

42750-56

06/15/2011

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

OFFICE OF CHEMICAL SAFETY  
AND POLLUTION PREVENTION

Mr. Morris Gaskins  
Albaugh Inc.  
P.O. Box 2127  
Valdosta, GA 31604-2127

JUN 15 2011

Subject: Notification: Revised Container Disposal Instructions per PR Notice 2007-4:  
Albaugh Technical Glyphosate Acid  
EPA Reg. No. 42750-56  
Your Application Dated June 7, 2011

Dear Mr. Gaskins:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 for the subject product.

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and finds that the label changes requested fall within the scope of PRN-2007-4. The label has been date-stamped "Notification" and will be placed in our records.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying the batch of the pesticide distributed and sold be placed on nonrefillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.

If you have any questions, please call me directly at (703) 306-0415 or Susan Stanton of my staff at (703) 305-5218.

Sincerely,

Kable Bo Davis, Product Manager 25  
Herbicide Branch  
Registration Division (7505P)  
Office of Pesticide Programs



United States  
Environmental Protection Agency  
Washington, DC 20460

<input type="checkbox"/>	Registration
<input type="checkbox"/>	Amendment
<input checked="" type="checkbox"/>	Other

OPP Identifier Number

### Application for Pesticide - Section I

1. Company/Product Number 42750-56	2. EPA Product Manager Mr. Bo Davis	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Albaugh Technical Glyphosate Acid	PM# 25	
5. Name and Address of Applicant (Include ZIP Code) Albaugh Inc. P.O. Box 2127 Valdosta, GA 31604-2127 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3)(b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____	

### Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____	<b>NOTIFICATION</b>  <b>JUN 15 2011</b>
<input checked="" type="checkbox"/> Resubmission in response to Agency letter dated <u>1/15/09</u>	<input type="checkbox"/> "Me Too" Application.	
<input type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.	

**Explanation:** Use additional page(s) if necessary. (For section I and Section II.)

Label notification to revise Container Disposal instructions under PR Notice 2007-4 as amended April, 2008. (Replaces original notification of 9/24/08) This notification is consistent with the provisions of PR Notice 2007-4. This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if the amended label is not consistent with 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under section 12 and 14 of FIFRA.

### Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Metal	<input checked="" type="checkbox"/> Plastic
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
		If "Yes" Package wgt.	No. per container	<input type="checkbox"/> Other (Specify) _____	
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions <input checked="" type="checkbox"/>	
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph Paper glued Stenciled				<input type="checkbox"/> Other _____	

### Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Morris Gaskins	Title Registrations Manager	Telephone No. (Include Area Code) 229-244-3288
<b>Certification</b> I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.		6. Date Application Received (Stamped)
2. Signature 	3. Title Registrations Manager	
4. Typed Name Morris Gaskins	5. Date June 7, 2011	

CORPORATE OFFICE  
1525 NE 36th Street  
Ankeny, IA 50021  
515.964.9444 (Phone)  
800.247.8013 (Toll Free)  
515.964.7813 (FAX)

# ALBAUGH, INC.

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GEORGIA OFFICE  
P.O. Box 2127  
Valdosta, GA 31604-2127  
229.244.3288 (Phone)  
229.244.5841 (FAX)

Fed-X

June 7, 2011

Document Processing Desk (NOTIFY)  
Mr. Bo Davis (PM 25)  
Office of Pesticide Programs (7504P)  
U.S. Environmental Protection Agency  
Room S-4900, One Potomac Yard  
2777 South Crystal Drive  
Arlington, VA 22202-4501

RE: PR Notice 2007-4 Container Disposal

Dear Mr. Davis,

The enclosed submissions for the below referenced registrations are label notifications in response to the Agency's PR Notice 2007-4 for Container Disposal revision.

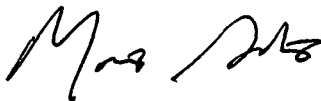
PRODUCT	EPA REG. NO.
Triclopyr Acid II	42750-191
Triclopyr Acid III	42750-197
Clopyralid Technical Herbicide	42750-184
Glyphosate Acid Technical	42750-56
Glyphosate Acid TGAI	42750-170
Glyphosate Acid TGAI	46146-6
Trifluralin Technical	46146-2

Please note that the Container Disposal statements for the clopyralid and triclopyr products are the same as ones previously approved by EPA for similar Albaugh registrations. We are using the same language for the glyphosate technicals because they are received in the same plastic lined bulk tote bags. The trifluralin product has similar packaging (un-lined open mouth metal drum) as our previously approved Bromoxynil Technical.

Three copies of the draft label with changes noted with strikeout/bold text are enclosed. The PRN certification statement is listed on the 8570-1 forms.

Please call if you have any questions.

Regards,



Morris Gaskins  
Registrations Manager, Albaugh, Inc.  
US Regulatory Agent, Atanor S.A

**Agri Star**™  
By Albaugh, Inc.

PREMIER SUPPLIER OF OFF-PATENT CROP PROTECTION PRODUCTS  
www.albaughinc.com

ALBAUGH TECHNICAL GLYPHOSATE ACID  
FOR MANUFACTURING USE ONLY

FORMULATORS WHO USE THIS PRODUCT ARE RESPONSIBLE  
FOR OBTAINING EPA REGISTRATION FOR THEIR FORMULATED PRODUCTS

ACTIVE INGREDIENT:

Glyphosate (Glycine, N-(phosphonomethyl)-).....	96.5%
OTHER INGREDIENTS:.....	3.5%
TOTAL	100.0%

KEEP OUT OF REACH OF CHILDREN

CAUTION

FIRST AID	
IF IN EYES:	<ul style="list-style-type: none"> <li>• Hold eye open and rinse slowly and gently with water for 15-20 minutes.</li> <li>• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.</li> <li>• Call a poison control center or doctor for treatment advice</li> </ul>
IF SWALLOWED:	<ul style="list-style-type: none"> <li>• Call poison control center or doctor immediately for treatment advice.</li> <li>• Have person sip a glass of water if able to swallow.</li> <li>• Do not induce vomiting unless told to do so by the poison control center or doctor.</li> <li>• Do not give anything by mouth to an unconscious person.</li> </ul>
HOT LINE NUMBER	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-800-424-9300 for emergency medical treatment information.	
NOTE TO PHYSICIAN	
Probable mucosal damage may contraindicate the use of gastric lavage.	

EPA Reg. No. 42750-56  
AD020210

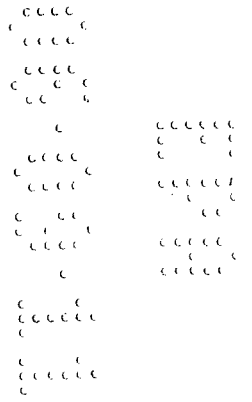
EPA Est. No.

NET WEIGHT: \_\_\_\_\_

Manufactured for:  
Albaugh, Inc.  
Ankeny, IA 50021

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

**NOTIFICATION**  
**JUN 15 2011**



PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION

Causes moderate eye irritation. Avoid contact with eyes or clothing. Wash thoroughly with soap and water after handling.

ENVIRONMENTAL HAZARDS

Keep out of lakes, streams, or ponds. Do not contaminate water by the cleaning of equipment or disposal of wastes. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer systems without previously notifying the local sewage treatment plant authority. For guidance, contact your State Water Board or Regional Office of the EPA.

The active ingredient in this product is a non-selective broad-spectrum herbicide. Do not handle or use in a manner that can result in accidental contact with desirable vegetation.

DIRECTIONS FOR USE

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

This technical material may only be used to produce formulations that are registered or exempted from registration by the U.S. EPA. The user is solely responsible for determination of suitability of the use of this product for any specific purpose, any manufacturing practice employed, and adoption of such safety precautions as may be necessary.

For formulation into herbicide end-use product intended for use on:

CEREAL AND GRAIN CROPS – Barley, Buckwheat, Millet (pearl, proso), Oats, Rice, Rye, Quinoa, Teff, Teosinte, Triticale, Wheat (all types), Wild rice.

ROW CROPS (including) -

Corn (Field, Seed, Silage, Sweet and Popcorn), Cotton, Soybeans, Sugarcane, Grain sorghum (Milo)

OIL SEED CROPS –

Borage, Buffalo gourd (seed), Canola, Crambe, Flax, Jojoba, Lesquerella, Meadowfoam, Mustard (seed), Rape, Safflower, Sesame, Sunflower.

TREE FRUIT CROPS -

Including general weed control, middles (between rows of trees), strips (in row of trees), selective equipment (except kiwi), perennial grass suppression.

Citrus Fruit – Calamondin, Chironja, Citron, citrus Hybrids, Grapefruit, Kumquat, Lemon, Lime, Mandarin (tangerine), Orange (all), Pummelo, Satsuma Mandarin, Tangelo (ugh), Tangor.

Pome Fruit – Apple, Crabapple, Loquat, Mayhaw, Pear (including oriental pear), Quince.

Stone Fruit – Apricot, Cherry (sweet, tart), Nectarine, Olive, Peach, Plum/Prune (all varieties), Plumcot.

Tropical and Subtropical Trees and Fruits – Ambarella, Atemoya, Avocado, Banana, Barbados cherry (acerola), Biriba, Blimbe, Breadfruit, Cacao (cocoa) bean, Canistel, Carambola (starfruit), Cherimoya, Coffee, Custard apple, Dates, Durian, Feijoa, Figs, Governor’s plum, Guava, Ilama, Imbe, Imbu, Jaboticaba, Jackfruit, Longan, Lychee, Mamey apple, Mango, Mangosteen, Marmaladebox (genie), Mountain papaya, Papaya, Pawpaw, Plantain, Persimmon, Pomegranate, Pulasan, Rambutan, Rose apple, Sapodilla, Sapote (black, mamey, white), Spanish lime, Soursop, Star apple, Sugar apple, Surinam cherry, Tamarind, Tea, Ti (roots and leaves), Wax jambe.

Miscellaneous Tree Food Crops – Cactus (fruit and pads), Palm (heart, leaves), Palm (oil).

TREE NUT CROPS –

Almond, Beechnut, Betelnut, Brazil nut, Butternut, Cashew, Chestnut, Chinquapin, Coconut, Filbert (hazelnut), Hickory nut, Macadamia, Pecan, Pine nut, Pistachio, Walnut (black, English)

CUT STUMP (tree crops) –

Citrus Trees: Calamondin, Chironja, Citron, Citrus hybrids, Grapefruit, Kumquat, Lemon, Lime, Mandarin (Tangerine), Orange (all), Pummelo, Tangelo (Ugli), Tangor.

Fruit Trees: Apple, Apricot, Cherry (sweet, sour), Crabapple, Loquat, Mayhaw, Nectarine, Olive, Peach, Pear, Plum/Prune (all), Quince.

Nut Trees: Almond, Beechnut, Brazil nut, Butternut, Cashew, Chestnut, Chinquapin, Filbert (hazelnut), Hickory Nut, Macadamia, Pecan, Pistachio, Walnut (black, English).

VINE CROPS –

Grapes (raisin, table, wine), Hops, Kiwi, Passion fruit.

HERBS AND SPICES –

Allspice, Angelica, Star anise, Annatto (seed), Balm, Basil, Borage, Burnet, Camomile, Caper buds, Caraway, Black caraway, Cardamom, Cassia bark, Cassia buds, Catnip, Celery seed, Chervil (dried), Chive, Chinese chive, Cinnamon, Clary, Clove buds, Coriander leaf (cilantro or Chinese parsley), Coriander seed (cilantro), Costmary, Cilantro (leaf), Cilantro (seed), Cumin, Curry (leaf), Dill (seed), Epazote, Fennel seed (common and Florence), Fenugreek, White ginger flower, Grains of Paradise, Horehound, Hyssop, Juniper berry, Lavender, Lemongrass, Lovage (leaf and seed), Mace, Marigold, Marjoram (including oregano), Mexican oregano, Mioga flower, Mustard (seed), Nasturtium, Nutmeg, Parsley (dried), Pennyroyal, Pepper (black and white), Pepper leaves, Peppermint, Perilla, Poppy (seed), Rosemary, Rue, Saffron, Sage, Savory (summer and winter), Spearmint, Stevia leaves, Sweet bay, Tansy, Tarragon, Thyme, Vanilla, Wintergreen, Woodruff, Wormwood.

BERRY CROPS –

Blackberry (including bingleberry, black satin berry, boysenberry, Cherokee blackberry, chesterberry, Cheyenne blackberry, coryberry, darrowberry, dewberry, Dirksen thornless berry, Himalayaberry, hullberry, juneberry, lavacaberry, lowberry, lucretiaberry, marionberry, nectarberry, olallieberry, Oregon evergreen berry, phenomenalberry, rangeberry, ravenberry, rossberry, Shawnee blackberry, and youngberry), Blueberry, Cranberry, Currant, Elderberry, Gooseberry, Huckleberry, Loganberry, Raspberry (black, red), Salal.

VEGETABLE CROPS -

Fruiting Vegetables – Eggplant, Groundcherry (Physalis spp), Pepino, Pepper (includes bell pepper; chili pepper, cooking pepper, pimento, sweet pepper), Tomatillo, Tomato.

Cucurbit Vegetables – Chayote (fruit), Chinese waxgourd (Chinese preserving melon), Citron melon, Cucumber, Gherkin, Edible gourd (includes hyotan, cucuzza, hechima, Chinese okra), Melon (all),

Momordica spp (includes balsam apple, balsam pear, bittermelon, Chinese cucumber), Muskmelon (includes cantaloupe, casaba, Crenshaw melon, golden pershaw melon, honeydew melon, honey ball melon, mango melon, Persian melon, pineapple melon, Santa Claus melon, snake melon), Pumpkin, Summer squash (includes crookneck squash, scallop squash, straightneck squash, vegetable marrow, zucchini), Winter squash (includes butternut squash, calabaza, hubbard squash, acorn squash, spaghetti squash), Watermelon.

Root & Tuber Vegetables: Arracacha, Arrowroot, Chinese artichoke, Jerusalem artichoke, Beet (garden), Burdock, Canna, Carrot, Cassava (bitter and sweet), Celeriac, Chayote (root), Chervil (turnip-rooted), Chicory, Chufa, Dasheen (taro), Galangal, Ginger, Ginseng (non-bearing), Horseradish, Leren, Kava (turnip-rooted), Parsley (turnip rooted), Parsnip, Potato, Radish, Oriental radish, Rutabaga, Salsify, Black salsify, Spanish salsify, Skirret, Sweet potato, Tanier, Turmeric, Turnip, Wasabi, Yacon, Yam bean, True yam.

Bulb Vegetables – Garlic, Great-headed garlic, Leek, Onion (dry bulb and green), Welsh onion, Shallot.

Leafy Vegetables – Amaranth (Chinese spinach), Arugula Croquette, Beet greens, Cardoon, Celery, Chinese celery, Celtuce, Chaya, Chervil, Edible-leaved chrysanthemum, Garland chrysanthemum, Corn salad, Cress (garden and upland), Dandelion, Dock (sorrel), Dokudami, Endive (escarole), Florence fennel, Gow kee, Lettuce (head and leaf), Orach, Parsley, Purslane (garden and winter), Radicchio (red chicory), Rhubarb, Spinach, New Zealand spinach, Vine spinach, Swiss chard, Watercress (upland), Water spinach.

Brassica Vegetables – Broccoli, Chinese broccoli (gai lon), Broccoli raab (rapini), Brussels sprouts, Cabbage, Chinese cabbage (bok choy), Chinese cabbage (napa), Chinese mustard cabbage (gai choy), Cauliflower, Cavalo broccoli, Collards, Kale, Kohlrabi, Mizuna, Mustard greens, Mustard spinach, Rape greens.

Legume Vegetables (Succulent or Dried) – Bean (Lupinus: includes grain lupin, sweet lupin, white lupin, and white lupin), Bean (Phaseolus: includes field bean, kidney bean, lima bean, navy bean, pinto bean, runner bean, snap bean, tepary bean, wax bean), Bean (Vigna: includes adzuki bean, asparagus bean, blackeyed pea, catjang, Chinese longbean, cowpea, Crowder pea, moth bean, mung bean, rice bean, southern pea, urd bean, yardlong bean), Broad bean (fava), Chickpea (garbanzo), Guar, Jackbean, Lablab bean, Lentil, Chickpea, Pea (Pisum: includes dwarf pea, edible-podded pea, English pea, Field pea, garden pea, green pea, snowpea, sugar snap pea), Pigeon pea, Soybean (immature seed), Sword bean.

MISCELLANEOUS CROPS –

Aloe vera, Asparagus, Bamboo shoots, Globe artichoke, Okra, Peanut (ground nut), Pineapple, Strawberry, Sugar beet.

PASTURE GRASSES, FORAGE LEGUMES AND RANGELANDS

Alfalfa, Clover, and Other Forage Legumes – Alfalfa, Clover, Kenaf, Kudzu, Lespedeza, Leucaena, Lupin, Sainfoin, Trefoil, Velvet bean, Vetch (all types).

GRASS SEED OR SOD PRODUCTION –

Any grass (Gramineae family) except Corn, Sorghum, Sugarcane and those listed in the "CEREAL AND GRAIN CROPS" section of this label.

ROUNDUP READY CROPS –

Roundup Ready Alfalfa, Roundup Ready Canola (Spring), Roundup Ready Canola (Winter), Roundup Ready Corn, Roundup Ready Cotton, Roundup Ready Flex Cotton, Roundup Ready Soybeans, Roundup Ready Sugar Beet

FORESTRY USE AND CHRISTMAS TREES –

Pine, Poplar, Eucalyptus, Christmas trees. Site preparation & release programs

TURF AND ORNAMENTAL SITES –

Residential, Ornamentals, Directed sprays to the floor of ornamental nurseries, turfgrasses and grasses for seed production, Site preparation, Recreational & Public areas.

NON-CROP AREAS AND INDUSTRIAL SITES –

Aquatic & wetland sites, Airports/landing fields, apartment complexes, commercial sites, Conservation Reserve Program (CRP) areas, ditch banks, driveways, dry ditches, dry canals, fallow ground, fencerows, gold courses, greenhouses, highways/roadsides, industrial sites, landscape areas, lumber yards, manufacturing sites, municipal sites, natural areas, office complexes, paved areas, parks, parking areas, pastures, petroleum tank farms and pumping installations, plant nurseries, public areas, railroads, rangeland, rights-of-way, roadsides, shadehouses, sod or turf seed farms, storage areas, sport complexes, substations, utility sites, warehouse areas, and wildlife management areas.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store in original container only. Do not store near heat or open flame. In case of spill or leak, sweep up and dispose of waste.

PESTICIDE DISPOSAL: Open dumping is prohibited. Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

~~CONTAINER DISPOSAL: Non-refillable container. Do not reuse or refill this container. Triple-rinse (or equivalent). Then offer for recycling or dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.~~

**CONTAINER DISPOSAL: Non-refillable container. DO NOT reuse or refill this container.**

**Completely empty liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into formulation equipment. If not emptied in this manner, the liner may be considered an acute hazardous waste and disposed in accordance with local, state and federal regulations.**

**When completely empty, offer for recycling, if available, or dispose of liner in a sanitary landfill or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke. If drum or other outer container is contaminated and cannot be reused, dispose of in the manner required for its liner.**

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 should 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, INC. or the Seller. All such risks shall be assumed by the Buyer.



ALBAUGH, INC. 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, INC. 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.

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 OR 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, INC. OR THE SELLER BE LIABLE FOR CONSEQUENTIAL, SPECIAL OR INDIRECT DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT. ALBAUGH, INC. 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, INC. No employee or agent of ALBAUGH, INC. or the Seller is authorized to vary or exceed the terms of this Warranty in any other manner.

DISCLAIMER AND INDEMNITY FOR FORMULATORS' USES

The manufacturer expressly disclaims all liability for claims and actions (whether based on contract, tort, strict liability, or breach of warranty) arising out of, resulting from or connected with a formulation containing this product when used for any purpose other than those uses set forth in the Directions for Use. The manufacturer has not developed scientific data to support, nor has it explicitly or implicitly approved, any uses other than those in the Directions for Use.

Any formulator or buyer who uses this product in formulations for any other than those stated in the Directions for Use above assumes all liability for claims and actions arising out of, connected with or resulting from such use and agrees by so using this product to indemnify and hold harmless the manufacturer from such claims and actions.

This Disclaimer and Indemnity is in addition to, not in lieu of, the above Conditions of Sale and Warranty.

