroughly when in bud to early bloom and again on fall regrowth.

- Do not apply more than 3 pints (1.5 lb acid equivalent) per acre per year.
- Do not forage or graze livestock or dairy animals on treated areas within 7 days of treatment.
- Do not apply more than 2 applications per year with a minimum retreatment interval of 21 days.

Local conditions may affect the use of this chemical. Consult State Agricultural Extension or Experiment Station Weed Specialists for specific recommendations for local weed problems and for information on possible lower dosages.

GOLF COURSES:

For controlling whitetop, dandelions and similar weeds, apply 1 to 2 pints per acre in sufficient water to provide thorough coverage. Treatment may reduce stands of clover which may be present. Do not apply to newly seeded turf until grass has become well established. MCPA may injure bent or other creeping grass types. For best result treat thistles when in the early bud stage.

- Do not apply more than 3 pints (1.5 lb acid equivalent) per acre per year.
- Do not apply more than 2 applications per year with a minimum retreatment interval of 21 days.

SOD FARMS:

For broadcast application, apply 1 to 3 pints per acre in a spray volume of 10 to 100 gallons of water. Use the higher rate for heavy infestations or less susceptible weed species. For best results, apply in spring or fall when weeds are rapidly growing and do not mow for 2 days before or after application. For spot treatment in small areas, use 1 fluid ounce per 1000 square feet in 1 to 3 gallons of spray and apply uniformly.

NOTE: Repeat applications may be required for less susceptible weeds. In some areas, bent, buffalo, carpet and St. Augustine grasses may also be injured.

- Do not apply more than 3 pints (1.5 lb acid equivalent) per acre per year.
- Do not apply more than 2 applications per year with a minimum retreatment interval of 21 days.

Before buying or using this product, read "Conditions of Sale and Warranty" below on this label. If terms are not acceptable, return unopened package at once to seller for full refund of purchase price paid. Otherwise, use by the buyer or any other user constitutes acceptance of the terms under the Conditions of Sale and Warranty.

CONDITIONS OF SALE AND WARRANTY

The DIRECTIONS FOR USE of this product reflect the opinion of experts based on field use and tests. The directions are believed to be reliable and must be followed carefully. However, it is impossible to eliminate all risks inherently associated with 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 ALBAUGH, LLC or the Seller. To the extent consistent with applicable law, all such risks shall be assumed by the Buyer.

ALBAUGH, LLC warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes referred to in the Directions for Use subject to the inherent risks referred to above. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, ALBAUGH, LLC MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF FITNESS FOR ANY PARTICULAR PURPOSE OR OF MERCHANTABILITY OR ANY OTHER EXPRESS OR IMPLIED WARRANTY. THIS WARRANTY DOES NOT EXTEND TO, AND THE BUYER SHALL BE SOLELY RESPONSIBLE FOR, ANY AND ALL LOSS OR DAMAGE WHICH RESULTS FROM THE USE OF THIS PRODUCT IN ANY MANNER WHICH IS INCONSISTENT WITH THE LABEL DIRECTIONS, WARNINGS OR CAUTIONS.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BUYER'S EXCLUSIVE REMEDY AND MANUFACTURER'S OR SELLER'S EXCLUSIVE LIABILITY FOR ANY AND ALL CLAIMS, LOSSES, DAMAGES, OR INJURIES RESULTING FROM THE USE OF HANDLING OF THIS PRODUCT, WHETHER OR NOT BASED IN CONTRACT, NEGLIGENCE, STRICT LIABILITY IN TORT OR OTHERWISE, SHALL BE LIMITED, AT THE MANUFACTURER'S OPTION, TO REPLACEMENT OF OR THE REPAYMENT OF THE PURCHASE PRICE FOR THE QUANTITY OF PRODUCT WITH RESPECT TO WHICH DAMAGES ARE CLAIMED. When Buyer suffers losses or damages resulting from the use or handling of this product (including claims based on contract, negligence, strict liability, or other legal theories), Buyer must promptly notify Seller in writing of any claims to be eligible to receive either remedy stated above. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, IN NO CASE SHALL ALBAUGH, LLC OR THE SELLER BE LIABLE FOR CONSEQUENTIAL, SPECIAL OR INDIRECT DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT. ALBAUGH, LLC and the Seller offer this product, and the Buyer accepts it, subject to the foregoing Conditions of Sale and Warranty, which may be varied only by agreement in writing signed by a duly authorized representative of ALBAUGH, LLC. No employee or agent of ALBAUGH, LLC or the Seller is authorized to vary or exceed the terms of this Warranty in any other manner.