

55146-106

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Ms Mary Beth Endres
Nufarm Americas Inc.
150 Harvester Drive, Suite 200
Burr Ridge, IL 60527

APR 24 2009

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 March 19, 2009 for:

EPA Registration 55146-106 Sebring 480 SC Fungicide

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 read "Linda Arrington".

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



Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060

<p>United States Environmental Protection Agency Washington, DC 20480</p>	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number
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Application for Pesticide - Section I

1. Company/Product Number 55146-106	2. EPA Product Manager Mary Waller	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Sebring 480 FS Fungicide	PM# 21	
5. Name and Address of Applicant (Include ZIP Code) Nufarm Americas Inc. AGT Division 150 Harvester Drive, Suite 200 Burr Ridge, IL 60527 <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 to _____ and labeling to: NOTIFICATION EPA Reg. No. _____ APR 24 2009 Product Name _____	

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<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		<input checked="" type="checkbox"/> Metal	<input checked="" type="checkbox"/> Plastic
				<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
* Certification must be submitted				<input type="checkbox"/> Other (Specify) _____	
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input checked="" type="checkbox"/> Container		4. Size(s) Retail Container 1 Qt, 1/2, 1, 2.5, 5, 30, 55, 110, 220 gal		5. Location of Label Directions <input checked="" type="checkbox"/> _____ <input checked="" type="checkbox"/> _____	
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph <input checked="" type="checkbox"/> Paper glued <input type="checkbox"/> 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 Mary Beth Endres	Title Registration Manager	Telephone No. (Include Area Code) 630-455-2000
Certification 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 Registration Manager	
4. Typed Name Mary Beth Endres	5. Date 04-21-2009	



Nufarm Americas Inc.
150 Harvester Drive, Suite 200
Burr Ridge, IL 60527
Telephone: (630) 455.2000 Facsimile: (630) 455.2001
www.us.nufarm.com

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Overnight Courier

March 19, 2009

Linda Arrington
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

Subject: Revise Container Disposal Statements per PR Notice 2007-4

Product: Sebring 480 FS Fungicide, EPA Reg. No. 55146-106

Dear Ms. Arrington:

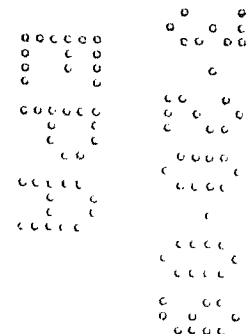
Nufarm Americas Inc. AGT Division would like to update the container disposal statement for the above referenced product label. The proposed language is consistent with PR Notice 2007-4. The attached label has been highlight for ease of review.

Should you have any questions please contact me at the address and telephone number above or by email listed below.

Sincerely,

Mary Beth Endres
Registration Manager
Nufarm Americas Inc. AGT Division
Email: maryb.endres@us.nufarm.com

Enclosure



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SEBRING™ 480 FS FUNGICIDE

FOR USE AS A SEED TREATMENT FOR CONTROL OF SYSTEMIC DOWNY MILDEW, PYTHIUM SEED ROT,
PYTHIUM DAMPING-OFF, AND EARLY SEASON PHYTOPHTHORA DISEASES OF CERTAIN CROPS.

ACTIVE INGREDIENT:

Metalaxyl: N-(2,6-dimethylphenyl)-N-(methoxyacetyl) alanine methyl ester	44.08%
OTHER INGREDIENTS:	<u>55.92%</u>
TOTAL:	100.00%

Contains 4.0 pounds Metalaxyl per gallon (480 grams per liter).

KEEP OUT OF REACH OF CHILDREN

CAUTION

SEE INSIDE BOOKLET FOR FIRST AID AND ADDITIONAL PRECAUTIONARY STATEMENTS

For Chemical Spill, Leak, Fire, or Exposure, Call CHEMTREC (800) 424-9300
For Medical Emergencies Only, Call (877) 325-1840

NOTIFICATION

APR 24 2009

EPA REG. NO. 55146-106
EPA EST. NO.

Manufactured For
NUFARM AMERICAS INC.
AGT Division
150 Harvester Drive
Burr Ridge, IL 60527



NET CONTENTS: GAL. (L)

055146-00106.20090422.EPA.PR Notice 2007-4
NUP-07270

FIRST AID	
IF SWALLOWED	<ul style="list-style-type: none"> • Call a poison control center or doctor immediately for treatment advice. • Have person sip a glass of water if able to swallow. • Do not induce vomiting unless told to do so by the poison control center or doctor. • Do not give anything by mouth to an unconscious person.
IF IN EYES	<ul style="list-style-type: none"> • Hold eye open and rinse slowly and gently with water for 15 to 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.
IF ON SKIN OR CLOTHING	<ul style="list-style-type: none"> • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15 to 20 minutes. • Call a poison control center or doctor for treatment advice.
IF INHALED	<ul style="list-style-type: none"> • Move person to fresh air. • If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible. • Call a poison control center or doctor for further treatment advice.
HOT LINE NUMBER	
<p>Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-877-325-1840 for emergency medical treatment information.</p>	

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

Harmful if swallowed. Causes moderate eye irritation. Avoid contact with eyes, skin or clothing. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse.

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 selection chart.

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants,
- Shoes and socks,
- Chemical-resistant gloves such as barrier laminate or nitrile rubber or neoprene rubber or Viton.

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

USER SAFETY RECOMMENDATIONS
<p>Users Should:</p> <ul style="list-style-type: none"> • Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet. • Remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. • Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

ENVIRONMENTAL HAZARDS

Do not apply directly to water, to areas where surface water is present, or to intertidal areas below the mean high water mark. Do not apply when weather conditions favor drift from treated areas. Do not contaminate water when disposing of equipment washwater or rinsate.

Groundwater Advisory Statement: This chemical is known to leach through soil into ground water under certain conditions as a result of agricultural use. Use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in ground water contamination.

DIRECTIONS FOR USE

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

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 intervals. 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 24 hours.

Exception: If the seed is treated with the product and the treated seed is soil-injected or soil-incorporated, the Worker Protection Standard, under certain circumstances, allows workers to enter the treated area if there will be no contact with anything that has been treated.

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 plus socks and chemical-resistant gloves such as barrier laminate or nitrile rubber or neoprene rubber or Viton.

GENERAL PRECAUTIONS AND RESTRICTIONS

This product is a systemic fungicide seed dressing specifically for control of systemic downy mildews, *Pythium* and *Phytophthora spp.* For control of other soilborne diseases, combination of captan, thiram and carboxin registered formulations are compatible. Do not use with other seed treatment products unless previous experience assures compatibility.

Note: This product is a systemic fungicide having a specific mode of action. This product could be subject to development of resistant strains of fungi. Development of resistance cannot be predicted. Consult with your State Agricultural Experiment Station or Extension Service Specialist for guidance and ways to control any possible metalaxyl resistant strains of fungi which may occur. FAILURE TO FOLLOW DIRECTIONS OF THIS LABEL MAY RESULT IN CROP INJURY OR POOR DISEASE CONTROL.

Maximum usage when applying both metalaxyl and mefenoxam containing products to the same crop within the same season: Do not apply more than the maximum seasonal total for the active ingredient as stated on the label of the product containing the lowest seasonal total on that crop.

In California: Only for use in commercial seed treating establishments. Not allowed for "on-farm" use.

On-Farm Seed Treatment: Do not apply this product through any type of irrigation system.

Do not use treated seed for food or feed purposes or process for oil. Treat only those seeds needed for immediate use, minimizing the interval between treatment and planting. Do not store excess treated seeds beyond planting time.

Seed treatment on agricultural establishment at or immediately before planting is within the scope of WPS, while commercial treatment of seeds is not within the scope.

Planter Box Treatment: Apply at the specified rate and premix with the seed directly in the planter box at planting. Place half the amount of seed into the planter box and apply half the required amount of pesticide to the seed. Stir the seed thoroughly with a paddle until the seed is uniformly coated. Place the remaining half of the seed into the planter box and add the remaining half of the pesticide. Again stir the seed with the paddle until all seed is thoroughly coated.

For Commercial Seed Treatment: Seed treated commercially or for sale must be dyed an unnatural color using an EPA approved dye before sale. Federal law requires that bags containing treated seed shall be labeled with the following information:

"This seed has been treated with Sebring 480 FS Fungicide which contains the active ingredient metalaxyl. Do not use treated seed for food, feed, oil purposes. Store away from feed and foodstuffs. Do not harvest mustard greens. Rape greens grown and harvested from Sebring 480 FS Fungicide treated seed must not be used for human and feed consumption. Rapeseed grown and harvested from Sebring 480 FS Fungicide treated seed is only for industrial uses and cannot be used for edible oil or any other human/feed consumption."

Tank Mixing: When tank mixing follow the most restrictive label instructions for any tank mix partner. Do not tank mix with any product that contains a prohibition against tank mixing.

SEED TREATMENT

This product may be applied as a water-based slurry with other registered seed treatment insecticides and fungicides through standard slurry or mist-type commercial seed treatment equipment.

DOMESTIC USE

CROP	DISEASE	RATE (Fluid Ounces per 100 Pounds of Seed)
Beets, Garden Sugarbeets	<i>Pythium</i> damping-off control	0.50
Canola* Mustard Seed* Rapeseed*	<i>Pythium</i> damping-off control	0.20 - 0.30
	NOTE: Do not harvest mustard greens. Rape greens grown and harvested from Sebring 480 FS Fungicide treated seed must not be used for human and feed consumption. Rapeseed grown and harvested from Sebring 480 FS Fungicide treated seed is only for industrial uses and cannot be used for edible oil or any other human/feed consumption.	
Carrots*	<i>Pythium</i> damping-off control	0.50
Cotton	<i>Pythium</i> seed rot and damping-off control	0.50 - 1.00
Cucumbers*	<i>Pythium</i> damping-off control	0.50
Forage Grasses Grasses grown for hay, grazing or silage, Corn (fodder or silage), Sorghum (hay or silage), and Small grain grown for hay, grazing or silage.	<i>Pythium</i> damping-off control	0.50
Forage Legumes Alfalfa, Beans (for forage), Clover, Cowpeas (for forage), Cowpea hay, Lespedeza, Peanuts (for forage), Peanut hay, Peas (for forage), Pea vine hay, Soybeans (for forage), Soybean hay, Trefoil, Velvet beans (for forage) and Vetch.	<i>Pythium</i> damping-off and early season <i>Phytophthora</i> control	0.50 - 1.00
Grain Crops Barley, Buckwheat, Corn (field corn, sweet corn and popcorn), Millet, Milo, Oats, Rye, Triticale, and Wheat	<i>Pythium</i> damping-off control	0.50
	Systemic downy mildew control of sweet corn	1.00
Peanuts*	<i>Pythium</i> seed rot and damping-off control	0.50
Rice*	<i>Pythium</i> damping-off control	0.50 - 1.00
	Note: If using Sebring 480 FS treated rice do not use metalaxyl or mefenoxam for control of <i>Pythium</i> in water-seeded rice. Containers or bags containing Sebring 480 FS treated rice seed must be labeled with this restriction.	
Seed and Pod Vegetables Black-eyed peas, Chickpeas (Garbanzos), Cowpeas, Dill, Edible soybeans, Field beans, Field peas, Garden peas, Green beans, Kidney beans, Lentils, Lima beans, Lupines, Navy beans, Okra, Peas, Pole beans, Snap beans, String beans and Wax beans.	<i>Pythium</i> damping-off control	0.50
	Early season <i>Phytophthora</i> control	0.50
	Control of <i>Pythium</i> damping-off and systemic downy mildew of peas	1.00

(continued)

DOMESTIC USE (Continued)

CROP	DISEASE	RATE (Fluid Ounces per 100 Pounds of Seed)
Sorghum	<i>Pythium</i> damping-off	0.25 - 0.50
	Systemic downy mildew (races susceptible to chemical control)	0.50 - 2.00 Apply 0.50 – 1.00 fluid ounces of this product on cultivars which possess sorghum downy mildew resistance. To those cultivars which do not possess resistance to a particular race of sorghum downy mildew in heavily infected areas with recent severe history, apply 1.00 – 2.00 fluid ounces of this product. Only high quality sorghum seed (90% germination and above) should be treated with this product.
Soybeans	<i>Pythium</i> damping-off control and early season <i>Phytophthora</i> control	0.50 - 1.00
Spinach*	<i>Pythium</i> damping-off control	0.50
	Note: Do not apply this product to spinach which is destined to be grown in the greenhouse. Containers or bags containing Sebring 480 FS treated spinach seed must be labeled with this restriction.	
Sunflowers	Systemic downy mildew control	1.00 - 2.00
Turf Grasses Golf Courses, Home Lawns, Reclamation and Erosion Control Projects	<i>Pythium</i> damping-off control	1.00

* Not registered for use in California

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EXPORT USE

For treatment of the following seed for export to countries requiring treatment with metalaxyl before importation.

CROP	DISEASE	RATE (Fluid Ounces per 100 Pounds of Seed)
Brassica (Cole) Leafy Vegetables	<i>Pythium</i> damping-off control	0.50 - 1.00
Canola	<i>Pythium</i> damping-off control	0.30 - 1.10 (20 - 66 ml per 100 Kg of seed)
Corn	<i>Pythium</i> damping-off control	0.50 - 1.00
	Systemic downy mildew control	2.00
Cucurbit Vegetables	<i>Pythium</i> damping-off control	0.50
Fruiting Vegetables	<i>Pythium</i> damping-off control	0.50 - 1.00
Leafy Vegetables	<i>Pythium</i> damping-off control	0.50 - 1.00
Millet	<i>Pythium</i> damping-off control	0.50 - 1.00
	Systemic downy mildew control	1.70
Onions	<i>Pythium</i> damping-off control	0.50 - 1.00
Peas	<i>Pythium</i> damping-off and early season <i>Phytophthora</i> control	2.30
Root and Tuber Vegetables	<i>Pythium</i> damping-off control	0.50 - 1.00
	NOTE: Do not apply this product to potatoes.	
Sorghum	<i>Pythium</i> damping-off control	0.50 - 1.00
	Systemic downy mildew control	3.50
Sunflower	Systemic downy mildew control	6.00

Seed treated in accordance with the export use pattern must be labeled as follows:

**FOR EXPORT ONLY
NOT FOR DOMESTIC SALES OR USE**

DIRECTIONS FOR USE AT REDUCED RATES IN COMBINATION WITH OTHER FUNGICIDES

This product is a systemic fungicide seed dressing which may be applied in combination with other EPA-registered fungicides to aid in control of *Pythium*. This product may be applied as a water-based slurry through standard slurry or mist-type commercial seed treatment equipment.

CROP	DISEASE	RATE (Fluid Ounces per 100 Pounds of Seed)
Barley, Corn (field), Oats, Rye and Wheat	Aid in control of seed decay and damping-off caused by <i>Pythium</i>	0.07 - 0.25
Beans (field, kidney, navy and pinto), Lentils, Peas and Soybeans		
Peanuts*		
Rice*		
Sunflowers		

* Not registered for use in California

NOTE: Apply only in combination with EPA registered rates of broad-spectrum seed treatment fungicides.

STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal. Open dumping is prohibited.

PESTICIDE STORAGE: Store in cool dry location. Do not store in direct hot sunlight. Do not store above 90°F for prolonged periods of time. After prolonged storage in intense cold, allow product to return to approximately 75°F before using.

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: [Nonrefillable Containers 5 Gallons or Less:] Nonrefillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying. **Triple rinse as follows:** Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container 1/4 full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by State and local authorities. Plastic containers are also disposable by incineration, or, if allowed by State and local authorities, by burning. If burned stay out of smoke.

[Nonrefillable containers larger than 5 gallons:] Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available. Triple rinse or pressure rinse container (or equivalent) promptly after emptying. **Triple rinse as follows:** Empty the remaining contents into application equipment or a mix tank. Fill the container 1/4 full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times. Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by State and local authorities. Plastic containers are also disposable by incineration, or, if allowed by State and local authorities, by burning. If burned stay out of smoke. **Pressure rinse as follows:** Empty the remaining contents into application equipment or a mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or mix tank or collect rinsate for later use or disposal. Insert pressure rinsing nozzle in the side of the container, and rinse at about 40 psi for at least 30 seconds. Drain for 10 seconds after the flow begins to drip.

[Refillable containers larger than 5 gallons:] Refillable container. Refill this container with pesticide only. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To clean the container before final disposal, empty the remaining contents from this container into application equipment or a mix tank. Fill the container about 10% full with water and, if possible, spray all sides while adding water. Agitate vigorously or recirculate water with the pump for two minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times.

WARRANTY DISCLAIMER

The directions for use of this product must be followed carefully. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, (1) THE GOODS DELIVERED TO YOU ARE FURNISHED "AS IS" BY MANUFACTURER OR SELLER AND (2) MANUFACTURER AND SELLER MAKE NO WARRANTIES, GUARANTEES, OR REPRESENTATIONS OF ANY KIND TO BUYER OR USER, EITHER EXPRESS OR IMPLIED, OR BY USAGE OF TRADE, STATUTORY OR OTHERWISE, WITH REGARD TO THE PRODUCT SOLD, INCLUDING, BUT NOT LIMITED TO MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, USE, OR ELIGIBILITY OF THE PRODUCT FOR ANY PARTICULAR TRADE USAGE. UNINTENDED CONSEQUENCES, INCLUDING BUT NOT LIMITED TO INEFFECTIVENESS, MAY RESULT BECAUSE OF SUCH FACTORS AS THE PRESENCE OR ABSENCE OF OTHER MATERIALS USED IN COMBINATION WITH THE GOODS, OR THE MANNER OF USE OR APPLICATION, INCLUDING WEATHER, ALL OF WHICH ARE BEYOND THE CONTROL OF MANUFACTURER OR SELLER AND ASSUMED BY BUYER OR USER. THIS WRITING CONTAINS ALL OF THE REPRESENTATIONS AND AGREEMENTS BETWEEN BUYER, MANUFACTURER AND SELLER, AND NO PERSON OR AGENT OF MANUFACTURER OR SELLER HAS ANY AUTHORITY TO MAKE ANY REPRESENTATION OR WARRANTY OR AGREEMENT RELATING IN ANY WAY TO THESE GOODS.

LIMITATION OF LIABILITY

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, IN NO EVENT SHALL MANUFACTURER OR SELLER BE LIABLE FOR SPECIAL, INCIDENTAL, OR CONSEQUENTIAL DAMAGES, OR FOR DAMAGES IN THEIR NATURE OF PENALTIES RELATING TO THE GOODS SOLD, INCLUDING USE, APPLICATION, HANDLING, AND DISPOSAL. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, MANUFACTURER OR SELLER SHALL NOT BE LIABLE TO BUYER OR USER BY WAY OF INDEMNIFICATION TO BUYER OR TO CUSTOMERS OF BUYER, IF ANY, OR FOR ANY DAMAGES OR SUMS OF MONEY, CLAIMS OR DEMANDS WHATSOEVER, RESULTING FROM OR BY REASON OF, OR ARISING OUT OF THE MISUSE, OR FAILURE TO FOLLOW LABEL WARNINGS OR INSTRUCTIONS FOR USE, OF THE GOODS SOLD BY MANUFACTURER OR SELLER TO BUYER. ALL SUCH RISKS SHALL BE ASSUMED BY THE BUYER, USER, OR ITS CUSTOMERS. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BUYER'S OR USER'S EXCLUSIVE REMEDY, AND MANUFACTURER'S OR SELLER'S TOTAL LIABILITY SHALL BE FOR DAMAGES NOT EXCEEDING THE COST OF THE PRODUCT.

If you do not agree with or do not accept any of directions for use, the warranty disclaimers, or limitations on liability, do not use the product, and return it unopened to the Seller, and the purchase price will be refunded.

(RV042209N)

Sebring is a trademark of Nufarm Americas Inc.

NOTIFICATION

APR 24 2009