



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, DC 20460**

**OFFICE OF CHEMICAL SAFETY  
AND POLLUTION PREVENTION**

July 27, 2022

Krystal Maldonado  
Regulatory Specialist  
Albaugh, LLC  
P.O. Box 2127  
Valdosta, GA 31602

Subject: Notification per PRN 98-10 – Add California Restriction  
Product Name: Metalaxyl 44% FL ST  
EPA Registration Number: 42750-219  
Application Date: 07/22/2021  
Decision Number: 583655

Dear Ms. Maldonado:

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.

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 (FIFRA) 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) lists 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, please contact Marcel Howard at (202)566-2795 at [howard.marcel@epa.gov](mailto:howard.marcel@epa.gov).

A handwritten signature in black ink, appearing to read "Nathan Mellor".

Nathan Mellor, Product Manager 21  
Fungicide Branch  
Registration Division (7505P)  
Office of Pesticide Programs

**NOTIFICATION**

42750-219

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:

07/27/2022

METALAXYL GROUP 4 FUNGICIDE

**METALAXYL 44% FL ST**  
FUNGICIDE

FOR USE AS A SEED TREATMENT FOR CONTROL OF SYSTEMIC DOWNY MILDEW, PYTHIUM SEED ROT, PYTHIUM DAMPING-OFF, AND EARLY SEASON PHYTOPHTHORA DISEASES OF CERTAIN CROPS.

ACTIVE INGREDIENT:

Metalaxyl: N-(2,6-dimethylphenyl)-N-(methoxyacetyl) alanine methyl ester . . . . . 44.08%  
OTHER INGREDIENTS: . . . . . 55.92%  
TOTAL: . . . . .100.00%

Contains 4.0 pounds Metalaxyl per gallon (480 grams per liter)

**KEEP OUT OF REACH OF CHILDREN**

**CAUTION**

SEE INSIDE BOOKLET FOR FIRST AID AND ADDITIONAL PRECAUTIONARY STATEMENTS

<b>FIRST AID</b>	
IF SWALLOWED	<ul style="list-style-type: none"> <li>Call a 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 a poison control center or doctor.</li> <li>Do not give anything to an unconscious person.</li> </ul>
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 ON SKIN OR CLOTHING	<ul style="list-style-type: none"> <li>Take off contaminated clothing.</li> <li>Rinse skin immediately with plenty of water for 15-20 minutes.</li> <li>Call a poison control center or doctor for treatment advice.</li> </ul>
IF INHALED	<ul style="list-style-type: none"> <li>Move person to fresh air.</li> <li>If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferable by mouth-to-mouth, if possible.</li> <li>Call a poison control center or doctor for further treatment advice.</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.	

For Chemical Spill, Leak, Fire, or Exposure OR Medical Emergency, Call CHEMTREC (800) 424-9300

EPA Reg. No. 42750-219  
Net Contents: Gal. (L)

EPA Est. No.

MANUFACTURED FOR:  
Albaugh, LLC  
1525 NE 36<sup>th</sup> Street  
Ankeny, IA 50021

See inside booklet for additional precautionary statements and complete directions for use.

# PRECAUTIONARY STATEMENTS

## HAZARDS TO HUMANS AND DOMESTIC ANIMALS

### CAUTION

Harmful if swallowed. Causes moderate eye irritation. Avoid contact with eyes, skin or clothing. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse.

### PERSONAL PROTECTIVE EQUIPMENT (PPE)

Some materials that are chemical-resistant to this product are listed below.

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants,
- Shoes and socks,
- Chemical-resistant gloves made of any water proof material including barrier laminate or nitrile rubber or neoprene rubber or Viton.

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 thoroughly with soap and water after handling and 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 clothes.
- 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

Do not apply directly to water, to areas where surface water is present, or to intertidal areas below the mean high water mark. Do not apply when weather conditions favor drift from treated areas. Do not contaminate water when disposing of equipment washwater or rinsates.

Groundwater Advisory Statement: This chemical is known to leach through soil into ground water under certain conditions as a result of agricultural use. Use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in ground water contamination.

## **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.

When applying both metalaxyl-containing and mefenoxam-containing products to the same crop within the same season do not apply more than the maximum yearly total application rate for the active ingredient as stated on the label of the product containing the lowest yearly total on that crop.

### **RESISTANCE MANAGEMENT RECOMMENDATIONS**

METALAXYL 44% FL ST is a systemic fungicide that contains:

Metalaxyl, a Group 4 mode of action fungicide that belongs to the phenylamide class of chemistry which interferes with fungal RNA synthesis.

Any fungal population may contain individuals naturally resistant to Group 4 mode of action fungicides. A gradual or total loss of pest control may occur over time if these fungicides are used repeatedly in the same fields. Because resistance development cannot be predicted, the use of this product should follow appropriate resistance-management strategies.

To delay fungicide resistance, use should be based on an IPM program that includes the following steps:

- Use tank mixtures with fungicide from a different group 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.
- 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 suspected resistance contact Albaugh, LLC at 1-800-247-8013. You can also contact your pesticide distributor or university extension specialist to report resistance.
- Rotate the use of METALAXYL 44% FL ST or other Group 4 herbicides within a growing season sequence or among growing seasons with different herbicide groups that control the same weeds in a field.
- Scout after herbicide application to monitor weed populations for early signs of resistance development. Indicators of possible herbicide resistance include: (1) failure to control a weed species normally controlled by the herbicide at the dose applied, especially if control is achieved on adjacent weeds; (2) a spreading patch of non-controlled plants of a particular weed species; (3) surviving plants mixed with controlled individuals of the same species. If resistance is suspected, prevent weed seed production in the affected area by an alternative herbicide from a different group or by a mechanical method such as hoeing or tillage. Prevent movement of resistant weed seeds to other fields by cleaning harvesting and tillage equipment when moving between fields and planting clean seed.

- If a weed pest population continues to progress after treatment with this product, discontinue use of this product, and switch to another management strategy or herbicide with a different mode of action, if available.

All seed must be adequately dyed with a suitable colorant to prevent its accidental use as food for man or feed for animals. Refer to 21CFR, part 2.25. Any colorant added to treated seed must be cleared for use under 40 CFR, part 153.155.

#### Seed Bag Label Requirements

The Federal Seed Act requires that containers containing treated seeds shall be labeled with the following statements:

- This seed has been treated with Metalaxyl 44% FL (or other product), a fungicide containing metalaxyl.
- Do not use treated seed for feed, food, or oil purposes.

The U.S. Environmental Protection Agency requires the following statements on containers containing seed treated with metalaxyl:

- Store treated seed away from food and feedstuffs.
- Do not allow children, pets or livestock to have access to treated seeds.
- Wear long pants, long-sleeved shirt and protective gloves when handling treated seed.
- Treated seeds exposed on soil surface may be hazardous to wildlife.
- Cover or collect treated seeds spilled during loading and planting.
- Dispose of all excess treated seed by burying seed away from bodies of water.
- Do not contaminate bodies of water when disposing of planting equipment wash water.
- Dispose of seed packaging or containers in accordance with local requirements.
- Excess treated seed may be used for ethanol production if
  1. by-products are not used for livestock feed and
  2. no measurable residues of pesticide remain in ethanol by-products that are used in agronomic practice.

Seed treatment on agricultural establishment at or immediately before planting is within the scope of WPS, while commercial treatment of seeds is not within the scope.

#### **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 emergence assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE) and restricted-entry intervals. 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 24 hours.

Exception: If the seed is treated with the product and the treated seed is soil-injected or soil-incorporated, the Worker Protection Standard, under certain circumstances, allows workers to enter the treated area if there will be contact with anything that has been treated.

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

1. Coveralls,
2. Shoes plus socks and
3. Chemical-resistant gloves made of any water proof material including barrier laminate or nitrile rubber or neoprene rubber or viton.

**PRECAUTIONS**

This product is a systemic fungicide seed dressing specifically for control of systemic downy mildews, *Pythium and Phytophthora* spp. For control of other soil borne diseases, combination of captan, thiram and carboxin registered formulations are compatible.

FAILURE TO FOLLOW DIRECTIONS OF THIS LABEL MAY RESULT IN CROP INJURY OR POOR DISEASE CONTROL.

**RESTRICTIONS**

- Do not use with other seed treatment products unless previous experience assures compatibility.
- Maximum usage when applying both metalaxyl and mefenoxam containing products to the same crop within the same season: Do not apply more than the maximum seasonal total for the active ingredient as stated on the label of the product containing the lowest seasonal total on that crop.
- In California: Only for use in commercial seed treating establishments. Not allowed for "on-farm" use.
- For Commercial Seed Treatment: Seed treated commercially or for sale must be dyed an unnatural color using an EPA approved dye before sale. Federal law requires that bags containing treated seed shall be labeled with the following information:
- "This seed has been treated with METALAXYL 44% FL ST which contains the active ingredient metalaxyl. Do not use treated seed for food, feed or oil purposes. Store away from feed and foodstuffs. Do not harvest mustard greens. Rape greens grown and harvested from METALAXYL 44% FL ST treated seed must not be used for human and feed consumption. Rapeseed grown and harvested from METALAXYL 44% FL ST treated seed is only for industrial uses and cannot be used for edible oil or any other human/feed consumption."
- Tank mixing: When tank mixing follow the most restrictive label instructions for tank mix partners. Do not tank mix with any other product that contains a prohibition against tank mixing.
- On-Farm Seed Treatment: Do not apply this product through any type of irrigation system.
- Do not use treated seed for food or feed purposes or process for oil. Treat only those seeds needed for immediate use, minimizing the interval between treatment and planting. Do not store excess treated seeds beyond planting time.

**SEED TREATMENT**

This product may be applied as a water-based slurry with other registered seed treatment insecticides and fungicides through standard slurry or mist-type commercial seed treatment equipment. Do Not use metalaxyl or mefenoxam for control of *Pythium* in water-seeded rice.

DOMESTIC USE

CROP	DISEASE	RATE (Fl. Oz. per 100 Pounds of Seed)*
Beets, Garden and Sugar beets	<i>Pythium damping-off control</i>	0.50
Canola** Mustard Seed**	<i>Pythium damping-off control</i>	0.20 – 0.30
NOTE: Do not harvest mustard greens. Rape greens grown and		

CROP	DISEASE	RATE (Fl. Oz. per 100 Pounds of Seed)*
Rapeseed**	harvested from METALAXYL 44% FL ST treated seed must not be used for human and feed consumption. Rapeseed grown and harvested from METALAXYL 44% FL ST treated seed is only for industrial uses and cannot be used for edible oil or any other human/feed consumption.	
Carrots**	<i>Pythium damping-off control</i>	0.50
Cucumbers**	<i>Pythium damping-off control</i>	0.50
Forage Grasses Grasses grown for hay, grazing or silage, Corn (fodder or silage), Sorghum (hay or silage), and small grain grown for hay, grazing or silage.	<i>Pythium damping-off control</i>	0.50
Forage Legumes Alfalfa, Beans (for forage), Clover, Cowpeas (for forage), Cowpea hay, Lespedeza, Peanuts (for forage), Peanut hay, Peas (for forage), Pea vine hay, Soybeans (for forage), Soybean hay, Trefoil, Velvet beans (for forage) and Vetch.	<i>Pythium damping off and early season Phytophthora control</i>	0.50 – 1.00
Grain Crops Barley, Buckwheat, Millet, Milo, Oats, Rye, Triticale, and Wheat	<i>Pythium damping-off control</i>	0.50
	Systemic downy mildew control of sweet corn	1.00
Peanuts**	<i>Pythium seed rot and damping-off control</i>	0.50
Rice**	<i>Pythium damping-off control</i>	0.50 – 1.00
	Note: If using METALAXYL 44% FL ST treated rice do not use metalaxyl or mefenoxam for control of <i>Pythium</i> in water-seeded rice. Containers or bags containing METALAXYL 44% FL ST treated rice seed must be labeled with the restriction.	
Seed and Pod Vegetables Black-eyed peas, Chickpeas (Garbanzos), Cowpeas, Dill, Edible soybeans, Field beans, Field peas, Green beans, Kidney beans, Lentils, Lima beans, Lupines, Navy beans, Okra, Peas, Pole beans, Snap beans, String beans and Wax beans.	<i>Pythium damping-off control</i>	0.50
	Early season <i>Phytophthora</i> control	0.50
	Control of <i>Pythium</i> damping-off and systemic downy mildew of peas	1.00
Sorghum	<i>Pythium damping-off</i>	0.25 – 0.50
	Systemic downy mildew (races susceptible to chemical control)	0.50 – 2.00  Apply 0.50 – 1.00 fluid ounces of this product on cultivars which possess sorghum downy mildew resistance. To those cultivars which do not possess resistance to a particular race of sorghum downy mildew in heavily infected areas with recent severe history, apply 1.00 – 2.00 fluid ounces of this product.

CROP	DISEASE	RATE (Fl. Oz. per 100 Pounds of Seed)*
		Only high quality sorghum seed (90% germination and above) should be treated with this product.
Spinach**	<i>Pythium</i> damping-off control	0.50
	Note: Do not apply this product to spinach which is destined to be grown in the greenhouse. Containers or bags containing METALAXYL 44% FL ST treated spinach seed must be labeled with this restriction.	
Sunflowers	Systemic downy mildew control	1.00 – 2.00
Turf Grasses Golf Courses, Home Lawns, Reclamation and Erosion Control Projects	<i>Pythium</i> damping-off control	1.00

\* METALAXYL 44% FL ST contains 0.031 lbs of active per fluid ounce.

\*\* Not registered for use in California

For <i>Pythium</i> seed rot and damping-off. Apply METALAXYL 44% FL ST as a seed treatment:					
Cotton	seeds/lb	METALAXYL 44% FL ST Application rate*		Maximum Planting rate - seeds/A	
		fl oz/CWT	mg AI/seed	@ 0.5 fl oz/CWT	@ 1.0 fl oz/CWT
	3600	0.5 - 1.0	0.019 - 0.038	96,320	48,160
	4400	0.5 - 1.0	0.015 - 0.031	117,700	58,860
	5200	0.5 - 1.0	0.013 - 0.026	139,100	69,560
	6000	0.5 - 1.0	0.011 - 0.023	160,500	80,270

\* Do not apply by seed treatment more than 0.004 pounds of metalaxyl (0.13 fl. oz. METALAXYL 44% FL ST) per acre per year.

\* METALAXYL 44% FL ST contains 0.031 lbs of active per fluid ounce.

For *Pythium* seed rot and damping-off. Apply METALAXYL 44% FL ST as a seed treatment:



Soybean	METALAXYL 44% FL ST Application rate			Maximum Planting rate - seeds/A*		
	seeds/lb	fl oz/CWT*	fl oz/140,000 seed unit	mg AI/seed	@ 0.5 fl oz/CWT	@ 1.0 fl oz/CWT
	2000	0.5 - 1.0	0.34 - 0.67	0.034 - 0.068	222,100	111,000
	2400	0.5 - 1.0	0.28 - 0.56	0.028 - 0.057	266,500	133,200
	2800	0.5 - 1.0	0.24 - 0.50	0.024 - 0.048	310,900	155,400
	3200	0.5 - 1.0	0.21 - 0.42	0.021 - 0.042	355,300	177,700
	3600	0.5 - 1.0	0.19 - 0.37	0.019 - 0.038	399,700	199,900

\* Do not apply by seed treatment more than 0.0166 pounds of metalaxyl (0.53 fl. oz. METALAXYL 44% FL ST) per acre per year.

\* METALAXYL 44% FL ST contains 0.031 lbs of active per fluid ounce.

To aid in the control of seed decay and damping-off caused by *Pythium*: Apply METALAXYL 44% FL ST as a commercial seed treatment

Corn (field)	METALAXYL 44% FL ST Application rate			Maximum Planting rate - seeds/A*		
	seeds/lb	fl oz/CWT*	fl oz/80,000 seed unit	mg AI/seed	@0.064 fl oz/CWT	@ 0.240 fl oz/CWT
	1200	0.064 - 0.24	0.045 - 0.16	0.008 - 0.028	457,500	122,000
	1600	0.064 - 0.24	0.03 - 0.12	0.006 - 0.021	610,000	162,700
	2000	0.064 - 0.24	0.025 - 0.10	0.005 - 0.017	762,500	203,300
	2400	0.064 - 0.24	0.02 - 0.08	0.004 - 0.014	915,000	244,000

Do not apply by seed treatment more than 0.0076 pound of metalaxyl (0.29 fl oz METALAXYL 44% FL ST) per acre per year.

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#### EXPORT USE

For treatment of the following seed for export to countries requiring treatment with metalaxyl before importation.

CROP	DISEASE	RATE* (Fluid Ounces per 100 Pounds of Seed)
Brassica (Cole) Leafy Vegetables	<i>Pythium</i> damping-off control	0.50 – 1.00
Canola	<i>Pythium</i> damping-off control	0.30 – 1.10 (20 – 66 ml per 100 Kg of seed)
Corn	<i>Pythium</i> damping-off control	0.50 – 1.00
	Systemic downy mildew control	2.00
Cucurbit Vegetables	<i>Pythium</i> damping-off control	0.50
Fruiting Vegetables	<i>Pythium</i> damping-off control	0.50 – 1.00
Leafy Vegetables	<i>Pythium</i> damping-off control	0.50 – 1.00
Millet	<i>Pythium</i> damping-off control	0.50 – 1.00
	Systemic downy mildew control	1.70

Onions	<i>Pythium</i> damping-off control	0.50 – 1.00
Peas	<i>Pythium</i> damping-off and early season <i>Phytophthora</i> control	2.30
Root and Tuber Vegetables	<i>Pythium</i> damping-off control	0.50 – 1.00
	Note: Do not apply this product to potatoes.	
Sorghum	<i>Pythium</i> damping-off control	0.50 – 1.00
	Systemic downy mildew control	3.50
Sunflower	Systemic downy mildew control	6.00

\* METALAXYL 44% FL ST contains 0.031 lbs of active per fluid ounce.

Seed treated in accordance with the export use pattern must be labeled as follows:

FOR EXPORT ONLY - NOT FOR DOMESTIC SALES OR USE

Refer to the Seed Bag Label Requirements section for labeling requirements on treated seed containers.

#### DIRECTIONS FOR USE AT REDUCED RATES IN COMBINATION WITH OTHER FUNGICIDES

This product is a systemic fungicide seed dressing which may be applied in combination with other EPA-registered fungicides to aid in control of *Pythium*. This product may be applied as a water based slurry through standard slurry or mist-type commercial seed treatment equipment.

CROP	DISEASE	RATE* (Fluid Ounces per 100 Pounds of Seed)
Barley, Corn (field), Oats, Rye and Wheat	Aid in control of seed decay and damping-off caused by <i>Pythium</i>	0.07 – 0.25
Beans (field, kidney, navy and pinto), Lentils, Peas and Soybeans		
Peanuts**		
Rice**		
Sunflowers		

\* METALAXYL 44% FL ST contains 0.031 lbs of active per fluid ounce.

\*\* Not registered for use in California

NOTE: Apply only in combination with EPA registered rates of broad-spectrum seed treatment fungicides.

#### STORAGE AND DISPOSAL

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

**PESTICIDE STORAGE:** Store in a cool dry location. Do not store in direct hot sunlight. Do not store above 90°F for prolonged periods of time. After prolonged storage in intense cold, allow product to return to approximately 75°F before using.

**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:**

Non-refillable containers (1, or 2.5 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. Then offer for recycle or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by State and local authorities. Plastic containers are also disposable by incineration, or, if allowed by State and local authorities by burning, if burned, stay out of smoke.

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

#### **WARRANTY DISCLAIMER**

The directions for use of this product must be followed carefully. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, (1) THE GOODS DELIVERED TO YOU ARE FURNISHED "AS IS" BY MANUFACTURER OR SELLER AND (2) MANUFACTURER AND SELLER MAKE NO WARRANTIES, GUARANTEES, OR REPRESENTATIONS OF ANY KIND TO BUYER OR USER, EITHER EXPRESS OR IMPLIED, OR BY USAGE OF TRADE, STATUTORY OR OTHERWISE, WITH REGARD TO THE PRODUCT SOLD, INCLUDING, BUT NOT LIMITED TO MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, USE, OR ELIGIBILITY OF THE PRODUCT FOR ANY PARTICULAR USAGE. UNINTENDED CONSEQUENCES, INCLUDING BUT NOT LIMITED TO INEFFECTIVENESS, MAY RESULT BECAUSE OF SUCH FACTORS AS THE PRESENCE OR ABSENCE OF OTHER MATERIALS USED IN COMBINATION WITH THE GOODS, OR THE MANNER OF USE OR APPLICATION, INCLUDING WEATHER, ALL OF WHICH ARE BEYOND THE CONTROL OF MANUFACTURER OR SELLER AND ASSUMED BY BUYER OR USER. THIS WRITING CONTAINS ALL OF THE REPRESENTATIONS AND AGREEMENTS BETWEEN BUYER, MANUFACTURER AND SELLER, AND NO PERSON OR AGENT OF MANUFACTURER OR SELLER HAS ANY AUTHORITY TO MAKE ANY REPRESENTATION OR WARRANTY OR AGREEMENT RELATING IN ANY WAY TO THESE GOODS.

#### **LIMITATION OF LIABILITY**

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, MANUFACTURER OR SELLER SHALL NOT BE LIABLE FOR SPECIAL, INCIDENTAL, OR CONSEQUENTIAL DAMAGES, OR FOR DAMAGES IN THEIR NATURE OF PENALTIES RELATING TO THE GOODS SOLD, INCLUDING USE, APPLICATION, HANDLING, AND DISPOSAL. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, MANUFACTURER OR SELLER SHALL NOT BE LIABLE TO BUYER OR USER BY WAY OF INDEMNIFICATION TO BUYER OR TO CUSTOMERS OR BUYER, IF ANY, OR FOR ANY DAMAGES OR SUMS OF MONEY, CLAIMS OR DEMANDS WHATSOEVER, RESULTING FROM OR BY REASON OF, OR ARISING OUT OF THE MISUSE, OR FAILURE TO FOLLOW LABEL WARNINGS OR INSTRUCTIONS FOR USE, OF THE GOODS SOLD BY MANUFACTURER OR SELLER TO BUYER. TO THE EXTENT BY APPLICABLE LAW, ALL SUCH RISKS SHALL BE ASSUMED BY THE BUYER, USER, OR ITS CUSTOMERS. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BUYER'S OR USER'S EXCLUSIVE REMEDY, AND MANUFACTURER'S OR SELLER'S TOTAL LIABILITY SHALL BE FOR DAMAGES NOT EXCEEDING THE COST OF THE PRODUCT.

If you do not agree with or do not accept any of directions for use, the warranty disclaimers, or limitations on liability, do not use the product, and return it unopened to the Seller, and the purchase price will be refunded.

072221

**LABEL HISTORY**

Not Part of Final printed Label

<b>File Name</b>	<b>Version Mark</b>	<b>Comment</b>
042750-00219.20180620.DRAFT.add crops	062018	Registration Review
042750.00219.20210405.MASTER	AD040521	EPA Acceptance
042750.00219.20210722.DRAFT	072221	Notify to change single * to ** for NFU in CA.