

53883-212

3/8/2010

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

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

Ms Amy Warren  
Control Solutions, Inc  
5903 Genoa-Red Bluff  
Pasadena, TX 77507-1041

MAR 8 2010

Subject: Label Notification(s) for Pesticide Registration Notice 2007-4

Dear Registrant:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated January 26, 2010 for:

**EPA Registration 53883-212**

**Dithiopyr 0.086% Plus Fertilizer**

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and finds that the label change(s) requested falls 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 contact me directly at 703-305-6249 or Banza Djapao of my staff at 703-305-7269.

Sincerely,

A handwritten signature in black ink, appearing to be "Linda Arrington".

Linda Arrington  
Notifications & Minor Formulations Team Leader  
Registration Division (7505P)  
Office of Pesticide Programs

2009



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 53883 - 212	2. EPA Product Manager Joanne Miller	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Dithiopyr 0.086% Plus Fertilizer	PM# 23	
5. Name and Address of Applicant (Include ZIP Code) Control Solutions, Inc. 5903 Genoa-Red Bluff Pasadena, TX 77507-1041 <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>MAR 8 - 2010</b>
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.	
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.	

**Explanation:** Use additional page(s) if necessary. (For section I and Section II.)  
 Notification of label change per 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 for 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 the requirements of 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 sections 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	If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt No. per container	<input type="checkbox"/> Metal
<i>Certification must be submitted</i>					<input checked="" type="checkbox"/> Plastic
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 1 pound-50 pound bags		5. Location of Label Directions <input checked="" type="checkbox"/> on label	
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 Amy Warren	Title Regulatory Affairs Specialist	Telephone No. (Include Area Code) 800-242-5562
<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 Regulatory Affairs Specialist	
4. Typed Name Amy Warren	5. Date 1-26-10	

2009



**C O N T R O L**  
**S O L U T I O N S**  
i n c o r p o r a t e d

January 26, 2010

Document Processing Desk (NOTIF)  
Office of Pesticide Programs (7504P)  
U.S. Environmental Protection Agency  
Room S-4900, One Potomac Yard  
2777 S. Crystal Drive  
Arlington, VA 22202-4501

**Re: Notification per (PR) Notice 2007-4, Labeling Revisions required by the Final Rule  
"Pesticide Management and Disposal"  
Dithiopyr 0.086% Plus Fertilizer (EPA Reg. No. 53883-212)**

Dear Sir or Madam:

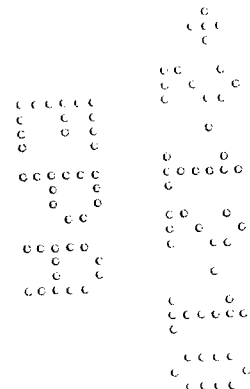
Enclosed is a Notification for (PR) 2007-4; See highlighted text on attached labeling.

Notification of label change per 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 for 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 the requirements of 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 sections 12 and 14 of FIFRA.

If you have any questions or need additional information, please feel free to contact me.

Sincerely,

Amy Warren  
Regulatory Affairs Specialist  
Control Solutions, Inc.



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NOTIFICATION

# Dithiopyr 0.086% Plus Fertilizer

MAR 8 - 2010

## WEED CONTROL AND LAWN FOOD COMBINED

For Season-Long Control of Crabgrass and Control or Suppression of Listed Annual Grasses and Broadleaf Weeds in Established Lawns and Ornamental Turf, including Golf Course Fairways, Roughs and Tee Boxes.

Not for use on plants being grown for sale or other commercial use, or 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.

In the state of New York: For use by professional turf applicators only at not more than 13.3 lbs. per 1,000 square feet per year (0.5 pounds AI per acre per year). Not for use in Nassau or Suffolk Counties.

**Active Ingredient:**

Dithiopyr: S, S'-dimethyl 2-(difluoromethyl)-4-(2-methylpropyl)-6-(trifluoromethyl)-3,5-pyridinedicarbothioate ..... 0.086%

**Inert Ingredients:**..... 99.914%

**TOTAL:**..... 100.000%

EPA REG NO. 53883-212

EPA EST. NO. XXXXX-XXX-XXX

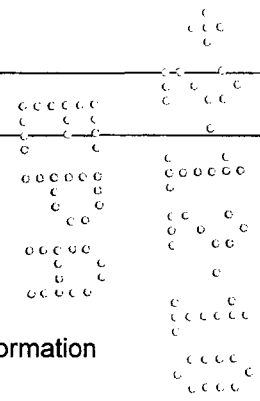
Net Weight:

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

Guaranteed Fertilizer Analysis: XX-XX-XX

**KEEP OUT OF REACH OF CHILDREN  
CAUTION**

See [back] [side] [other] panel for further precautions and First Aid information



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<b>FIRST AID</b>	
<b>IF IN EYES:</b>	<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>
<b>IF ON SKIN OR CLOTHING:</b>	<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>
<b>IF SWALLOWED:</b>	<ul style="list-style-type: none"> <li>• Call a poison control center or physician 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 physician.</li> <li>• Do not give anything by mouth to an unconscious person.</li> </ul>
<b>IF INHALED:</b>	<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, preferably mouth-to-mouth, if possible.</li> <li>• Call a poison control center or doctor for further treatment advice.</li> </ul>
<b>HOT LINE NUMBER</b>	
<p>Have the product container or label with you when calling a poison control center or doctor, or going for treatment. For information on this pesticide product (including health concerns, medical emergencies, or pesticide incidents), call the National Pesticide Telecommunications Network at 1-800-858-7378.</p>	

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

Harmful if inhaled. Causes moderate eye irritation. Avoid breathing dust. Remove and wash contaminated clothing before reuse. Avoid contact with eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Wear long-sleeved shirt and long pants, sock, shoes and chemical-resistant gloves such as natural rubber. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.

**ENVIRONMENTAL HAZARDS**

This pesticide is toxic to fish and highly toxic to other aquatic organisms including oysters and shrimp. Use with care when applying to turf areas adjacent to any body of water. Do not apply directly to water, or to areas where surface water is present, or to intertidal areas below the mean high water mark. Drift and runoff may adversely affect aquatic organisms in adjacent aquatic sites. Do not apply when weather conditions favor drift from treated areas. Do not contaminate water when disposing of equipment washwaters.

**DIRECTIONS FOR USE**

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

**GENERAL INFORMATION**

Dithiopyr 0.086% Plus Fertilizer provides season-long control of crabgrass and control or suppression of listed annual grasses and broadleaf weeds in established lawns and ornamental turf, including golf course fairways, roughs and tee boxes. Apply this product only to seeded, sodded, or sprigged turf that is well established. Before the use of Dithiopyr 0.086% Plus Fertilizer, roots must be developed and the turf mowed at least twice to a uniform height. Injury may result if the turf is not well established, or stressed by weather, pests or other conditions.

**USE RESTRICTIONS**

- Do not apply more than 13.3 lbs./1,000 sq. ft. (0.5 Lbs. AI/acre) per application.
- Do not apply more than 40 lbs./1,000 sq. ft. (1.5 lbs. AI/acre) per year.

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- In New York, do not apply more than 13.3 lbs. /1,000 sq. ft. per year.
- Do not use clippings from treated turf for animal feed or for mulching around vegetables or fruit trees.
- Do not allow domestic animals to feed or forage on treated turf.
- Keep people and pets off treated areas until dust has settled.
- Do not use on golf course putting greens.

**CRABGRASS CONTROL**

Dithiopyr 0.086% Plus Fertilizer provides pre-emergence control of crabgrass (large, smooth, and southern species) when applied prior to emergence of crabgrass from the ground. Dithiopyr 0.086% Plus Fertilizer provides "early post-emergence" control during the early stages of growth after crabgrass emerges from the ground. This early post-emergence control is limited and applications are only effective if applied before the crabgrass has its 3-leaf or first tiller (which usually is about the time when you can first see the crabgrass in the lawn). With this post-emergence activity, the applicator has 2 to 4 weeks longer to make applications for control of crabgrass.

**APPLICATION INSTRUCTIONS**

Dithiopyr 0.086% Plus Fertilizer may be applied to established turfgrass species listed on this label. The following turfgrass species are tolerant to this product when applied as directed:

TURFGRASS	USE PRECAUTIONS
Creeping Bentgrass <sup>1</sup> ( <i>Agrostis palustris</i> ), Kentucky Bluegrass ( <i>Poa pratensis</i> ), Fine Fescue <sup>2</sup> ( <i>Festuca rubra</i> ), Tall Fescue ( <i>Festuca arundinacea</i> ), Perennial Ryegrass ( <i>Lolium perenne</i> ), Bahiagrass ( <i>Paspalum notatum</i> ), Bermudagrass ( <i>Cynodon dactylon</i> ), Buffalograss <sup>3</sup> ( <i>Buchloe dactyloides</i> ), Carpetgrass ( <i>Axonopus compressus</i> ), Centipedegrass ( <i>Eremochloa ophiuroides</i> ), Kikuyugrass ( <i>Pennisetum clandestinum</i> ), St. Augustinegrass ( <i>Stenotaphrum secundatum</i> ), Zousiagrass ( <i>Zoysia japonica</i> )	<sup>1</sup> Turfgrass injury may result from the use of this product on certain varieties of creeping bentgrass such as Cohansey, Carmen, Seaside and Washington. Not all varieties of creeping bentgrass have been tested. Do not apply this product to Colonial Bentgrass ( <i>Agrostis tenuis</i> ) varieties.  <sup>2</sup> Turfgrass injury may result from use of this product on the following varieties of Fescue such as Atlanta, Banner, Beauty, Bilgart, CF-2, Enjoy, HF-93, Highlight, Ivalo, Koket, Jamestown, Majenta, Mary, Pennilawn, Tamara, Tatiana, Walfort and Waldina. Not all varieties of fescue have been tested.  <sup>3</sup> Do not use this product on seedling Buffalograss in the spring of the first year of establishment until the turfgrass is fully green and has established new roots.

**NOTE:** Not all turfgrass varieties are tolerant to this product. It is suggested that the user evaluate the tolerance of turfgrass varieties not listed on this label on a limited area, at recommended use rates, prior to initiating large-scale use.

For best results, apply Dithiopyr 0.086% Plus Fertilizer within a few days after mowing and delay mowing again for a few days after application. Rainfall or irrigation activates the product. Improved weed control will result if the application is followed by ½ inch of rainfall or sprinkler irrigation. Weed control may be hampered if rainfall or irrigation does not occur with 30 days after application. Split, or half rate applications spaced 5 to 10 weeks apart may also enhance weed control. Cultural practices such as aeration and de-thatching should be completed and the turf allowed to recover before application of this product.

**APPLICATION TIMING**

This product may be applied as a single application, split application, or as a sequential application for crabgrass control in the spring, summer, or fall as described below.

**SPRING APPLICATIONS:** For single applications in the spring or early summer, follow the appropriate rate listed in "TABLE 1: APPLICATION RATES FOR CRABGRASS CONTROL" below. Rates are based on the location to be used (Region), the mowing height of the turfgrass, and whether the timing of the application is considered preemergence or postemergence. The length of residual weed control is dependent on the total rate applied, but may vary depending on weather, weed pressure and location.

Program 1: For preemergence control to turf mowed relatively high, such as home lawns. This program will provide 3 to 5 months of preemergence crabgrass control. This program should not be used for early postemergence control of crabgrass.

Program 2: For preemergence control at sites where the turf is mowed relatively low, such as golf course fairways, and where turfgrass maintenance and weed control applications were not made the previous year. This program will provide 4 to 6 months of preemergence crabgrass control. This program may also be used for early postemergence control of crabgrass.

**FALL APPLICATIONS:** Dithiopyr 0.086% Plus Fertilizer may be applied in late summer or early fall (late August through November). Follow the instructions for "Program 2" for crabgrass control through the early part of the next spring. Fall applications may be followed by an appropriate spring application to provide season-long control.

[Optional Language:

**TURF GRASS REGIONS**

Insert map showing regions for crabgrass control as noted in table below]

**TABLE 1: APPLICATION RATES FOR CRABGRASS CONTROL**

REGION	PROGRAM 1 Preemergence (high-cut turf)	PROGRAM 2 Preemergence (low-cut turf) Postemergence
North (all areas)	3.33 lbs./1,000 sq. ft. (145 lbs./acre or 0.125 lbs. Al/acre)	6.67 lbs./1,000 sq. ft. (290 lbs./acre or 0.25 lbs. Al/acre)
Transition (DE, KS, KY, MD, MO, VA, southeastern PA, southern areas of IL, IN, OH, and coastal areas of CT, NY and RI.	4.89 lbs./1,000 sq. ft. (213 lbs./acre or 0.183 lbs. Al/acre)	9.77 lbs./1,000 sq. ft. (425 lbs./acre or 0.366 lbs. Al/acre)
South (AL, AR, AZ, CA, GA, LA, MS, NC, NM, NV, OK, SC, TN and TX)	6.67 lbs./1,000 sq. ft. (290 lbs./acre or 0.25 lbs. Al/acre)	13.3 lbs./1,000 sq. ft. (580 lbs./acre or 0.50 lbs. Al/acre)
Coastal South (HI, FL, southern coastal areas of AL, GA, LA, MS, NC, SC, and TX)	9.77 lbs./1,000 sq. ft. (425 lbs./acre or 0.366 lbs. Al/acre)	13.3 lbs./1,000 sq. ft.* (580 lbs./acre or 0.50 lbs. Al/acre)
* Split applications may be made 5-10 weeks apart.		

**SPLIT OR SEQUENTIAL APPLICATIONS**

Split or sequential applications may be used to provide improved weed control or to provide extended weed control in areas with long growing seasons. Split applications may be made with rates in Table 1 above being split between two applications made 5-10 weeks apart. Where longer periods of control are required, sequential applications may be made in late summer or fall following a spring application or in

the spring following a fall application provided the maximum application rate per year is not exceeded. Refer to the "Use Restrictions" section above.

**RESEEDING, OVERSEEDING OR SPRIGGING**

Reseeding, overseeding, or sprigging of treated areas within 16 weeks after application of this product may inhibit the establishment of desirable turfgrasses. When seeding, follow good cultural practices such as soil cultivation, irrigation and fertilization. For best results, use mechanical or power seeding equipment (slit seeders) for good seed-to-soil contact.

**CONTROL OF OTHER GRASS AND BROADLEAF WEEDS**

**SPRING APPLICATION:** When used as directed for crabgrass control in spring, Dithiopyr® 0.086% Plus Fertilizer will also control or suppress the following weeds when applied prior to their emergence:

<b>WEEDS CONTROLLED</b>	
Barnyardgrass, Bluegrass (annual roughstalk), Crowfootgrass, Foxtail (yellow & green), Goosegrass, Kikuyugrass, Lespedeza (common),	Oxalis (buttercup, creeping & yellow woodsorrel), Purslane (common), Ryegrass (annual & perennial), Smutgrass, Speedwell (corn), Spurge (prostrate & spotted)

**FALL APPLICATION:** When used as directed for late summer or early fall use, for crabgrass control through the early part of next spring, Dithiopyr 0.086% Plus Fertilizer will also control or suppress the following weeds when applied prior to their emergence:

<b>WEEDS CONTROLLED</b>	
Bluegrass (annual roughstalk), Bittercress, Chickweed, Geranium (Carolina),	Henbit, Parsley-piert, Pineappleweed, Shepherdspurse

**APPLICATION EQUIPMENT AND INSTRUCTIONS**

This product may be applied with drop or rotary-type spreaders designed to apply granular herbicides. For best results, apply this product evenly and uniformly avoiding streaking, skips or overlaps. Avoid the use of spreaders that tend to apply granules in narrow rows or concentrated bands. Settings shown in the table below are approximate for new equipment. Calibrate the spreader according to the manufacturer's directions. Initial spreader settings may require adjustment to deliver the recommended application rate under actual application conditions. The desired calibration setting may be marked or recorded for future reference.

Apply this product uniformly over the treatment area. More uniformity can be achieved by applying one-half of the required amount of product over the treatment area and then applying the remaining one-half in a different direction (e.g., at a right angle to the previous direction). Check equipment frequently to verify calibration and proper functioning. Clean and lubricate spreader after use.

<b>SPREADER SETTINGS</b> to apply at the listed pounds per 1,000 square feet					
	3.33 lbs.	4.89 lbs.	6.67 lbs.	9.77 lbs.	13.3 lbs.
Spreader A	X	X	X	X	X
(May contain additional spreader brands/models, spreader settings and spreader use instructions as appropriate for the product)					



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*(Optional wording for use with fertilizer inerts that may cause staining:  
This product may stain driveways, walks, patios, pools, etc. Thoroughly wash or sweep off immediately after each use.)*

*(Optional wording for compliance with Kentucky fertilizer registration:  
When soil testing or professional advice indicates the need for additional plant nutrients, make additional applications of fertilizer products over the growing season. Do not exceed the annual rate of 1.5 lbs. active ingredient of this pesticide product.)*

**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:** **If empty:** Non-refillable container. Do not reuse or refill this container. Offer for recycling, if available. Do not rinse unless required for recycling. If recycling is not available, then dispose of container in a sanitary landfill or, if allowed by State and local authorities, by burning. If burned, stay out of smoke.

**If partly filled:** Call your local solid waste agency for disposal instructions. Never pour unused product down any indoor or outdoor drain.

**CONDITIONS OF SALE AND WARRANTY**

NOTICE: Read the entire Directions for Use and Conditions of Sale and Limitation of Warranty and Liability before buying and using this product. If the terms are not acceptable, return the product at once, unopened, and the purchase price will be refunded.

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. Lawn and turf 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. To the extent consistent with applicable law, 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.

TO THE EXTENT PERMITTED BY LAW, 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 WARRANTY.