

53883-275

6/9/2010

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U.S. ENVIRONMENTAL PROTECTION AGENCY  
Office of Pesticide Programs  
Registration Division (7505C)  
1200 Pennsylvania Ave., N.W.  
Washington, D.C. 20460

EPA Reg. Number:  
53883-275

Date of Issuance:  
JUN 9 2010

NOTICE OF PESTICIDE:

Registration  
 Reregistration

(under FIFRA, as amended)

Term of Issuance:  
Unconditional

Name of Pesticide Product:  
IMI 0.235

Name and Address of Registrant (include ZIP Code):

Control Solutions, Inc.  
5903 Genoa - Red Bluff  
Pasadena, Texas 77507

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act.

Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

This product is conditionally registered in accordance with FIFRA section 3(c)(5) provided that you:

1. Submit and/or cite all data required for registration/reregistration/registration review of your product when the Agency requires all registrants of similar products to submit such data.
2. Make the following label changes before you release the product for shipment:
  - a. Revise the EPA Registration Number to read, "EPA Reg. No. 53883-275".
3. The data requirements for storage stability (830-6317) and corrosion characteristics (830-6320) have not been satisfied, and must be submitted within eighteen months of the date of this letter.

Signature of Approving Official:

Date:

JUN 9 2010

Venus Eagle, Product Manager (01)  
Insecticide-Rodenticide Branch, Registration Division (7505P)

2011

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4. Submit one copy of the revised final printed label for the record before you release the product for shipment.

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6(e). Your release for shipment of the product constitutes acceptance of these conditions.

A stamped copy of the label is enclosed for your records. If you have any questions regarding this notice, please contact Kable Bo Davis at (703) 306-0415.

Venus Eagle  
Product Manager (01)  
Insecticide-Rodenticide Branch  
Registration Division (7505P)

Enclosure- Stamped Labeling

# Imi 0.235

[Alt Name: DOMINION® Fruit Tree and Vegetable]  
Insecticide Concentrate

[Optional Marketing Statements:]

- [For use on listed fruit and nut trees, including citrus, apple, peach, cherry, and plum; and on listed vegetables, including tomatoes, carrots, peppers, melons, cucumbers, herbs; and on listed berries including strawberries, raspberries, blueberries and grapes. Prevents damage from listed pests. Insects stop eating when they feed on treated plants
- Protects trees and plants from damaging insects with one easy treatment
- Protects new growth
- Systemic Insecticide is absorbed through the roots, carried up into the plant, and won't wash off
- Kills [Controls] insects and prevents new infestations
- Rainproof
- Insect protection that won't wash off
- Easy to use - just mix and pour
- [Apply once for] Season-long control [protection]
- Stops insect feeding
- For use on listed fruit trees and vegetables
- Kills [Controls] [Prevents] insects that damage fruit trees and vegetables
- No spraying! Mix and pour at plant base
- No messy spraying
- For use on listed edible crops
- Specially formulated for fruits and vegetables
- Systemic protection for the entire plant
- Easy to Use (No spraying) .... Mix in Water and Pour Around Plant base
- Rainproof
- For use on: [image of listed fruit or vegetable]
- Controls: [image of listed pest]
- 32 oz. size treats 640 square feet of vegetables
- 32 oz. size treats up to 9 fruit trees with a canopy width of 10 feet]

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

JUN 9 2010

**Under the Federal Insecticide,  
Fungicide, and Rodenticide Act,  
as amended, for the pesticide  
registered under EPA Reg. No.  
53883-225**

ACTIVE INGREDIENT:

Imidacloprid .....	0.235 %
OTHER INGREDIENTS: .....	99.765 %
TOTAL: .....	100.000 %

Net Contents: 32 fl. oz. (946 ml) or 64 fl. oz. (1.89 L) or 1 Gal (3.78 L) or 16 fl. oz. (473 ml)

**STOP - Read the entire label before use  
KEEP OUT OF REACH OF CHILDREN  
CAUTION**

See Back Panel [Booklet] for Additional Precautionary Statements  
Not for sale, sale into, distribution, and / or use in Nassau, Suffolk, Kings, and Queens counties of New York.

**FOR OUTDOOR RESIDENTIAL USE ONLY**

Not for use on crops being grown for sale or other commercial use

EPA Reg. No 53883- xxx  
53883-TX-1

EPA Est. No

Manufactured By:  
Control Solutions, Inc.  
5903 Genoa-Red Bluff  
Pasadena, TX 77507  
281-892-2500

NET CONTENTS

40211

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

**CAUTION:** Causes moderate eye irritation. Avoid contact with skin, eyes, or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Remove contaminated clothing and wash before reuse.

**ENVIRONMENTAL HAZARDS**

This pesticide is toxic to fish. Do not apply directly to water. To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutters or surface waters. Applying this product in calm weather when rain is not predicted for the next 24 hours, will help to ensure that wind or rain does not blow or wash pesticide off the treatment area. Rinsing application equipment over the treated area will help avoid run off to water bodies or drainage systems. Do not contaminate water by cleaning of equipment or disposal of wastes.

This product is highly toxic to bees exposed to direct treatment or residues on blooming crops or weeds. Do not apply this product or allow it to drift to blooming crops or weeds if bees are visiting the treatment area.

This product is toxic to wildlife and highly toxic to aquatic invertebrates.

This chemical demonstrates the properties and characteristics associated with chemicals detected in ground water. The use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination.

<b>FIRST AID</b>	
<b>IF SWALLOWED:</b>	<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 by mouth to an unconscious person.</li> </ul>
<b>IF IN EYES:</b>	<ul style="list-style-type: none"> <li>• Hold eye open and rinse slowly and gently with water for 15 to 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>
Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact SafetyCall® for emergency medical treatment information at (866) 897-8050.	

**DIRECTIONS FOR USE**

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

**FOR OUTDOOR RESIDENTIAL USE ONLY**

**Not for use on crops being grown for sale or other commercial use**

**USE RESTRICTIONS:**

- Do not apply near lakes, ponds, rivers or streams.
- Do not apply to soils that are waterlogged or saturated.
- Do not re-use buckets, containers, or measuring utensils for any food, feed, or drink purposes after using with this product.
- During prolonged dry conditions, water plants thoroughly the night before application.

Children and pets may re-enter the treated area after it has dried.

**PRODUCT INFORMATION**

Imidacloprid dissolved in water and applied to soil is absorbed by the roots. Once absorbed, it moves through the entire plant to protect against insects. This product also moves into and protects new growth after application. To control listed insects, the insecticide must distribute completely throughout the plant. Depending on the size and health of the plant, this may take one week to three months (for very large trees). Rain or water cannot wash off the imidacloprid inside the plant

Apply once a year at labeled application timing. See below for plant specific directions. See plant specific restrictions for pre-harvest interval. If no pre-harvest interval is listed, then product may be applied up to and including day of harvest.

VEGETABLES AND HERBS

**APPLICATION RATES AND TIMING:** Apply at the time of transplant, or shortly after seedling emergence to prevent insect infestation.

Measure the length and width of the row to be treated. The length of the row times the width of the row is the area. Evenly apply 1/2 ounce of product in 1 quart of water per 10 square feet of vegetable row to be treated.

**CUCURBIT VEGETABLES**

**Crops of Crop Group 9 including:** Chayote (fruit), Chinese waxgourd (Chinese preserving melon), citron melon, Cuban pumpkin, cucumber, gherkin, gourd (edible, includes hyotan, cucuzza, hechima, Chinese okra), *Momordica* spp. (includes balsam apple, balsam pear, bitter melon, Chinese cucumber), muskmelon (hybrids and/or cultivars of *Cucumis melo* including true cantaloupe, cantaloupe, casaba, Crenshaw melon, golden pershaw melon, honeydew melon, honey balls, mango melon, Persian melon, pineapple melon, Santa Claus melon, snake melon and winter melon), pumpkin, squash (includes summer squash types such as: butternut squash, calabaza, crookneck squash, Hubbard squash, scallop squash, straightneck squash, vegetable marrow and zucchini, and winter squash types such as acorn squash and spaghetti squash), Watermelon (includes hybrids and/or varieties of *Citrullus lanatus*)

**CONTROLS:** Aphids, cucumber beetles, leafhoppers, thrips (foliage feeding thrips only), whiteflies

**RESTRICTIONS:**

- Pre-harvest Interval: Do not harvest until at least 21 days after application.
- Do not make more than one application per year.

**FRUITING VEGETABLES**

**Crops of group 8, plus okra, including:** Eggplant, ground cherry, okra, peppers (including bell, chili, cooking, pimento and sweet), tomatoes, tomatillos, and pepinos

**CONTROLS:** Aphids, Colorado potato beetles, flea beetles, leafhoppers, thrips (foliage feeding thrips only), whiteflies

**RESTRICTIONS:**

- Pre-harvest Interval: Do not harvest until at least 21 days after application.
- Do not make more than one application per year.

**HERBS**

**Crops of crop subgroup 19a including:** Angelica, balm (lemon balm), basil (fresh and dried), borage, burnet, chamomile, catnip, chervil (dried), Chinese chive, chive, clary, coriander (cilantro or Chinese parsley leaves), costmary, cilantro (leaf), curry (leaf), dill weed, horehound, hyssop, lavender, lemongrass, lovage (leaf), marigold, marjoram, nasturtium, parsley (dried), pennyroyal, rosemary, rue, sage, savory (summer and winter), sweet bay (bay leaf), tansy, tarragon, thyme, wintergreen, woodruff, wormwood.

leaf 11

CONTROLS: Aphids, flea beetles, leafhoppers, whiteflies

RESTRICTIONS:

- Pre-harvest Interval: Do not harvest until at least 14 days after application.
- Do not make more than one application per year.

BRASSICA (COLE) LEAFY VEGETABLES

**Crops of crop group 5 including:** Broccoli, broccoli raab (rapini), Brussels sprouts, cabbage, cauliflower, cavalo broccoli, Chinese broccoli (gai lan), Chinese cabbage (bok choy), Chinese cabbage (napa), Chinese mustard (gai choy) cabbage, collards, kale, kohlrabi, mizuna, mustard greens, mustard spinach, rape greens

CONTROLS: Aphids, leafhoppers, thrips (foliage feeding thrips only), whiteflies

RESTRICTIONS:

- Pre-harvest Interval: Do not harvest until at least 21 days after application.
- Do not make more than one application per year.

LEAFY VEGETABLES

**Crops Of Crop Subgroup 4A plus watercress including:** Amaranth (leafy amaranth, Chinese spinach, tampala), arugula (roquette), chervil, chrysanthemum (edible leaved and garland), corn salad, cress (garden), cress (upland, yellow rocket, winter cress), dandelion, dock (sorrel), endive (escarole), lettuce (head and leaf), orach, parsley, purslane (garden and winter), radicchio (red chicory), spinach (including New Zealand and vine (Malabar spinach, Indian spinach)), watercress (upland)

CONTROLS: Aphids, leafhoppers, thrips (foliage feeding thrips only), whiteflies.

RESTRICTIONS:

- Pre-harvest Interval: Do not harvest until at least 21 days after application.
- Do not make more than one application per year.

LEAFY PETIOLE VEGETABLES

**Crops of Crop Subgroup 4B including:** Cardoon, celery, celtuce, Chinese celery (fresh leaves and stalk only), Florence fennel(including sweet anise, sweet fennel, finocchio), rhubarb, Swiss chard

Controls: Aphids, leafhoppers, thrips (foliage feeding thrips only), whiteflies

RESTRICTIONS:

- Pre-harvest Interval: Do not harvest until at least 45 days after application.
- Do not make more than one application per year.

LEGUME VEGETABLES except soybean, dry

**Crops of Crop Group 6 including:** Edible podded and succulent shelled pea and bean and dried shelled pea and bean

Bean (*Lupinus* spp., includes grain lupin, sweet lupin, white lupin, and white sweet lupin)

Bean (*Phaseolus* spp., includes field bean, kidney bean, lima bean, navy bean, pinto bean, runner bean, snap bean, tepary bean, wax bean)

Bean (*Vigna* spp., includes adzuki bean, asparagus bean, blackeyed pea, catjang, Chinese longbean, cowpea, Crowder pea, moth bean, mung bean, rice bean, Southern pea, urd bean, yardlong bean)

Pea (*Pisum* spp., includes dwarf pea, edible-pod pea, English pea, field pea, garden pea, green pea, snow pea, sugar snap pea)

Other Beans and Peas [Broad bean (fava), chickpea (garbanzo bean), guar, jackbean, lablab bean (hyacinth bean), lentil, pigeon pea, soybean (immature seed), sword bean]

CONTROLS: Aphids, leafhoppers, thrips (foliage feeding thrips only), whiteflies

RESTRICTIONS:

- Pre-harvest Interval: Do not harvest until at least 21 days after application.
- Do not make more than one application per year.

ROOT VEGETABLES

**Crops of Crop Subgroup B except sugarbeet including:** Beet (garden), burdock (edible), carrot, celeriac, chervil (turnip-rooted), chicory, ginseng, horseradish, parsley (turnip-rooted), parsnip, radish, oriental radish (diakon), rutabaga, salsify (oyster plant), salsify (black), salsify (Spanish), skirret, and turnip

CONTROLS: Aphids, flea beetles, leafhoppers, thrips (foliage feeding thrips only), whiteflies

RESTRICTIONS:

- Pre-harvest Interval: Do not harvest until at least 21 days after application.
- Do not make more than one application per year.

BERRY CROPS AND GRAPES

APPLICATION RATES AND TIMING: Use at first signs of insect infestation, preferably before damage from feeding occurs.

Measure the area of the row to be treated. The length of the row times the width of the row is the area.

Evenly apply 1/2 ounce of product in 1 quart of water per 10 square feet of row to be treated.

STRAWBERRY

CONTROLS: Aphids, whiteflies.

RESTRICTIONS:

- Pre-harvest Interval: Do not harvest until at least 14 days after application.
- Do not make more than one application per year.

BUSHBERRY

**Crops of Crop Subgroup 13B Including:** Blueberry, currant, elderberry, gooseberry, huckleberry, Juneberry, ligo berry, salal

CONTROLS: Japanese beetle (adults, feeding on foliage), white grub complex (grubs of Asiatic garden beetle, European and masked chafer, Japanese beetle and Oriental beetle)

RESTRICTIONS:

- Pre-harvest Interval: Do not harvest until at least 7 days after application.
- Do not make more than one application per year.

CANEBERRY

**Crops of Crop Subgroup 13A including:** Blackberry (*Rubus eubatus*, including bingleberry, black satin berry, boysenberry, Cherokee blackberry, chesterberry, Cheyenne blackberry, coryberry, darrowberry, dewberry, Dirksen thornless berry, Himalayaberry, hullberry, lavacaberry, Loganberry, lowberry, Lucretiaberry, mammoth blackberry, marionberry, nectarberry, olallieberry, Oregon evergreen berry, phenomenalberry, rangeberry, ravenberry, rossberry, Shawnee blackberry, youngberry, and varieties and/or hybrids of these), raspberry (black and red, *Rubus occidentalis*, *Rubus strigosus*, *Rubus idaeus*)

CONTROLS: Aphids, leafhoppers, whiteflies, rednecked cane borer

RESTRICTIONS:

- Pre-harvest Interval: Do not harvest until at least 7 days after application.
- Do not apply pre-bloom or during bloom or when bees are actively foraging.

GRAPE

Including: American bunch grape, muscadine grape and vinifera varieties

CONTROLS: European fruit lecanium, leafhoppers/sharpshooters, mealybugs

RESTRICTIONS

- Pre-Harvest Interval: Do not harvest fruit until at least 30 days after application.
- Do not make more than one application per year.
- For optimum results, make application between bud-break and the pea-berry stage.

FRUIT AND NUT TREES

APPLICATION RATES AND TIMING: Use at first signs of insect infestation, preferably before damage from feeding occurs. Measure the distance (radius) from the tree trunk to the drip line, and round down to the nearest foot. The drip line is the outer edge of the foliage. See the following rate table for application amounts. Add the required amount of product to one gallon of water, and pour the mixture evenly onto the ground around the base of the tree. Follow by pouring another gallon of water around the base of the tree.

RATE TABLE FOR TREES

Stone Fruit and Pome Fruit (cherries, peaches, apples, pears)				Banana and Plantain, Citrus, Pomegranate, Tree Nut, and Tropical Fruit including lemon, lime, orange, mango, and avocado			
Distance in ft from trunk to dripline	Ounces of this product per 1 gallon	Distance in ft from trunk to dripline	Ounces of this product per 1 gallon	Distance in ft from trunk to dripline	Ounces of this product per 1 gallon	Distance in ft from trunk to dripline	Ounces of this product per 1 gallon
3	1	16	40	3	1.5	16	53.5
4	2.5	17	45.5	4	3	17	60.5
5	3.5	18	51	5	5	18	68
6	5.5	19	56.5	6	7.5	19	75.5
7	7.5	20	63	7	10	20	84
8	10	21	69.5	8	13.5	21	92.5
9	12.5	22	76	9	17	22	101.5
10	15.5	23	83	10	21	23	111
11	19	24	90.5	11	25	24	120.5
12	22.5	25	98.5	12	30	25	
13	26.5	26	106.5	13	35.5	26	
14	30.5	27	114.5	14	41	27	
15	35.5	28	123.5	15	47	28	

BANANA and PLANTAIN

CONTROLS: Aphids, leafhoppers

RESTRICTIONS



- Do not make more than one application per year.

**CITRUS**

**Crops of Crop Group 10 Including:** Calamondin, citrus citron, citrus hybrids (includes chironja, tangelo, and tangor), grapefruit, kumquat, lemon, lime, Mandarin (tangerine), pummelo, orange (sweet and sour), Satsuma mandarin

**CONTROLS:** Aphids, Asian citrus psyllid, blackfly, citrus leafminer, leafhoppers / sharpshooters, mealybug, scales, whiteflies

**RESTRICTIONS**

- Do not make more than one application per year.

**POME FRUIT**

**Crops Of Crop Group 11 Including:** Apple, crabapple, loquat, mayhaw, pear (including Oriental pear), quince

**CONTROLS:** Aphids (including woolly apple aphid), leafhoppers

**RESTRICTIONS**

- Pre-harvest Interval: Do not harvest fruit until at least 21 days after application.
- Do not make more than one application per year.
- Do not apply until after trees have flowered or when bees are actively foraging.

**POMEGRANATE**

**CONTROLS:** Aphids, leafhoppers / sharpshooters, whiteflies

**RESTRICTIONS**

- Do not make more than one application per year.
- Do not apply until after trees have flowered or when bees are actively foraging.

**STONE FRUIT**

**Crops Of Crop Group 12 Including:** Apricot, cherry (including sweet and tart), nectarine, peach, plum (including Chickasaw, Damson and Japanese), plumcot, prune

**CONTROLS:** Aphids (including woolly apple aphid), leafhoppers

**RESTRICTIONS**

- Pre-harvest Interval: Do not harvest fruit until at least 21 days after application.
- Do not make more than one application per year.
- Do not apply until after trees have flowered or when bees are actively foraging.

**TREE NUTS**

**Crops of Crop Group 14 including:** Beechnut, Brazil nut, butternut, cashew, chestnut, chinquapin, filbert (hazelnut), hickory nut species (including pecan hickory), macadamia nut, pecan, pistachio, walnut (black and English)

**CONTROLS:** Aphids, leafhoppers / sharpshooters, mealybugs, spittlebugs, whiteflies

**RESTRICTIONS**

- Pre-harvest Interval: Do not harvest fruit until at least 7 days after application.
- Do not make more than one application per year.
- Do not apply until after trees have flowered or when bees are actively foraging.

**TROPICAL FRUIT**

**Including:** Acerola, atemoya, avocado, birida, black sapote, canistel, cherimoya, custard apple,

feijoa, jaboticaba, guava, llama, longan, lychee, mamey sapote, mango, papaya, passionfruit, persimmon, pulasan, rambutan, sapodilla, soursop, Spanish lime, star apple, starfruit (carambola), sugar apple, wax jambu

CONTROLS: Aphids, avocado lacebug, leafhoppers, whiteflies

RESTRICTIONS

- Pre-harvest Interval: Do not harvest fruit until at least 6 days after application.
- Do not make more than one application per year.
- Do not apply until after trees have flowered or when bees are actively foraging.

**STORAGE AND DISPOSAL**

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

**Storage and Spill Procedures:** Store upright at room temperature. Avoid exposure to extreme temperatures. Store in a locked area out of reach of children and domestic animals. In case of spillage or leakages, soak up with an absorbent material such as sand, sawdust, earth, Fuller's earth, etc. Dispose of with chemical waste.

**Pesticide Disposal:** Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide, spilled bait, or rinsate is a violation of Federal Law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for Guidance.

**Container Disposal: If empty** - Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available. 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. Unless otherwise instructed, place in trash. Never pour unused product down the drain or on the ground.

**CONDITIONS OF SALE AND LIMITATION OF WARRANTY AND LIABILITY**

NOTICE: Read the entire Directions for Use and Conditions of Sale and Limitation of Warranty and Liability before buying or 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 must be followed carefully. It is impossible to eliminate all risks inherently associated with the use of this product. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as manner of use or application, weather or crop conditions, presence of other materials or other influencing factors in the use of the product, which are beyond the control of CONTROL SOLUTIONS, INC. or Seller. All such risks shall be assumed by Buyer and User, and Buyer and User agree to hold CONTROL SOLUTIONS, INC. and Seller harmless for any claims relating to such factors

CONTROL SOLUTIONS, INC. warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated in the Directions for Use, subject to the inherent risks referred to above, when used in accordance with directions under normal use conditions. This warranty does not extend to the use of the product contrary to label instructions, or under abnormal conditions or under conditions not reasonably foreseeable to or beyond the control of Seller or CONTROL SOLUTIONS, INC., and Buyer and User assume the risk of any

such use. CONTROL SOLUTIONS, INC. MAKES NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY EXCEPT AS STATED ABOVE. To the fullest extent permitted by law, Control Solutions, Inc. or seller shall not be liable for any incidental, consequential or special damages resulting from the use or handling of this product. TO THE EXTENT PERMITTED BY APPLICABLE LAW, THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE EXCLUSIVE LIABILITY OF CONTROL SOLUTIONS, INC. AND SELLER FOR ANY AND ALL CLAIMS, LOSSES, INJURIES OR DAMAGES (INCLUDING CLAIMS BASED ON BREACH OF WARRANTY, CONTRACT, NEGLIGENCE, TORT, STRICT LIABILITY OR OTHERWISE) RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, SHALL BE THE RETURN OF THE PURCHASE PRICE OF THE PRODUCT OR, AT THE ELECTION OF CONTROL SOLUTIONS, INC. OR SELLER, THE REPLACEMENT OF THE PRODUCT

CONTROL SOLUTIONS, INC. and Seller offer this product, and Buyer and User accept it, subject to the foregoing Conditions of Sale and Limitation of Warranty and of Liability, which may not be modified except by written agreement signed by a duly authorized representative of CONTROL SOLUTIONS, INC.