53883-170	06/08/20	06/08/2005			
STATES STATES	S. ENVIRONMENTAL PROTECTION AGENCY Office of Pesticide Programs Registration Division (H7505C) 401 "M" St., S.W. Washington, D.C. 2046C	EPA Reg. Number: 53883- 170	Date of Issuance: JUN 8 2005		
FN AL PROTECTO		Term of Issuance	9;		
	E OF PESTICIDE:	Conditiona	al		
	X Registration Reregistration	Name of Pesticic	e Product:		
(under FIFRA, as amended)		Prodiamine	e 0.29 Plus		
Name and Address of Registra Control Solution 5903 Genoa-Red El Pasadena, TX 7750	uff	I			
Note: Changes in labeling di be submitted to and accepted	/ ffering in substance from that accepted by the Registration Division prior to u ct always refer to the above EPA registr	ise of the label in comm			
	furnished by the registrant, the above n r the Federal Insecticide, Fungicide and		ŶŶ		
In order to protect health an cancel the registration of a with the registration of a pre-arriusive use of the name or the second seco	be construed as an endorsement or recomend the environment, the Administrator, or pesticide in accordance with the Act. Toduct under this Act is not to be const to its use if it has been covered by ot is registered in accord ed that you:	n his motion, may at an The acceptance of any n rued as giving the regi hers.	y time suspend or ame in connection strant a right to		
-	ASE "EPA Registration No.538 Me product for shipment.	83-170" to the la	bel before		
COMMENTS CONTINUED ON	PAGE 2 OF THIS NOTICE OF RE	GISTRATION			
to cancellation in ac	ns are not complied with, the cordance with FIFRA section ct under the enclosed stamped onditions.	6(e). Your relea	se for		
Enclosure	Joanne I. Miller Product Manager Herbicide Branch Registration Div	(23)			
ignature of Approving Official:	Joanne J. Miller	Date:	8 2005		
	181.1/1/a.		0 2000		

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Page 2 EPA Reg. No. 53883-170 Comments Continued:

2. Submit the following data required for the registration of this pesticide product within 1 year from the date of this Notice of Registration:

EPA Guideline Data Number	<u>Guideline</u> <u>Descriptor</u>
830.6317	Storage Stability Study
830.6320	Corrosion Characteristics Study

- 3. On the front panel of the labeling and on page 3, delete the claim "selective" as a descriptor of this pesticide product.
- 4. On the front panel, delete the descriptor "UGLY"; "& MORE". and either revise the "Active Ingredient" chemical name for prodiamine to the Chemical Abstract name or show the name of the active ingredient as described in PR Notice 97-5(IV-D). Correct the name of product on the labeling to be consistent with the name of product on your application: "Prodiamine 0.29 Plus".
- 5. On page 3 add a map showing the approximate crabgrass germination dates in all areas where this product is to be marketed. In the "USE PRECAUTIONS" section, sixth line correct the statement that reads "Do not apply...." to read: "Do not apply to newly set sod until...".
- 6. On page 4, under "When To Overseed After Application" add a map which accompanies the chart "Months Before Overseeding". The map must clearly show the North, Transition and South Regions of the United States, where this product is to be marketed.
- 7. Submit one (1) copy of the final printed labeling before you release this product for shipment.
- 8. Submit and/or cite all data required for the registration of this product when the Agency requires all registrants of similar products to submit data; and submit acceptable responses required for reregistration of this product under FIFRA, section 4. A Stamped copy of the label is enclosed for your records.

Enclosure

### PRODIAMINE .29 PLUS FOR SELECTIVE PREEMERGENCE CONTROL OF GRASS AND BROADLEAF WEEDS IN LAWNS AND ORNAMENTAL TURF (excluding golf course putting greens) LANDSCAPE ORNAMENTALS, ESTABLISHED PERENNIALS AND WILDFLOWER PLANTINGS STOPS MANY UGLY WEED GRASSES BEFORE THEY GROW PREVENTS CRABGRASS, ANNUAL BLUEGRASS, FOXTAIL & MORE

#### ACTIVE INGREDIENT:

Prodiamine: [N <sup>3.</sup> N <sup>3</sup> -Di- <u>n</u> -propyl-2,4-dinitro-6-	
(trifluoromethyl)-m-phenylenediamine]	
INERT INGREDIENTS:	<u>9.71%</u>
TOTAL:	0.00%

## KEEP OUT OF REACH OF CHILDREN CAUTION

See back panel for further precautions and First Aid information

#### PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS CAUTION

Causes moderate eye injury (irritation). Harmful if inhaled or absorbed through the skin. Avoid contact with skin, eyes, or clothing. Avoid breathing dust. Wash thoroughly with soap and water after handling. Prolonged or repeated skin contact with product may cause allergic reactions in some individuals.

EPA REG NO. 53883 -XXX EPA EST. NO.

Control Solutions, Inc. 5903 Genoa-Red Bluff Rd. Pasadena, TX 77507-1041 281-892-2500

#### ACCEPTED with COMMENTS In EPA Letter Dated:

JUN 8 2005 Under the Federal Insecticide, Fungicide, and Rodenticide Act as amended, for the pesticide registered under EPA Reg. No.

53883-170

NET WEIGHT:

	FIRST AID
IF IN EYES:	<ul> <li>Hold eye open and rinse slowly and gently with water for 15-20 minutes.</li> </ul>
	<ul> <li>Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.</li> </ul>
	<ul> <li>Call a poison control center or doctor for treatment advice.</li> </ul>
IF ON SKIN OR CLOTHING:	Take off contaminated clothing.
	<ul> <li>Rinse skin immediately with plenty of water for 15-20 minutes.</li> </ul>
	<ul> <li>Call a poison control center or doctor for treatment advice.</li> </ul>
IF SWALLOWED:	<ul> <li>Call a poison control center or physician immediately for treatment advice.</li> </ul>
	<ul> <li>Have person sip a glass of water if able to swallow.</li> </ul>
	<ul> <li>Do not induce vomiting unless told to do so by the poison control center or physician.</li> </ul>
	<ul> <li>Do not give anything by mouth to an unconscious person.</li> </ul>
IF INHALED:	<ul> <li>Move person to fresh air.</li> </ul>
	<ul> <li>If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth, is possible.</li> </ul>
	<ul> <li>Call a poison control center or doctor for further treatment advice.</li> </ul>
going for treatment. For	her or label with you when calling a poison control center or doctor, or information on this pesticide product (including health concerns, medica e incidents), call the National Pesticide Telecommunications Network at

#### ENVIRONMENTAL HAZARDS

1-800-858-7378.

This product has low solubility in water. At the limits of solubility, this product is not toxic to fish. However, at concentrations above the level of water solubility, it may be toxic to fish. Do not apply directly to water, to areas where surface water is present or to intertidal areas below the mean high water mark. Drift and runoff from treated areas may be hazardous to aquatic organisms in adjacent sites. Do not contaminate water when disposing of equipment washwaters.

#### DIRECTION FOR USE

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

Not for use on plants being grown for sale or other commercial use, for commercial seed production, or for research purposes. For use on plants intended for aesthetic purposes or climatic modification and being grown in ornamental gardens or parks, or on golf courses or lawns and grounds.

Not for use on turf being grown for sale or other commercial use as sod, or for commercial seed production, or for research purposes.

This product is a selective pre-emergence herbicide that provides residual control of many grass and broadleaf weeds in established lawns and ornamental turf (excluding golf course putting greens), landscape ornamentals and established perennials and wildflower plantings. It controls susceptible weeds by inhibiting weed seeds, germination and root development. When used according to directions, it will control; barnyardgrass; bluegrass; annual (*Poa annua*); carpetweed; chickweed, common; chickweed, mouseear (from seed); crabgrass (large, smooth); crowfootgrass; cupgrass, woolly; foxtails, annual; goosegrass<sup>1</sup>; henbit; itchgrass; johnsongrass (from seed); junglerice; knotweed; kochia; lambsquarter, common; lovegrass; panicum (Texas, fall, browntop); pigweed; purslane, common; pusley, Florida; rescuegrass<sup>3</sup>, shepherd's purse<sup>2</sup>, signalgrass, broadleaf; speedwell, Persian; sprangletop; spurge, prostrate; witchgrass; woodsorrel, yellow (from seed).

<sup>1</sup>In many areas a single application of 5.2 to 11.9 pounds/1,000 square feet (225 to 518 pounds/acre) will control goosegrass. However, under heavy goosegrass pressure and/or an extended growing season, most effective weed control may be obtained with an initial application of 5.2 to 7.9 pounds/1,000 square feet (225 to 345 pounds/acre), followed after 60 to 90 days by a second application at doses that would not exceed the maximum annual rate (see "Minimum and Maximum Application Rate by Turfgrass Species" table in the Rates of Application section of this label).

<sup>2</sup>For this weed, apply in late summer, fall or winter prior to germination.

<sup>3</sup>Suppression only.

WHEN TO APPLY TO ESTABLISHED TURF: This product must be applied prior to germination of weed seeds, as it will not control established weeds.

[MAP OF USA]

#### THIS MAP SHOWS APPROXIMATE CRABGRASS GERMINATION DATES

**APPLICATION DIRECTIONS:** Apply this product uniformly, using a suitable spreader that has been properly calibrated. Most effective weed control will be obtained when this product is activated by at least 0.5 inch of rainfall or irrigation, or with shallow (1-2 inches) incorporation, prior to weed seed germination and within 14 days application.

**USE PRECAUTIONS:** The following precautions apply to the use of this product in turf grasses and lawns. Application of this product may thin emerged annual bluegrass and newly overseeded grasses. Do not apply to overseeded turf within 60 days after seeding or until after the second mowing, whichever is longer. Injury to desirable seedlings is likely if this product is applied before seedling secondary roots are in the second inch of soil (not thatch plus soil). Do not apply newly set sod until the following year. Application to turf stressed by drought, low fertility, or pest damage may result in turf injury. Disturbing the herbicide barrier with cultural practices (such as core aeration) may result in reduced weed control. Do not apply to putting greens or areas where dichondra, colonial bentgrass, velvet bentgrass or annual bluegrass (*Poa annua*) are desirable species. Do not apply through any type of irrigation system. Do not apply aerially. Do not graze or feed livestock forage cut from treated areas.

**RATES OF APPLICATION:** This product is recommended for use on the turf grass species listed in the following table. The maximum amount of this product that may be applied per year is given for each turf grass species. Do not exceed the maximum yearly rate listed:

MINIMUM AND MAXIMUM APPLICATION RATES (by Turf Grass Species)				
Turf Species	Minimum Rate	Maximum Annual Rate		
Bahiagrass, Bermudagrass <sup>2</sup> Centipedegrass, Zoysiagrass, Seashore Paspalum, St. Augustinegrass Tall Fescue (including turf- Type)	2.75 lbs/1,000 sq. ft. (120 lbs/acre)	11.9 lbs/1,000 sq. ft. per year (518 lbs/acre per year)		
Buffalograss	2.75 lbs/1,000 sq. ft.	7.9 lbs/1,000 sq. ft. per year		
Kentucky Bluegrass	(120 lbs/acre)	(345 ibs/acre per year)		
Perennial Ryegrass	, , ,			
Creeping Red Fescue	2.75 lbs/1,000 sq. ft.	6 lbs/1,000 sq. ft. per year		
	(120 lbs/acre)	(260 lbs/acre per year)		
Creeping Bentgrass	2.75 lbs/1,000 sq. ft.	5.2 lbs/1,000 sq. ft. per year		
	(120 lbs/acre)	(225 lbs/acre per year)		

<sup>1</sup>These are the maximum rates per calendar year.

<sup>2</sup>May be used on newly sprigged or plugged Bermudagrass at rates not to exceed 4.1 pounds/1,000 square feet (179 pounds/acre). Newly sprigged or plugged Bermudagrass stolon rooting may be temporarily retarded. Suppression only of foxtail, goosegrass and rescuegrass due to reduced rates used in sprigging situations.

This product may be applied as a single application or in sequential applications to control weeds germinating throughout the year. Sequential applications may be made so long as the total amount of product applied does not exceed the maximum annual application rates recommended for each turf species. The length of time of residual weed control provided by this product is related to the rate applied. Use the higher rates listed for longer periods of weed control.

WHEN TO OVERSEED AFTER APPLICATION: This product will inhibit germination of turf seed if overseeded too soon after application. Follow rates and intervals in table for best overseedling/reseeding results.

USE RATE	MONTHS BEFORE OVERSEEDING			
	North	Transition	South	
2.75 pounds/1,000 sq. ft. (120 pounds/acre)	4	4	4	
5.2 pounds/1,000 sq. ft. (225 pounds/acre)	5	4	4	
6 pounds/1,000 sq. ft. (260 pounds/acre)	6	5	5	
6.3 pounds/1.000 sq. ft. (275 pounds/acre)	-	6	6	
7.9 pounds/1,000 sq. ft. (345 pounds/acre)	-	7	7	
9 pounds/1,000 sq. ft. (393pounds/acre)	•	-	9	
10.3 pounds/1,000 sq. ft. (448 pounds/acre)	•	-	10	
11.9 pounds/1,000 sq. ft. (518 pounds/acre)	-	•	12	

**LANDSCAPE ORNAMENTALS:** (including established perennials and wildflower plantings): This product may be applied for residual pre-emergence weed control in ornamentals. Apply at the rate of 5.2 to 11.9 pounds/1,000 square feet (225 to 518 pounds/acre) in fall and/or spring. Use higher rates of application for longer control periods. Sequential applications may be made so long as the total amount of product applied does not exceed the maximum annual application rate of 11.9 pounds/1,000 square feet (518 pounds/acre) per year.

SPR	EADER SETT	INGS to apply	at the listed	pounds per 1,0	00 square fe	et
	2.75 lbs.	5.2 lbs.	6 lbs.	7.9 lbs.	9 lbs.	11.9 lbs.
Spreader A	X	X	X	X	X	X

**APPLICATION TIMING AND INFORMATION:** This product may be applied to newly transplanted and established ornamentals a broadcast, over the top or directed application. Around new transplants, delay application to allow soil to settle and water thoroughly before applying. Apply after cuttings form roots and become established. Apply before budding/grafting or after buds/grafts have taken to avoid any inhibition of the tissue union. This product is a preemergence herbicide and will not control emerged weeds. Most effective weed control in ornamentals will be obtained when this product is activated by at least 0.5 inch of rainfall or irrigation, or with shallow (1 to 2 inch) mechanical incorporation, prior to weed seed germination and within 14 days following application. Best weed control is obtained when applied to soil free of clods, weeds and debris such as leaves. Prior to application, control existing vegetation by hand weeding, cultivation or the use of an appropriate post-emergence herbicide.

**TOLERANT ORNAMENTAL SPECIES:** This product will not harm most trees, shrubs, vines and flowers. The species listed below are tolerant to this product. Best results will be obtained when product is uniformly applied to the soil surface; avoid applying to ornamental shoots which may defeat the effort to get uniform distribution on the soil surface. This product may be applied over the top of these species. When plants are under stress (such as heat, drought or frost damage) some cultivars of listed plants may be sensitive to this product.

#### SCIENTIFIC NAME

Abies spp. Abelia grandflora Acer palmatum A. Platanoides Achillea spp. Actindia chinensis Agapanthus africanus Agapanthus orientalis Akebiag guintata Allium cemuum Anemone hybrida Aquillegia spp. Arctostaphylos densiflora Arctotheca calendula Artemesia spp. Aster spp. Aster X Frikartii Athrium Filiz-femina Aucuba japonica Begonia spp. Berberis gladwynensis B. Julianae B. mentorensis B. Thunbergil B. Verruculosa Bergenia cordifolia Boltonia asteroides Buddleia davidii Buxus microphylla

#### COMMON NAME

Fir species\*\* (Balsam, Frasier, Noble, etc.) Abelia: Sherwood Japanese Maple Norway Maple Yarrow: King Edward Kiwi\* Lily-of-the-Nile (African Lily)

Five-leaf or Chocolate Vine Lady's Leek, Nodding Onion Japanese Anenome Aquilegia: Red and Gold Vine Hill Manzanita Cape Weed Wormwood; Silver Mound, Castle Aster: Bonnie Blue, Purple Dome

Lady Fern; Fern Lady Japanese Aucuba Fibrous Begonia: Hardy Grandis Barberry Wintergreen Barberry Mentor Barberry Japanese Barberry Warty Barberry

Snowbank Butterfly-Bush (Dwarf Blue); Royal Red Japanese Boxwood

Callistemon viminalis Calluna vulgaris Campanula carpatica Campis X Tagliabuana Carpobrotus edulis Cassia artemisoides Ceanothus rigidus Ceratostigma plumbagonoides Chamaecyparis pisifera Clevera japonica Citrus spp. Coreopsis spp. Cornus florida C. Stolonifera Cortaderia seloana Cotoneaster apiculatus C. buxifolius C. dammeri C. Microphyllus Cretaegus spp. Crocosmia spp. Cupressus sempervirens Delosperma alba Delosperma spp. Delphinium spp. Dianthus deltoides D. gratianopolitanus Dodonea viscosa Echinacea purpurea Elaeagnus pungens Euonymus fortunei E. japonica E. kiautschovica Fatsia japonica Forsythia intermedia Forsythia suspensa F. viridissima Gaillardia spp. Gardenia jasminoides Gaura spp. Gentiana dahurica Geranium cinereum Gladiolus spp. Gypsophilia repens Hedera helix Hellanthemum spp. Hemerocallis spp. Hibiscus Hibiscus spp. Hibiscus rosa-sinensis Hosta plantaginea H. Sieboldiana Houttuynia cordata var. variegata Hydrangea macrophylla Ilex Bernvi llex cornuta

Weeping Bottlebrush Scotch Heather Tussock Bellflower, (White Clips) Trumpet Flower, Madame Galen Hottentot Fig (Ice Plant) Feathery Cassia Wild Lilac False Cypress Cleyera Citrus species\* Coreopsis (Calliopsis) Early Sunrise, Moonbeam Flowering Dogwood American Dogwood Pampas Grass Cranberry Cotoneaster Cotoneaster Bearberry Cotoneaster Rockspray Cotoneaster Hawthorne Lucifer Italian Cypress White Trailing Ice Plant Cooperi Pink Larkspur: Blue Elf Dianthus: Maiden Pinks "Zing" Cheddar Pink Hop Bush Coneflower, Purple; Magnus Silverberry Wintercreeper Evergreen Euonymus Spreading Euonymus Japanese Aralia Border Forsvthia Weeping Forsythia Greenstem Forsythia Gaillardia, Blanket Flower: "Goblin" Gardenia, Cape-Jasmine Gentian Cranesbill Gladiolus species\*\* Baby's Breath English Ivy Sunrose Daylily: Aztec Gold, Stella de Oro, Tender Love Rose of Sharon\*\* Mallow: Disco Belle White **Chinese Hibiscus** Hosta, Plantain Lily (Fragrant) Hosta, "Seersucker"

Bigleaf Hydrangea Holly Chinese Holly

I. crenata I. opaca I. vomitoria Inula ensifolia Iris ensata Iris siberica Iris spp. Jasminium nudiflorum Juniperus chinensis J. conferta J. davurica J. horizontalis Juglans spp. Justicia brandegeana Lagerstromia indica Lagerstromia indica X Fauriei Lantana montevidensis Lavender spp. Leonopodium alpinum Ligustrum amurense Ligustrum sinense L. japonicum L. lucidum Lilium spp. Liriope muscari Liriope muscari var. variegata Liriope spicata Lobelia Cardinalis Lonicera iaponica L. tatarica Lorapetalum chinense Lythrum spp. Magnolia spp. Maleophora luteola Malus spp. Miscanthus sinensis Nandina domestica Narcissus spp. Nerium oleander Olea europaea Ophiopogon japonicus Omanthus heterphyllus Osteospermum fruiticosum Oxydendrum arboreum Paeonia suffruticosa Pennisetum setaceumi Perovskia atriplicifolia Persea americana Photinia Fraseri Physotegia Virginiana Picea spp. Pieris japonica Pinus brutia P. canariensis P. Elliottii P. halepensis

Japanese Holly American Holly Yaupon Holly, Schillings

Sword-Leaved Iris: Jodlesong Siberian Iris; Cabernet Iris species\*\* Winter Jasmine Chinese Juniper; Nick's Compact, Parsonnii Shore Juniper: Blue Pacific Parsoni **Creeping Juniper** Walnut\* Shrimp Plant Crape Myrtle Crape Myrtle; Tuscarora Weeping Lantana Lavender: Munstead Edelweiss Amur Privet Chinese Privet: Variegata Japanese Privet Glossy Privet (Waxleaf) Lllv: Jazz Big Blue Lily, Silver Mound, Evergreen Giant Liriope, Variegated Liriope, Creeping Cardinal Flower, Indian Pink Japanese Honevsuckie Tatarian Honevsuckle Burgundy Loosestrife; Modern Pink Magnolia species\*\* Ice Plant Crabapple\* Yaku Jima, Silberfeder Heavenly Bamboo Narcissus species\*\* Oleander Olive\* Mondo Grass Osmanthus (False Holly); Gulf Tide Trailing African Daisy Sourwood Tree Peony Fountain Grass (Dwarf)

Avocado\* Frasier's Photinia (Redtip) Dragonhead, False; Vivid Spruce species\*\* (Colorado Blue, Norway, etc.) Lily-of-the-Valley Bush Calabrian Pine Canary Island Pine Slash Pine Aleppo Pine

# 10/11

P. nigra
P. palustrus
P. radiata
P. strobus
P. sylvestris
P, taeda
P. Thunbergiana
P. Virginiana
Pistachio spp.
Pittosporum rhombifolium
P. tobira
Podocarpus macrophyllus
Prunus laurocerasus
Prunus spp.

Pseudotsuga menziesii Pyracantha coccinea P. fortuneana P. koidzumii Pyrus spp. Quercus Shumardii Quercus spp. Raphiolepsis indica Raphiolepsis umbellata Rhododendron (including Azalea)

Rosa banksiae Rosmarinus officinalis Rudbeckia spp. Santolina virens Saxifraga spp. Scabiosa spp. Sedum album Sedum cauticola Sedum dasyphyllum Sedum spurium Spiraea bumalda Syzygium paniculatum Taxus cuspidata T. media Teucrium spp. Thalictrum diptercarpum Thuja occidentalis Trachelospermum asiatum Tsuga canadensis Tulipa spp. Veronica spp. Viburnum japonicum V. odoratissimum V. plicatum V. rigidum V. suspensum V. tinus V. trilobium

Austrian Pine Longleaf Pine Monterey Pine Eastern White Pine Scotch Pine Loblolly Pine Japanese Black Pine Virginia Pine Pistachio\* Queensland Pittosporum Japanese Pittosporum Japanese Yew English Laurel Almond, Apricot, Nectarine, Peach, Plum and Prune\* Douglas Fir\*\* Firethorn (Scarlet) Firethorn Firethorn Bradford Pear spp. Oak, Shumard's Red Oak species Indian Hawthorne Yedda Hawthorne 'Coral Bells,' ' Formosa,' ' Hino-crimson,' ' PJM' 'Delaware Valley White', ' Roseum Elegans,' 'Flame Creeper', ' Girard Crimson', 'Wakeilebisu 'White Gumbo', 'George L. Tabor' Lady Bank's Rose Rosemary\* Black-Eyed Susan; Goldsturm Santolina Saxifrage; Purple Dome Pincushion Flower Stonecrop Stonecrop; Lidakense Stonecrop Stonecrop; Dragon's Blood Spirea; Anthony Waterer Australian Brushcherry Japanese Yew Yew Germander Meadow Rue American Arborvitae Star Jasmine Canada Hemlock Tulip species Veronica, Speedwell; Sunny Border Japanese Viburnum Sweet Viburnum Japanese Snowball Canary Island Viburnum Arrowood Viburnum Laurustinus Cranberry Bush

V. wrightii Vinca major Vinca Minor Vitis spp. Weigela florida Yucca aloifolia Y. filametosa

Leatherleaf Viburnum Greater Periwinkle, Vinca Common Periwinkle, Vinca Grape\* Old Fashioned Weigela Spanish Bayonet, Yucca Adam's Needle, Yucca

\*Do not use on food producing trees, vines or plants.

\*\*Not for use on container grown plants.

#### STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal. **STORAGE:** Store in original container in a locked storage area out of reach of children and domestic animals.

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

**CONTAINER DISPOSAL:** Completely empty bag into application equipment. Then dispose of empty bag in a sanitary landfill, or by incineration, of, if allowed by State and local authorities, by burning. If burned, say out of smoke

#### CONDITIONS OF SALE AND WARANTY

The DIRECTIONS FOR USE of this product 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 use of the product in a manner inconsistent with its labeling, all of which are beyond the control of Control Solutions, Inc. or the Seller. All such risks shall be assumed by the Buyer.

Control Solutions, Inc. warrants that this product conforms to the chemical description on the label, and is reasonably fit for the purposes set forth in the DIRECTIONS FOR USE, when it is used in accordance with such directions, subject to the inherent risks mentioned above.

CONTROL SOLUTIONS, INC. NEITHER MAKES NOR INTENDS, NOR DOES IT AUTHORIZE ANY AGENT OR REPRESENTATIVE TO MAKE ANY OTHER WARRANTIES, EXPRESSED OR IMPLIED, AND IT EXPRESSLY EXCLUDES AND DISCLAIMS ALL IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. THIS WARRANTY EXTENDS 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, WARNING, OR CAUTIONS. 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. IN NO EVENT SHALL MANUFACTURER OR SELLER BE LIABLE FOR SPECIAL, INDIRECT OR CONSEQUENTIAL DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT. CONTROL SOLUTIONS, INC. and the seller offer this product, and the Buyer and User accept it, subject to the foregoing CONDITIONS OF SALE AND WARR