

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

OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

November 13, 2012

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

Subject:

Notification per PR Notice 98-10

Quali-Pro NEGATE 37WG EPA Reg. No. 53883-307

Application Dated September 26, 2012

Dear Ms. Cooley:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 for the subject product. The Registration Division (RD) has conducted a review of this request and finds that the action falls within the scope of PRN 98-10. The label submitted with the application has been date-stamped "Notification" and will be placed in our records.

In addition, the alternate brand name "**NEGATE 37WG**" has been added to our records for this product.

If you have any questions, please contact Mindy Ondish at (703)605-0723 or at ondish.mindy@epa.gov.

Sincerely,

Muidy ando, for

Kable Bo Davis Product Manager 25 Herbicide Branch Registration Division (7505P)

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Company/Product Number				2. EPA Product Manager				3. Pi	Proposed Classification			
Control Solutions, Inc. / 53883-307				Kable 'Bo' Davis						` _		
4. Company/ Product (Name) Quali-Pro NEGATE 37WG				25					None	⊔ Re	stricted	
5. Name and Address of Applicant (Include ZIP Code)				6. Expedited Review. In accordance with FIFRA Section								
Control Solutions, Inc.				3(c)(3)(b)(i) my product is similar or identical in composition and labeling to:								
5903 Genoa-Red Bluff												
Pasadena, TX 77507-1041												
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Resubmission in response to Agency letter dated				"Me Too" Application. Other – Explain below NOV 1 3 2012							2	
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Notification to add an	alternate brand na	ame. Also, to a	add lan	nguage to I	abel. "0	Quali-	Pro®	s a re	aistered	tradema	ark. and	
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								281.892.2522				
Shannon C		Regulatory Specialist				scooley@controlsolutionginc.com						
Certification									6. Date Application			
	d all attachments thereto are true,					Received。 (Stamped)						
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Regulatory Specialist

9/26/12

5. Date

Shannon Cooley
EPA Form 8570-1 (Rev. 8-94) Previous editions are obsolete.

Shannon Coaley

4. Typed Name



10/16/12

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:

Quali-Pro NEGATE™ 37 WG EPA Reg. No. 53883-307

To Whom It May Concern:

Control Solutions Inc. is notifying the Agency of its intention to:

- Add an alternate brand name (page 1).
- Add the following statement to the label (page 7). "Quali-Pro® is a registered trademark, and NegateTM is a trademark of Makhteshim-Agan of North America, Inc."

We certify the following:

"This notification is consistent with the provisions of PR Notices 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make false statements to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, 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."

In support of this submission, the following documents are attached:

- Application for Pesticide Registration (8570-1)
- One Copy of annotated labeling highlighting the additional language (page 1 & 7)
- One Copy of the final printed labeling

Should you have any questions about this submission, please contact me at 800-242-5562 or email at scooley@controlsolutionsinc.com.

Sincerely,

Shannon Cooley

Regulatory Specialist

Shannon Coaley

5903 Genoa Red Bluff • Pasadena, TX 77507-1041 • <u>www.controlsolutionsinc.com</u> 281-892-2500 • Fax 281-892-2501 • 800-242-5562

GROUP 2 HERBICIDE

NOTIFICATION

NOV 1 3 2012

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Quali-Pro® NEGATE™ 37WG

[Alternate Brand Name: NEGATETM 37WG]

Postemergence Herbicide for Weed Control in Bermudagrass and Zoysiagrass on Golf Courses, Sod Farms, Professionally Managed College and Professional Sports Fields, Industrial and Commercial Lawns, and Other Similar NON-residential Areas.

ACTIVE INGREDIENTS:	% BY WT.
Metsulfuron-Methyl:	
Methyl 2-[[[[(4-methoxy-6-methyl-1,3,5-triazin-2-yl)-amino]carbonyl]amino]sulfonyl]benzoate	20.00%
Rimsulfuron: N-((4,6-dimethoxypyrimidin-2-yl)aminocarbonyl)-3-(ethylsulfonyl)-2-pyridinesulfonamide.	16.67%
OTHER INGREDIENTS:	63.33%
TOTAL	100.00%

KEEP OUT OF REACH OF CHILDREN **CAUTION**

Manufactured for: Control Solutions, Inc. 5903 Genoa Red Bluff Pasadena, TX 77507

EPA Reg. No. 53883-307

EPA Est. No.

NET CONTENTS:

	FIRST AID
IF ON SKIN OR	Take off contaminated clothing.
CLOTHING:	Rinse skin immediately with plenty of water for 15-20 minutes.
	Call a poison control center or doctor for treatment advice.
IF IN EYES:	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.
	HOT LINE NUMBER

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® International for emergency medical treatment at (866) 897-8050

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS CAUTION

Harmful if absorbed through skin. Avoid contact with skin, eyes, and clothing.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Some materials that are chemical-resistant to this product are listed below. If you want more options, follow the instructions for category A on an EPA chemical-resistance category selection chart.

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Shoes and socks
- Chemical-resistant gloves category A such as butyl rubber, natural rubber, neoprene rubber, or nitrile rubber

Page 1 of 7

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

ENGINEERING CONTROL STATEMENTS

When handlers use closed systems, enclosed cabs, or aircraft in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.240(d)(4-6)], the handler PPE requirements may be reduced or modified as specified in the WPS.

IMPORTANT: When reduced PPE is worn because a closed system is being used, handlers must be provided all PPE specified above for "Applicators and other handlers" and have such PPE immediately available for use in an emergency, such as a spill or equipment breakdown.

USER SAFETY RECOMMENDATIONS

Users should:

- Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco, or using the toilet.
- Remove clothing/PPE immediately, if pesticide gets inside. Then wash thoroughly and put on clean clothing.

ENVIRONMENTAL HAZARDS

Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Do not apply where runoff water may flow during periods of intense rainfall or to water-saturated soils, as off-target movement and injury may occur. Do not contaminate water when cleaning equipment or 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. READ ENTIRE LABEL BEFORE USING THIS PRODUCT. USE STRICTLY IN ACCORDANCE WITH LABEL PRECAUTIONARY STATEMENTS AND DIRECTIONS.

Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application.

For any requirements specific to your State or Tribe, consult the Agency responsible for pesticide regulation.

AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR Part 170. This standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE) and restricted-entry interval. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

Do not enter or allow worker entry into treated areas during the restricted-entry interval (REI) of 4 hours.

PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil, or water is: coveralls, shoes, socks and chemical-resistant gloves category A such as butyl rubber, natural rubber, neoprene rubber, or nitrile rubber.

NON-AGRICULTURAL USE REQUIREMENTS

The requirements in this box apply to uses of this product that are NOT within the scope of the Worker Protection Standard for agricultural pesticides (40 CFR Part 170). The WPS applies when this product is used to produce agricultural plants on farms, forests, nurseries, or greenhouses. Do not enter or allow others to enter treated areas until sprays have dried.

Mode of Action: Quali-Pro® NEGATE 37WG contains Rimsulfuron and Metsulfuron-Methyl herbicides which belong to the sulfonylurea chemical family of herbicides. Herbicides in this family inhibit branched-chain amino acid synthesis in plants. Quali-Pro® NEGATE 37WG is absorbed through foliage of plants, rapidly inhibiting the growth of susceptible weeds. One to three weeks after post emergence application to weeds, leaves of susceptible plants appear chlorotic, and the growing point subsequently dies. In warm, moist conditions, the expression of herbicide symptoms is accelerated; in cold, dry conditions, expression of herbicide symptoms is delayed. Death of leaf tissue and growing point will follow in some species, while others will remain green but

stunted and noncompetitive. Best weed control is attained when Quali-Pro® NEGATE 37WG is applied in vigorously growing weeds or desired plants. The herbicidal action of Quali-Pro® NEGATE 37WG may be less effective on weeds stressed from adverse environmental conditions (such as extreme temperatures or moisture), abnormal soil conditions, or cultural practices. In addition, weeds hardened-off by drought stress are less susceptible to Quali-Pro® NEGATE 37WG. Post emergence weed control may be reduced if rainfall occurs soon after application. It is necessary for the spray material to dry on the foliage to be sufficiently absorbed (generally Quali-Pro® NEGATE 37WG is rainfast in 4 hours).

Application Timing: The best weed control is obtained when Quali-Pro® NEGATE 37WG is applied to young, actively growing weeds. The degree and duration of control may depend on (a) weed spectrum and infestation intensity, (b) weed size at application, and (c) environmental conditions at and following treatment.

Adequate Buffers around BENTGRASS GREENS: Extreme caution should be used when applying this product around or near slopes that drain onto bentgrass greens, overseeded greens, fairways, or tees. Do not apply to slopes that drain directly onto bentgrass greens. Tracking and lateral movement onto bentgrass putting greens rarely results in death to bentgrass. Some off color and growth regulator effects have been observed for approximately 14 days. This effect may last longer on non-USGA (sand greens) or during periods of cool weather or on greens maintained at low nitrogen levels. Fertilization with liquid fertilizer can help speed bentgrass recovery. The addition of a product containing gibberellic acid may also be beneficial. Application of activated charcoal around and/or on the perimeter of bentgrass putting greens has also been effective in reducing injury potential. Additionally, light irrigation of outer greens, surrounds or perimeters has shown to reduce tracking or movement onto greens and are recommended for 1-2 days following applications. Always allow the surround or sprayed areas to dry adequately prior to permitting golfers or mowing equipment to cross.

Weed Control in Bermudagrass and Zoysiagrass on Golf Courses, Sod Farms, Professionally Managed College and Professional Sports Fields, Industrial and Commercial Lawns, and Other Similar NON-residential Areas.

Precaution: Tolerance of the majority of cultivars of Zoysiagrass to Quali-Pro® NEGATE 37WG has not been fully investigated. It is known that Emerald, Zenith, and Meyer cultivars of Zoysiagrass have shown tolerance to similar to that of bermudagrass. The effects of Quali-Pro® NEGATE 37WG on these turfgrasses during transition have not been fully evaluated.

Dormant and non-dormant turf: Apply 1.5 ounces of Quali-Pro[®] NEGATE 37WG per acre for weed control. Some chlorosis of the turf may occur following application.

Bermudagrass and Zoysiagrass: Apply 1.5 ounces of Quali-Pro® NEGATE 37WG per acre for weed control. Some chlorosis or stunting of the turfgrass may occur following application.

Bahiagrass Control: For the selective control of Bahiagrass in Bermudagrass turf, use 1.5 oz. of Quali-Pro[®] NEGATE 37WG per acre. Apply a repeat treatment in 4 to 6 weeks if necessary. Some chlorosis or stunting of the Bermudagrass may occur following the application.

IMPORTANT Addition of a nonionic surfactant of at least 80% active ingredient at 0.25 percent by volume (1 qt./100 gal) provides maximum performance, but may temporarily increase chlorosis of the turf.

When an adjuvant is to be used with this product, Control Solutions, Inc. suggests the use of a Chemical Producers and Distributors Association certified adjuvant. Products must contain only EPA-exempt ingredients.

HOW TO USE

Use spray volumes of 20 to 80 gal/acre and pressures of 25 to 35 psi at the following rates of Quali-Pro® NEGATE 37WG for the weeds listed below:

Controls the following perennial and annual grassy weeds: Use rate of 1.5 oz Product/Acre.

Bahiagrass*
Annual Bluegrass (Poa annua)
Perennial ryegrass
Annual ryegrass
Foxtail

Poa trivialis (Roughstalk Bluegrass)

Little Barley

* A repeat application may be required in 4 to 6 weeks.

Controls the following broadleaf (dicot) weeds: Use rate of 1.5 oz Product/Acre

Annual sowthistle

Aster

Goldenrod Henbit

Bittercress

Hoary cress (whitetop)

Blue mustard

Kochia

Buckhorn

Lambsquarters Miners lettuce

Bur buttercup Canada thistle**

Pennsylvania smartweed

Chicory

Plantain

Clover (white) Common chickweed Common groundsel

Prickly lettuce Prostrate knotweed

Common mullein Common purslane Common sunflower Redroot pigweed Redstem filaree Shepherdspurse

Common yarrow Conical catchfly Cow cockle

Smallseed flaxweed Smooth pigweed Spurge (prostrate) Sweet clover Tansy mustard

Crown vetch Curly dock Cutleaf evening primrose

Treacle mustard Tumble mustard

Dandelion Dogfennel Dollarweed*

Virginia buttonweed*** Wild carrot

False chamomile Fiddleneck tarweed Field pansy

Wild celery Wild lettuce Wild mustard Wild onion

Field pennycress

Woodsorrel (oxalis)

Flixweed

* A repeat application may be required in 4 to 6 weeks.

** Suppression only involving a visual reduction in competition compared to an untreated area.

Controls seedling Virginia buttonweed. Suppression only of more mature plants. Repeat application may be required in 4 to 6 weeks

USE RESTRICTIONS

Do not apply Quali-Pro® NEGATE 37WG to turf under stress from drought, insects, disease, cold temperatures, high temperatures of above 85°F on cool season grasses, or poor fertility as injury may result.

Do not apply to residential lawns.

Do not apply to areas where children can contact treated turf.

Do not apply this product through any type of irrigation system.

Do not apply an organophosphate insecticide or nematicide within 7 days of a Quali-Pro® NEGATE 37WG application as injury potential to the desired grass may increase.

Do not apply to turf less than 1 year old.

Do not use on Bahiagrass where it is the desired turf, as severe injury may result.

Do not plant ornamentals such as shrubs and trees in treated areas for at least 1 year after the last application or bedding plants for at least 2 years.

Do not apply this product by air.

Do not use more than 4 applications of Quali-Pro® NEGATE 37WG per acre per year, or a maximum of 6 ounces product per acre per year. Please note the restrictions for the control of Bahiagrass,

DO NOT USE ON FOOD OR FEED CROPS.

Injury to trees or other desirable plants may result from failure to observe the following: Do not apply Quali-Pro® NEGATE 37WG (except as directed) or drain or flush equipment on or near trees or other desirable plants, or on areas where their roots may extend or in locations where the chemical may be washed or moved into contact with their roots.

When overseeding, wait 2 months (8 weeks) after application. Do not apply to any body of water, including streams, irrigation water or wells. Do not apply where runoff water may flow onto agricultural land, as injury to crops may result. Do not allow spray drift onto adjacent crops or other desirable plants or trees as injury may occur.

Follow these practices to minimize drift:

- Stop spraying if wind speed becomes excessive. Spray drift can occur at wind speeds less than 10 mph. If sensitive plants are downwind, extreme caution must be used. Do not spray if winds are gusty.
- High temperatures, drought and low relative humidity increase the possibility of harmful spray drift. Caution
 must be used when these conditions are present and sensitive plants are nearby.
- · Use large droplet size sprays to minimize drift.
- · Use spray pressures of 35 psi or less when applying this product.

SPRAY FOUIPMENT

Following a Quali-Pro® NEGATE 37WG application, do not use the sprayer or mixing equipment for application to agricultural crops, except those that may be treated with both metsulfuron-methyl and rimsulfuron. This is extremely important as low rates of Quali-Pro® NEGATE 37WG can kill or severely injure most agricultural crops. The selected sprayer should be equipped with an agitation system to keep Quali-Pro® NEGATE 37WG suspended in the spray tank. Use a sufficient volume of water to thoroughly cover the foliage of undesirable weeds, generally 20 to 80 gallons per acre. Select a spray volume and delivery system that will deliver a uniform spray pattern. Be sure the sprayer is calibrated before use. Avoid overlapping and shut off spray booms while starting, turning, slowing or stopping to avoid injury to desired plants.

MIXING INSTRUCTIONS

- 1. Fill the tank 1/4 to 1/3 full of water.
- 2. While agitating, add the required amount of Quali-Pro® NEGATE 37WG .
- 3. Continue agitation until the Quali-Pro® NEGATE 37WG is fully dispersed, at least 5 minutes.
- Once the Quali-Pro® NEGATE 37WG is fully dispersed, maintain agitation and continue filling tank with water. Quali-Pro® NEGATE 37WG should be thoroughly mixed with water before adding any other material.
- As the tank is filling, add tank mix partners (if desired) then add the necessary volume of nonionic surfactant. Always add surfactant last.
- If the mixture is not continuously agitated, settling will occur. If settling occurs, thoroughly re-agitate before using.
- Quali-Pro® NEGATE 37WG spray preparations are stable if they are pH neutral or alkaline and stored at or below 100°F.
- 8. If Quali-Pro® NEGATE 37WG and a tank mix partner are to be applied in multiple loads, pre-slurry the Quali-Pro® NEGATE 37WG in clean water prior to adding to the tank. This will prevent the tank mix partner from interfering with the dissolution of the Quali-Pro® NEGATE.

SPRAYER CLEANUP

Spray equipment must be cleaned before Quali-Pro® NEGATE 37WG is sprayed. Follow the cleanup procedures specified on the labels of previously applied products. If no directions are provided, follow the six steps outlined below

At the End of the Day

When multiple loads of Quali-Pro® NEGATE 37WG are applied, at the end of each day of spraying, the interior of the tank be rinsed with fresh water and then partially filled, and the boom and hoses flushed. This will prevent the buildup of dried pesticide deposits that can accumulate in the application equipment.

- Drain tank; thoroughly rinse spray tanks, boom, and hoses with clean water. Loosen and physically remove any visible deposits.
- 2. Fill the tank with clean water and 1 gal of household ammonia* (contains 3% active) for every 100 gal of water. Flush the hoses, boom, and nozzles with the cleaning solution. Then add more water to completely fill the tank. Circulate the cleaning solution through the tank and hoses for at least 15 min. Flush the hoses, boom, and nozzles again with the cleaning solution, and then drain the tank.
- 3. Remove the nozzles and screens and clean separately in a bucket containing cleaning agent and water.
- 4. Repeat step 2.
- 5. Rinse the tank, boom, and hoses with clean water.
- If only Ammonia is used as a cleaner, the rinsate solution may be applied back to the crop(s) specified on this
 label. Do not exceed the maximum labeled use rate. If other cleaners are used, consult the cleaner label for
 rinsate disposal instructions. If no instructions are given, dispose of the rinsate on site or at an approved
 waste disposal facility.

*Equivalent amounts of an alternate-strength ammonia solution or other specified cleaners can be used in the cleanout procedure. Carefully read and follow the individual cleaner instructions. Consult your agricultural dealer, applicator, or extension agent for a listing of approved cleaners.

Notes:

- Attention: Do not use chlorine bleach with ammonia, as dangerous gases will form. Do not clean equipment
 in an enclosed area.
- Steam-clean aerial spray tanks prior to performing the above cleanout procedure to facilitate the removal of any caked deposits.
- When Quali-Pro® NEGATE 37WG is tank mixed with other pesticides, all required cleanout procedures should be examined and the most rigorous procedure should be followed.
- In addition to this cleanout procedure, all pre-cleanout guidelines on subsequently applied products should be
 followed as per the individual labels.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Always use original container to store pesticides in a secured warehouse or storage building. Do not store near open containers of fertilizers, seeds, or other pesticides.

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

CONTAINER HANDLING:

Nonrefillable Container (flexible-bag-all weights): Nonrefillable container. Do not reuse or refill this container. Offer for recycling, if available or reconditioning; or puncture and dispose of in a sanitary landfill, by incineration, or by burning, if allowed by State and local authorities. If burned, stay out of smoke.

Nonrefillable Container (rigid-fifty lbs. or less): Nonrefillable container. Do not reuse or refill this container. Offer for recycling, if available. Clean container 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 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. Offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, by incineration, or by burning, if allowed by State and local authorities. If burned, stay out of smoke.

Nonrefillable Container (rigid-greater than fifty lbs.): Nonrefillable container. Do not reuse or refill this container. Offer for recycling, if available. Clean container 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. Offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, by incineration, or by burning, if allowed by State and local authorities. If burned, stay out of smoke.

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Refillable Container: Refillable container. Refill this container with metsulfuron-methyl and rimsulfuron 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 mix tank. Fill the container about 10 percent full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times.

FOR 24-HOUR EMERGENCY ASSISTANCE (SPILL, LEAK, OR FIRE), CALL INFOTRAC AT 1-800-535-5053

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. Ineffectiveness or other unintended consequences may result because of such factors as manner of use or application, weather, 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 this 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. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, 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 EXTENT CONSISTENT WITH APPLICABLE LAW, IT IS CONTROL SOLUTIONS INC., AND SELLER'S INTENTION THAT in no event shall Control Solutions or Seller be liable for any incidental, consequential or special damages resulting from the use or handling of this product. TO THE EXTENT CONSISTENT WITH 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 Liability, which may not be modified except by written agreement signed by a duly authorized representative of Control Solutions, Inc.

Quali-Pro® is a registered trademark, and Negate™ is a trademark of Makhteshim-Agan of North America, Inc.

Quali-Pro® NEGATE 37WG (53883-307) EPA approved 8-16-2012