

48273-23

12/9/2010

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



OFFICE OF
CHEMICAL SAFETY AND
POLLUTION PREVENTION

DEC - 9 2010

Nathan Ehresman
Director, Regulatory Affairs
Nufarm Americas, Inc.
501 Cascade Pointe Lane, Suite 103
Cary, NC 27513

Subject: Submission of amended labeling per Use Deletion Guidance 12/30/08 and revised
May 2009 Malathion RED Label Table
EPA Reg. No. 48273-23
Submissions dated March 3, 2009

Dear Mr. Ehresman:

The proposed labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), is acceptable provided that you submit two copies of your final printed label before you release the product for shipment. Products shipped after 18 months from the date of this amendment or the next printing of the label which ever occurs first, must bear the new revised label. Your release for shipment of the product bearing the amended label constitutes acceptance of these conditions. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA sec. 6(e).

Additional label corrections may be needed pending submittal and review of your responses to the Malathion RED.

A stamped copy is enclosed for your records. If you have any questions, please contact Marianne Lewis at (703) 308-8043 or lewis.marianne@epa.gov.

Regards,

A handwritten signature in cursive script that reads "Venus Eagle".

Venus Eagle
Insecticide-Rodenticide Branch
Registration Division (7505P)

Enclosure

Marman Malathion ULV

ULTRA LOW VOLUME CONCENTRATE INSECTICIDE

BEFORE USING THIS PESTICIDE - STOP - READ THE LABEL

Active Ingredient:

*Malathion	96.5%
Other Ingredients	3.5%
	Total 100.0%

*O,O-dimethyl phosphorodithioate of diethyl mercaptosuccinate

Contains 9.9 pounds Malathion per gallon.

EPA Reg. No. 48273-23

EPA Est. _____

ACCEPTED
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Under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, for the pesticide Registered under EPA Reg. No. 48273-23

Keep Out of Reach of Children

CAUTION

See back panel for additional precautionary statements.

Net Weight: _____ Lbs. (_____ Gals.)

{Back Panel}

PRECAUTIONARY STATEMENTS

Hazards to Humans & Domestic Animals

CAUTION: Harmful if swallowed. Harmful if absorbed through skin. Harmful if inhaled. Causes moderate eye irritation. Avoid contact with eyes, skin, or clothing. Avoid breathing spray mist.

Personal Protective Equipment

Some materials that are chemical-resistant to this product are barrier laminate, butyl rubber, nitrile rubber, and Viton. If you want more options, follow the instructions for Category F on an EPA chemical-resistance category selection chart.

For ULV formulations intended for use as a Wide Area Mosquito Adulticide, applicators, flaggers, mixers, loaders, and other handlers must wear:

- Long sleeved shirt and long pants
- Shoes and socks
- Chemical-resistant gloves

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. Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. **DO NOT** reuse them.

Engineering Controls Statement

Pilots must use an enclosed cockpit in a manner that is consistent with the WPS for Agricultural Pesticides [40CFR170.240(d)(6)]. Pilots must wear the PPE required on this labeling for applicators.

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.

FIRST AID	
This product is an organophosphate.	
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 by a 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 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. • Immediately rinse skin with plenty of water for 15-20 minutes. • Call a poison control center or doctor for treatment advice.
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.
<p>Have the product container or label with you when calling a poison control center or doctor or going for treatment. [You may also contact 1-800-222-1222 {or other appropriate number} for emergency medical treatment advice.]</p>	
<p>Note to Physician: This material is a cholinesterase inhibitor. Treat symptomatically. Atropine is an antidote.</p>	

{Note: The first aid statements' grid format will be used if market label space permits; otherwise a paragraph format will be used.}

Environmental Hazards

This pesticide is toxic to aquatic organisms, including fish and invertebrates.

When applying as a wide area mosquito adulticide, before making the first application in a season, it is advisable to consult with the state or tribal agency charged with primary responsibility for pesticide regulation to determine if other regulatory requirements exist.

This product is highly toxic to bees exposed to direct treatment on blooming crops or weeds. **DO NOT** apply this product or allow it to drift to blooming crops or weeds while bees are actively visiting the treatment area, except when applications are made to prevent or control a threat to public and/or animal health determined by a state, tribal or local health or vector control agency on the basis of documented evidence of disease causing agents in vector mosquitoes or the occurrence of mosquito-borne disease in animal or human populations, or if specifically approved by the state or tribe during a natural disaster recovery effort.

When applying as a wide area mosquito adulticide, **DO NOT** apply over bodies of water (lakes, rivers, permanent streams, natural ponds, commercial fish ponds, swamps, marshes, or estuaries), except when necessary to target areas where adult mosquitoes are present, and weather conditions will facilitate movement of applied material away from the water in order to minimize incidental deposition into the water body.

Physical or Chemical Hazards

DO NOT use 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. For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation.

For use by federal, state, tribal, or local government officials responsible for public health or vector control, or by persons certified in the appropriate category or otherwise authorized by the state or tribal lead pesticide regulatory agency to perform adult mosquito control application, or by persons under their direct supervision.

Buffer Zones for Aerial Application

When making a ULV application with aerial application equipment, a minimum buffer zone of 50 feet must be maintained along any water body.

Precautions and Restrictions

DO NOT apply more than 0.23 lb active ingredient/A/day.

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DO NOT enter or allow others to enter until sprays have dried.

DO NOT apply by fixed wing aircraft at height less than 100 feet, or by helicopter at a height less than 75 feet unless specifically approved by the state or tribe based on public health needs

Apply when wind speed is greater than or equal to 1 mph.

Before making the first application in a season, consult with the state or tribal agency with primary responsibility for pesticide regulation to determine if other regulatory requirements exist.

This product is used undiluted in specially designed aircraft or ground equipment that has been adapted and calibrated for ultra low volume spraying. Spray machines must be equipped with accepted low-volume devices that will produce droplets within the range of 30-100 microns in size. Apply only when weather conditions are favorable. Wind and rising air currents may cause undesirable spray drift and reduce insect control.

Use mist blowers and boom sprayers utilizing a controlled air flow to facilitate particle size and spray deposition at a vehicle speed of 4 to 10 mph. Use mist blowers with a pump capable of producing up to 40 psi and blower speeds of 2600 rpm. Use flat fan nozzles, 8001 to 8002, placed 30° into air blast or rotary atomizers into the air blast that produce an efficient spray particle with a mass median diameter of 40 to 100 microns. Other similar application equipment that has demonstrated the capacity to deliver even distribution of the labeled rates over the desired area may be used. Use boom sprayers with a filtered rotary air compressor, either PTO or gas engine driven, or an air pump capable of producing at least 12 psi. Use air pressure on chemical tanks and an accurate metering valve to assure a calibrated flow of the pesticide. Regulate air with a relief valve and gauge for proper air and liquid mixture. Use pneumatic-type spray nozzles, as suggested by equipment manufacturer, for spray particles with mass median diameter of 30 to 100 microns. Repeat applications as necessary unless otherwise specified.

Undiluted spray droplets of this product will permanently damage automobile paint. **DO NOT** spray cars. If accidental exposure does occur, immediately wash the car.

Mosquito Control in Populated and Rural Areas

Only treat when mosquitoes are swarming or biting. **DO NOT** re-treat a site more than 3 times in any one week. However, more frequent treatments may be made to prevent or control a threat to public and/or animal health determined by a state, tribal or local health or vector control agency on the basis of documented evidence of disease causing agents in vector mosquitoes or the occurrence of mosquito-borne diseases in animal or human populations, or if specifically approved by the state or tribe during a natural disaster effort.

Aerial Application

Adult Mosquito Control over cities, towns and other areas where automobiles, trailers, trucks and pleasure boats are present: Apply 2.6 to 3.0 fluid ounces of this product per acre. Apply only when weather conditions are favorable. Wind and rising air currents may cause undesirable spray drift and reduce insect control.

Spray equipment must be adjusted so that the volume median diameter is less than 50 microns (Dv 0.5 < 50 um) and that 90% of the spray is contained in droplets smaller than 100 microns (Dv 0.9 < 100 um). The effects of flight speed and for non-rotary nozzles, nozzle angle on the droplet size spectrum must be considered. Directions from the equipment manufacturer or vendor, pesticide registrant or a test facility using a wind tunnel and laser-based measurement instrument must be used to adjust equipment to produce acceptable droplet size spectra. Application equipment must be tested at least annually to confirm that pressure at the nozzle and nozzle flow rate(s) are properly calibrated.

Important: Undiluted spray droplets of this product will permanently damage vehicle paint finishes unless the aircraft used for the ultra low volume application meets all of the following specifications under **AERIAL APPLICATION**.

Ground Application

Spray equipment must be adjusted so that the volume median diameter is less 17 microns (Dv 0.5 < 17 um) and that 90% of the spray is contained in droplets smaller than 32 microns (Dv 0.9 < 32 um). Directions from the equipment manufacturer or vendor, pesticide registrant or a test facility using a laser-based measurement instrument must be used to adjust equipment to produce acceptable droplet size spectra. Application equipment must be tested at least annually to confirm that pressure at the nozzle and nozzle flow rate(s) are properly calibrated.

Thermal Aerosols or Fogs

For control of adult mosquitoes with thermal aerosols or fogs, apply this product at the rate of 6 - 8 oz. actual per gallon (3.9 - 5.2 gallons of this product in 100 gallons finished solution*) by ground equipment delivering 40 gallons per hour at a vehicle speed of 5 miles per hour to treat a swath width of 300 feet. At 3.9 gallons of this product per 100 gallons of

finished solution this is equivalent to 0.08 lbs active/acre. At 5.2 gallons per 100 gallons of finished solution, this is equivalent to 0.11 lbs active/acre.

*There is a great variation in the chemical composition of fuel oils that may be used as thermal fog solvents. These differences may cause sludge and/or affect the solubility of this product.

Nonthermal Aerosols

Adult Mosquito Control - For control of adult mosquitoes over a 300-foot swath with nonthermal aerosols of this product using the following rates at the indicated vehicle speeds:

Rates for Marman Malathion ULV					
Undiluted					
Apply as follows:					
Lbs.ai/Acre/Day	Application Rates Fluid Ounces per Minute at Vehicle Speeds				Fluid Ounces of Marman Malathion ULV per acre
	5 mph	10 mph	15 mph	20 mph	
0.03- 0.06*	1.0 – 2.1	2.0 – 4.3	3.0 – 6.3	4.0 – 8.6	0.38-0.75

*Use higher rate of application when vegetation is dense and/or mosquito populations are heavy.

Adult Mosquitoes on rangeland, pasture and other uncultivated non-agricultural areas (wastelands, roadsides):

Apply this product at the rate of 2 to 3 fluid ounces per acre for control of adult mosquitoes. Apply using either ground or aerial equipment.

For enhanced knock-down effects against mosquitoes, mix this product with a synergized pyrethrin emulsifiable concentrate (6% pyrethrin + 60% PBO) in accordance with the most restrictive of label limitations and precautions on both this and the tank-mixed product. **DO NOT** exceed any label rates. This product may not be mixed with any product bearing a label that specifically prohibits such mixing. Prior to tank mixing large quantities, mix a small amount in a glass jar to verify that the products are physically compatible.

The tank mix may be prepared as follows: 4 parts Malathion ULV to 1 part Synergized Pyrethrin 6%/60% or 9 parts Malathion ULV to 1 part Synergized Pyrethrin 6%/60%. Higher loading of Synergized Pyrethrin 6%/60% product (4:1) will provide more rapid knockdown than (9:1).

Depending upon your operational needs for knock-down, the amount of synergized pyrethrin can be reduced or adjusted. Application rates and droplet distribution requirements of the tank mix remain the same as for when this product is used alone.

Operating Equipment

Each nonthermal aerosol generator used for the dispersal of this product to control adult mosquitoes must have minimum capability of producing the droplet spectrum described under **GROUND APPLICATION**. The initial determination of droplet size is made after the unit is installed in a vehicle and prior to its use in mosquito control operations. Recheck the unit frequently to insure that proper droplet size is maintained for each operation. Determination of droplet size every two months is usually sufficient if the unit has been maintained in good operating condition. Equipment manufacturer's instructions setting forth cleaning and maintenance of the unit must be followed. The unit must be inspected before each operation to correct any leaks or obstructions in the spray system; to detect whether the nozzle, hoses or other parts are worn and need replacement; to insure that the flow meter is properly calibrated; and to determine that the pressure recommended by the manufacturer is being maintained.

- Flow Rate:**
 - must be regulated by accurate flow meter.
 - not greater than 1 gallon per hour at 5 mph, 2 gallons per hour at 10 mph, 3 gallons per hour at 15 mph or 4 gallons per hour at 20 mph.
- Nozzle Direction:**
 - rear of the vehicle.
 - upward at an angle of 45° or more.
- Vehicle Speed:**
 - not greater than 20 mph.
 - shut off spray equipment when vehicle is stopped.

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Important:

- spray droplets of undiluted Malathion ULV will permanently damage automobile paint unless all the conditions described and recommended in this label are met. Immediately wash vehicle if accidental exposure occurs.

Directions for Determining the Droplet Size of Malathion ULV Nonthermal Aerosols

Alternate methods may be used provided they are initially validated by the applicator to ensure droplet sizes remain within label parameters.

Permanent records of each droplet size determination must be kept and made available to Marman upon request.

I. Preparation of Slides with DRI-FILM¹:

Malathion ULV droplet sizes are determined by depositing a sample of the aerosol on a coated glass slide and measuring the droplets under a high power microscope. Ordinary 3" x 1" glass slides must be coated with silicone (General Electric SC-87 DRI-FILM¹) prior to sampling to prevent excessive spreading or coalescence of the droplets. The slides are dipped into a 10% solution of DRI-FILM¹ in toluene, drained and dried at about 200°F for 30 minutes, after which they are dipped in acetone, allowed to dry and stored in a tight slide box. Coating solution must be freshly prepared. **DO NOT** store coating solution because it will deteriorate. Before use, lightly polish slides with a soft tissue to remove any foreign particles.

II. Deposition of Malathion ULV Droplets on Slides:

Collect droplets under ideal operating conditions to ensure representative sampling of droplets in the aerosol. A sample of Malathion ULV aerosol is deposited on a slide by passing the slide as rapidly as possible perpendicularly through the aerosol cloud at a distance of 6 to 10 feet from the point of discharge. The slide speed may be increased by attaching it to a 3 or 4 foot stick by means of a spring paper clip. Expose at least two slides to ensure an adequate sampling. Store slides in a tight slide box for transfer to a location where measurements can be made. Avoid excessive heat during transit and store in a cool place until measurements can be made.

Although label specifications require the aerosol nozzle to be angled upward at 45° or more during operation, it is more convenient to position the nozzle parallel to the ground for droplet sampling. If this is not possible, it will be necessary to be positioned at sufficient height to obtain a representative sample of the aerosol.

Also for use in accordance with the recommendations and instructions issued by the U.S. Department of Agriculture for quarantine programs. To be used only by or under the direction of Federal/State personnel for quarantine treatments.

III. Determination of Malathion ULV Droplet Sizes

A microscope with mechanical stage and an eyepiece micrometer are used to determine the size of the individual aerosol droplets. Prior to taking measurements, the division of the eyepiece micrometer must be calibrated into microns by means of a stage micrometer. In the example represented in Table 1, droplets were measured at 400x magnification. At that magnification, each division of the eyepiece was calibrated to equal 3.5 microns.

Measure at least 200 droplets. Usually this is easily accomplished on one slide. An accurate method is to measure all droplets that pass through the micrometer scale as the slide is moved from one edge to the other by using the mechanical stage. Measurements should not be taken along the margins of the slide. It is more convenient to measure in terms of the divisions of the eyepiece micrometer and then convert these divisions into microns.

The measurements converted into microns must then be corrected for the amount of spread that occurred on the slides. The Malathion ULV spread factor for silicone-coated slides is 0.5. Therefore, in Table 1 each division of the eyepiece actually equals 1.75 microns (3.5 microns times the 0.5 spread factor).

The spread factor for TEFLON²-coated slides is 0.69. The following procedure, as given for silicone-coated slides, would be the same for TEFLON²-coated slides once the value for each eyepiece division has been determined.

The measurements are tabulated and processed as in Table 1. The Maximum Diameter is calculated by converting the diameter of the largest droplet measured into microns. In Table 1, the largest droplet measured has a diameter of 19 eyepiece divisions. Therefore, the Maximum Diameter is 33.3 microns (19 x 1.75 = 33.3).

To determine the Mass Median Diameter (MMD), the accumulative percentages from the last column in Table 1 are plotted against the eyepiece divisions (D) on arithmetic probability paper as in Figure 1. Directly across from the 50 percent point on the line is the median droplet size in eyepiece divisions which must be converted to microns. In Figure 1, 9.2 eyepiece divisions times the conversion factor of 1.75 equals a Mass Median Diameter of 16.1 microns.

Table 1
Representative Count of Malathion ULV Aerosol Droplets
Impinged on Microscope Slides Coated with DRI-FILM¹

Eyepiece Divisions (D)*	Number of Droplets (N)	D x N	% of Total <u>D x N</u> Sum (D x N)	Accumulative Percentages
1	5	5	0.31	0.31
2	10	20	1.22	1.53
3	9	27	1.65	3.18
4	12	48	2.93	6.11
5	15	75	4.58	10.69
6	12	72	4.40	15.09
7	25	175	10.70	25.79
8	14	112	6.85	32.64
9	28	252	15.40	48.04
10	19	190	11.61	59.65
11	14	154	9.41	69.06
12	10	120	7.33	76.39
13	6	78	4.77	81.16
14	4	56	3.42	84.58
15	11	165	10.09	94.67
16	2	32	1.96	96.63
18	2	36	2.20	98.83
19	1	19	1.16	99.99
Total	199	1636		

*Measurements were taken at 400x magnification. Each eyepiece division equals 1.75 microns (3.5 microns times the 0.5 spread factor).

Figure 1

Percentage of the total volume of aerosol samples below each stated droplet size (from Table 1). The Mass Median Diameter is determined from the 50 percent point on the line. The Mass Median Diameter (MMD) = 9.2 divisions times 1.75 = 16.1 microns.

Storage and Disposal

DO NOT contaminate water, food or feed by storage and disposal.

Pesticide Storage: Marman Malathion ULV should be stored in the original unopened container in a secure, dry place. **DO NOT** contaminate with other pesticides or fertilizers. The product should never be heated above 55°C (131°F), and should not be stored for long periods of time at a temperature in excess of 25°C (77°F).

Pesticide Disposal: To avoid wastes, use all material in this container by application according to label directions. If wastes cannot be avoided, offer remaining product to a waste disposal facility or pesticide disposal program (often such programs are run by state or local governments or by industry.)

Container Disposal [Handling]:

{Nonrefillable Containers 5 Gallons or Less}

Nonrefillable container. DO NOT reuse or refill this container. Offer for recycling if available. Triple rinse container (or equivalent) promptly after emptying.

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 1/4 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 recycling 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.

{Nonrefillable containers larger than 5 gallons}

Nonrefillable container. DO NOT reuse or refill this container. Offer for recycling if available. Triple rinse or pressure rinse container (or equivalent) promptly after emptying.

Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container 1/4 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.

Pressure rinse as follows: 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 and continue to drain for 10 seconds after the flow begins to drip. Insert pressure rinsing nozzle in the side 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 containers larger than 5 gallons}

Refillable container. 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 this container into application equipment or a mix tank. Fill the container about 10% full with water and agitate vigorously or recirculate water with the pump for two minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times.

{Refillable containers for return to Nufarm}

Refillable container. Refill this container with pesticide only. **DO NOT** reuse this container for any other purpose. Close all openings and replace all caps. Contact Nufarm's Customer Service Department at 1-800-345-3330 to arrange for return of the empty refillable container.

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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 TRADE 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, IN NO EVENT SHALL MANUFACTURER OR SELLER 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 OF 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. 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.

(RV120610)

Marman USA, Inc.
P.O. Box 22829
Tampa, FL 33622-2829

¹Trademark of General Electric Company

²Registered Trademark of E.I. duPont de Nemours & Co., Inc.

[] Denotes alternate/optional language

{ } Denotes language that does not appear on the market label

LABEL HISTORY

File Name	Revision Mark	Comment
048273-00023.20101206	RV120610	Revised RED label