

Reg # 55947-136

PM-18

File
1919



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

JEFF W. POPP
SANDOZ AGRO, INC.
1300 EAST TOUHY AVENUE
DES PLAINES, IL 60018

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Subject: Label Amendment Submission of 06/29/93 in Response to PR Notice 93-7
EPA REG. NO. 55947-136
JAVELIN WG BIOLOGICAL INSECTICIDE

Dear Registrant:

The labeling cited above and submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, is accepted. A copy of your proposed labeling stamped "ACCEPTED WITH COMMENTS" is enclosed.

WHAT THIS ACCEPTANCE MEANS:

Based on your certification, the Agency has accepted the labeling changes that are necessary to comply with the Worker Protection Standard (WPS) labeling requirements of 40 CFR part 156, subpart K, described in PR Notices 93-7 and 93-11. Any other labeling changes submitted in connection with this amendment application but not directly related to compliance with the WPS have not been reviewed or accepted by the Agency. If you wish to make such changes, you must submit a separate amendment application proposing them. If your product is currently suspended, the acceptance of this labeling amendment does not affect the suspension in any way.

WHAT YOU NEED TO DO NEXT:

Send to EPA one (1) copy of the final printed labeling:

- BEFORE selling or distributing any product bearing the final printed labeling
- AND
- WITHIN one year from date of this acceptance.



Recycled/Recyclable
Printed with Soy/Carna ink on paper that
contains at least 50% recycled fiber

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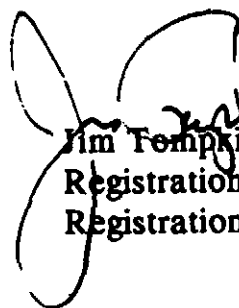
Submit the final printed labeling via the U.S. Postal Service to:

Document Processing Desk (FIN-LABEL)
Office of Pesticide Programs (7505C)
U.S. Environmental Protection Agency
401 M Street, SW
Washington, D.C. 20460-0001

Hand or courier deliveries of final printed labeling may be made to:

Document Processing Desk (FIN-LABEL)
Office of Pesticide Programs
Room 266A, Crystal Mall 2
1921 Jefferson Davis Highway
Arlington, VA 22202

Sincerely,



Jim Tompkins, Deputy Chief
Registration Support Branch
Registration Division (7505W)

Attachment

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JAVELIN® WG BIOLOGICAL INSECTICIDE

For Control Of Insect Pests Of Vegetables, Fruit and Field Crops

ACTIVE INGREDIENT:

<u>Bacillus thuringiensis</u> , subspecies <u>kurstaki</u>	
Potency of 52,863 Spodoptera Units	
(at least 60 million viable spores) per milligram*	6.4%

INERT INGREDIENTS:	93.6%
TOTAL	100.0%

*Equivalent to 24.0 billion Spodoptera Units per pound
(14.4 billion International Units per pound)

ACCEPTED
with COMMENTS
In EPA Letter Dated

JAN 21 1991

Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.
55947-136

KEEP OUT OF REACH OF CHILDREN

WARNING

AVISO

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle. (If you do not understand the label, find someone to explain it to you in detail.)

SEE SIDE PANEL FOR ADDITIONAL PRECAUTIONARY STATEMENTS

EPA REG. NO.: 55947-136
EPA EST. NO.: 55947-CA-2

Lot No.:
Net Contents:

SANDOZ AGRO, INC.
DES PLAINES, IL 60018

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JAVELIN® WG BIOLOGICAL INSECTICIDE

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS (AND DOMESTIC ANIMALS) WARNING

Causes eye irritation. Do not get in eyes.
May cause skin irritation and skin sensitization reactions in certain individuals. Avoid contact with skin or clothing. ~~Wear protective clothing (overalls and gloves) while using or handling this product. Remove contaminated clothing and wash before reuse.~~ Discontinue use if reaction occurs.

STATEMENT OF PRACTICAL TREATMENT

If in Eyes: Immediately flush with plenty of water. Get medical attention.

If On Skin: Wash with plenty of soap and water.

Get medical attention, if irritation persists.

Personal Protective Equipment:

Applicators and other handlers must wear:

- Coveralls over short-sleeved shirt and short pants
- Waterproof gloves
- Shoes plus socks
- Protective eyewear

Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them. 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 controls 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.

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User Safety Recommendations:

Users should:

- Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.
- Remove clothing 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 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.

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 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.

Do not enter or allow worker entry into treated areas during the restricted entry interval (REI) of 12 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 over short-sleeved shirt and short pants
- Waterproof gloves
- Shoes plus socks
- Protective eyewear

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Unless specifically stated, do not apply this product through any type of irrigation system.

JAVELIN® WG is a biological insecticide specific for the control of lepidopterous larvae (see Recommended Application Rates section).

JAVELIN® WG attacks the larval gut and must be ingested by the insect to be effective.

Since the active ingredient, Bacillus thuringiensis, is exempt from tolerance requirements, **JAVELIN® WG** may be applied up to and on the day of harvest.

GENERAL USE INSTRUCTIONS

For most consistent control, apply at first sign of newly hatched worms (1st and 2nd instar larvae). Instructions for specific crops are located in the Additional Information section in the Use Directions.

Reapply as necessary under a pest management program that includes close scouting.

If rapid knockdown of heavy worm or non-lepidopterous populations is necessary, include an effective contact insecticide in combination with **JAVELIN® WG**.

For heavy worm infestations, use the higher **JAVELIN® WG** rate. During situations of dense foliage and/or rapid growth, increasing water carrier volumes will provide better crop coverage and improve **JAVELIN® WG** performance.

Mixing:

Fill spray or mixing tank 3/4 full. Turn on agitation and pour **JAVELIN® WG** into water while maintaining continuous agitation. Add other spray material (if any) and add balance of water. Agitate as necessary to maintain suspension. Do not allow diluted sprays to remain in the tank for more than 48 hours. **JAVELIN® WG** is formulated to provide desirable coverage and adherence to leaf surfaces. Additional adjuvants, spreaders, or stickers may be added to improve product performance, especially under heavy dew or rainy conditions. Combinations with commonly used insecticides, fungicides, or other spray tank adjuvants are generally not deleterious to **JAVELIN® WG** if the mix is used promptly. Before mixing in the spray tank, it is advisable to test physical compatibility by mixing all components in a small container in proportionate quantities.

GROUND APPLICATION

Unless otherwise stated, use recommended amount of **JAVELIN® WG** in a minimum of 20 gallons of water per acre depending on type of crop and requirements of state regulations.

AERIAL APPLICATION

Use recommended amount of **JAVELIN® WG** in at least 3 gallons of water per acre. Applications at higher water volumes have demonstrated improved control of targeted pests. Apply early morning or evening when air is calm.

RECOMMENDED APPLICATION RATES

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VEGETABLE CROPS

CROP	INSECT	RATE LBS./ACRE	ADDITIONAL INSTRUCTIONS
Artichokes	Artichoke Plume Moth	1/2-1 1/4	Apply in a minimum of 100 gal. of water per acre with a spray interval of 10 days or less. Apply 1 lb/A in combination with ASANA XL, AMBUSH, or SUPRACIDE aerially to aid in resistance management of the artichoke plume moth. Use and follow all label directions of the tank mix partner regarding application, timing, gallonage, and schedules.
Artichokes Asparagus Beans (Green, Lima, Mung)	Armyworm	1/2-1 1/2	Repeat as necessary to maintain control.
Broccoli	Diamondback Moth	1/2-1 1/4	
Broccoli Raab (Rappini)			
Brussel Sprouts	Green Cloverworm	1/4-1/2	
Cabbage	Hornworms	1/8-1/2	
Cardoon			
Carrots	Imported		
Cauliflower	Cabbageworm	1/4-1/2	
Celeriac	Loopers	1/4-1 1/4	
Celery			
Chick Peas			
Chinese Broccoli			
Chinese Cabbage	Salt Marsh	1/2-1	
Collards	Caterpillar		
Cucumbers			
Dry Bulb Onions			
Eggplants	European Corn	1-1 1/2	
Garlic	Borer		
Green Onions			
Greens (Dandelion, Turnip, Mustard, Beet, China)	Tomato pinworm	3/4-1 1/4	
Herbs (Basil, Cilantro, Dill, Oregano, Thyme, etc.)			
Horseradish			
Kale			
Kohl Rabi			
Leeks			

RECOMMENDED APPLICATION RATES

VEGETABLE CROPS

CROP	INSECT	RATE LBS./ACRE	ADDITIONAL INSTRUCTIONS
Lettuce (Endive, Romaine, Head Lettuce, Escarole Butter Crunch, Leaf, etc.)			
Melons (Cantaloupe, Crenshaw, Honeydew, Muskmelon, Watermelon, etc.)			
Okra			
Onions			
Parsley			
Parsnips			
Peas			
Peppers			
Potatoes			
Pumpkins			
Radishes			
Rutabaga			
Salsify			
Spinach			
Squash (Summer and Winter)			
Sweet Corn			
Sweet Potatoes			
Swiss Chard			
Table Beets			
Tomatoes			
Turnip Root			
Watercress			
Yams			

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RECOMMENDED APPLICATION RATES

FRUIT, NUT, & VINE CROPS

CROP	INSECT	RATE LBS./ACRE	ADDITIONAL INSTRUCTIONS	
Apples and Pears	Fruittree Leafroller	1/2-1	Apply when newly hatched larvae appear and before leaves are rolled. Continue applying as a part of the normal cover spray program until pest is adequately controlled.	
	Gypsy Moth	1/2-1		
	Redbanded Leafroller	1/2-1		
	Tufted Apple Budmoth	1/2-1		
	Variegated Leafroller	1/2-1		
	Omnivorous Leafroller	1/2-1 1/4		
	Tent Caterpillar	1/2-1		Apply when caterpillars are actively feeding (2nd-4th instars).
	Peach Twig Borer	1-3		
	Oriental Fruit Moth	1-3		
	Navel Orangeworm	1-3		
Codling Moth	1-4			
Avocados	Loopers	1-1 1/4	Apply as necessary to maintain control.	
	Orange Tortrix	1/2-1		
	Omnivorous Leafroller	1/2-1	Begin treatment as soon as possible after hatching and before larvae are protected by leaf folds.	
	Amorbia	1	Suppression only.	
Bananas	Banana Skipper	1/2-1	Hawaii only. Use calibrated ground equipment with adequate water to apply to point of runoff.	
Citrus	Citrus Cutworm	1/2-1 1/2	Use 50-600 gallons of water per acre when using ground equipment and 10 gallons of water minimum per acre by air.	
	Fruittree Leafroller	1/2-1		
	Orangedog	1/4-1/2		
	Amorbia	1-1 1/2		Suppression only.

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RECOMMENDED APPLICATION RATES

FRUIT, NUT, & VINE CROPS

CROP	INSECT	RATE LBS./ACRE	ADDITIONAL INSTRUCTIONS
Blueberries	Blueberry	1/2-1	Apply by ground equipment only. Begin treatment as soon as possible after hatching. For leafrollers, apply before larvae are protected by leaf folds
Caneberries	Leafroller		
Currants	Cherry Fruitworm	1/4-1/2	
Kiwi	Fruittree		
	Leafroller	1/2-1	
	Gypsy Moth	1/2-1	
	Green Fruitworm	1/4-1/2	
	Loopers	1/2-1	
	Orange Tortrix	1/2-1	
	Omnivorous		
	Leafroller	1/2-1	
	Blueberry spanworm	1/2-1	
Grapes	Grape Leafroller	1/2-1 1/4	Apply by ground equipment in up to 200 gallons total spray per acre to obtain thorough coverage of leaf surfaces. Start treating as soon as possible after hatching and before larvae are protected by leaf folds.
	Grapeleaf Skeletonizers	1/2-1 1/4	
	Omnivorous		
	Leafroller	1/2-1 1/4	
	Orange Tortrix	1/2-1 1/4	
	Saltmarsh Caterpillar	1/2-1 1/4	

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RECOMMENDED APPLICATION RATES

FRUIT, NUT, & VINE CROPS

CROP	INSECT	RATE LBS./ACRE	ADDITIONAL INSTRUCTIONS
Almonds	Fall Webworm	1/2-1	For leafrollers, start treating as soon as possible after hatching and before larvae are protected by leaf folds.
Apricot	Filbert Webworm	1/2-1	
Cherries	Omnivorous		
Filberts	Leafroller	1/2-1	
Nectarines	Citrus Cutworm	1/2-1 1/4	
Peaches	Redhumped		
Pecans	Caterpillar	1/2-1	
Persimmons	Roughskinned		
Plums	cutworm	1/4-1/2	
Pomegranate			
Prunes	Tent Caterpillar	1/2-1	Apply when caterpillars are actively feeding (2nd to 4th instar).
Walnuts			
	Pecan nut casebearer	3/4-1 1/4	Application timing is very important for good casebearer suppression. Consult your local university or extension agent for information concerning specific modeling that predicts egg lay, typical application dates, and scouting techniques for your area. JAVELIN® WG must be present at egg hatch for best control. Make application when the majority of eggs are in the pink stage. For best control make two applications 7 days apart. If only one application is made, a minimum of 1 lb should be applied
	Peach Twig Borer	1-3	
	Oriental Fruit Moth	1-3	
	Navel Orangeworm	1-3	
	Codling Moth	1-4	

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RECOMMENDED APPLICATION RATES

FRUIT, NUT, & VINE CROPS

CROP	INSECT	RATE LBS./ACRE	ADDITIONAL INSTRUCTIONS
Melons (Also see Vegetables)	Rindworm Complex	1/2-3/4	Apply at first sign of hatch before larvae enter fruit. Repeat as necessary to maintain control.
Strawberries	Armyworm	1/2-1 1/2	Apply as necessary to maintain control. Use 20 gallons water minimum per acre when using ground equipment and 5 gallons water minimum per acre by aircraft. In a tankmix with contact insecticides, rates as low as 1/2 lb. of JAVELIN® WG may be used for the control of armyworm.
	Gypsy Moth	1/2-1	
	Looper	1/4-1/2	
	Roughskinned Cutworm	1/2-1	

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RECOMMENDED APPLICATION RATES

FIELD CROPS

CROP	INSECT	RATE LBS./ACRE	ADDITIONAL INSTRUCTIONS
Alfalfa (Hay and Seed)	Alfalfa Caterpillar	1/4-1/2	Under conditions of rapid plant growth and rapidly increasing armyworm populations (10 worms or greater per 180° sweep), use the highest rate. Against heterogenous worm populations, where 4th and 5th instars are present, and continuous egg-laying, applications may provide variable control. Under these conditions, the addition of a contact insecticide in combination with JAVELIN® WG is recommended. The addition of a spreader sticker to JAVELIN® WG may provide improved performance.
Sudan Grass	Armyworm	1/2-1 1/2	
Hay Crops	Loopers	1/4-1	
& Other Forage Crops			
Small Grains	Armyworm	1-1 1/2	Apply as necessary to maintain control.
Hops	Loopers	1/4-1	Apply as necessary to maintain control.
	Omnivorous Leaf-tier	1/2-1	
	Spotted Cutworm	1/2-1	Begin treatment as soon as possible after hatching and before larvae are protected by leaf folds.
	Oblique Banded Leafroller	1/2-1	
Canola	Armyworm	1/2-1 1/2	Apply as necessary to maintain control.
Evening primrose	Diamondback Moth	1/2-1 1/4	
	Imported Cabbageworm	1/4-1/2	
	Loopers	1/4-1	
	Hornworms	1/8-1/4	

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RECOMMENDED APPLICATION RATES

FIELD CROPS

CROP	INSECT	RATE LBS./ACRE	ADDITIONAL INSTRUCTIONS
Field Corn Pop Corn Seed Corn	Armyworm	1/2-1 1/2	Make initial application when economically damaging populations exist. Repeat as necessary to maintain control. Applications must be made to early instars prior to entering the ear or plant.
	Southwestern Corn Borer	1-1 1/2	Aids in control.
	European Corn Borer	1-1 1/2	
Jojoba	Looper (Anacamptodes spp.)	1/2-1	Apply in a minimum of 50 gallons of water per acre by ground equipment or a minimum of 10 gallons of water by aerial equipment. Thorough coverage foliage is essential and dictates the minimum spray volumes necessary.
Dry Beans and Peas	Armyworms Green	1/2-1 1/2	Apply as necessary to maintain control.
Lentils	Cloverworm	1/4-1/2	
Mint			
Peanuts	Loopers	1/2-1	
Rice	Salt Marsh	1/2-1	
Safflower	Caterpillar		
Soybeans	Velvetbean	1/4-1/2	
Sugar Beets	Caterpillar		
Sunflower	<u>Helicoverpa</u> spp.	3/4-1 1/4	
Sorghum	(<u>Heliothis</u> spp.) Cutworm	1/2-1 1/2	
Tobacco	Looper Tobacco Hornworm Tobacco Budworm	1/2-1 1/8-1/2 1/2-1 1/4	Apply as necessary to maintain control.

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RECOMMENDED APPLICATION RATES

COTTON - Except Arizona and California

TIMING	INSECT	RATE LBS./ACRE	ADDITIONAL INSTRUCTIONS
Early	Tobacco Budworm Bollworm	1/4-1 1/4	<p>For early season management of <u>Helicoverpa</u> and <u>Heliothis</u> species. Initiate applications when 50% of plants are at pinhead square cotton stage, independent of <u>Helicoverpa</u> and <u>Heliothis</u> egg and larval counts, or at 1st egg lay, whichever occurs earlier. Continue applications on 5-day spray interval up to synthetic pyrethroid spray window.</p> <p>For added control of <u>Helicoverpa</u> and <u>Heliothis</u>, tankmixing of JAVELIN® WG with a labeled ovicide, such as, methomyl (0.125 lb. a.i./acre), profenofos (0.25 lb. a.i./acre), or thiodicarb (0.125-0.25 lb. a.i./acre) is recommended.</p> <p>Read and follow all precautions and restrictions on tankmix product labels.</p>

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RECOMMENDED APPLICATION RATES

COTTON - INCLUDING CA AND AZ

TIMING	INSECT	RATE LBS./ACRE	ADDITIONAL INSTRUCTIONS
Early and Mid-Season	Armyworm	1/2-1 1/2	Repeat as necessary throughout season to maintain control. If egg laying frequency indicates future moderate to heavy worm populations, time application spray to coincide with the 2nd instar larvae. During periods of high temperatures, worms will progress through 1st and 3rd instars very rapidly and early application timing is necessary for control.
	Cotton Leaf Perforator	1/2-1	
	Cotton Leafworm	1/2-1	
	Loopers	1/2-1 1/4	
	Saltmarsh Caterpillar	1/2-1	
	Bollworm	1/2-1 1/2	To be effective, JAVELIN® WG spray must be deposited at the larval feeding site. When plant cover is dense and worms are feeding in the lower 2/3 portion of the plant, aerial application of JAVELIN® WG may not provide adequate control.
	Tobacco		
	Budworm	1/2-1 1/2	
			For the suppression of light to moderate infestations, apply at first sign of egg-laying or newly-hatched worms (1st instar larvae).

RECOMMENDED APPLICATION RATES

SHADE TREES, ORNAMENTALS (Including Roses)

PESTS	RATE LBS./ACRE	ADDITIONAL INSTRUCTIONS
Spring and Fall Cankerworm	1/4-1/2	Apply when leaf expansion reaches 40% to 50% as infestation warrants.
Elm Spanworm	1/4-1/2	
Test Caterpillar	1/4-1/2	If eggs hatch over a long period of time, or if reinfestation occurs, spray about 14 days after first applications.
Gypsy Moth	1/4-1/2	
Spruce Budworm	1/4-1/2	Apply when most larvae are 3rd-4th instar. Also consider the opening of the bud cap to ensure foliage exposure.
Jackpine Budworm	1/4-1/2	Apply after eggs have hatched and early instar larvae are feeding on exposed foliage.
Douglas Fir Tussock Moth	1/4-1/2	
Bagworm	1/4-1/2	
California Oak Moth	1/4-1/2	
Western Tussock Moth	1/4-1/2	
Fruitree Leafroller	1/4-1/2	
Mimosa Webworm	1/4-1/2	
Redhumped Caterpillar	1/8-1/2	
Fall Webworm	1/8-1/4	
Armyworm	1-1 1/4	
Omnivorous leafroller	1/2-1	

TURF AND GRASS SEED PRODUCTION

Tropical Sodwebworm	1	Repeat as necessary throughout season to maintain control.
Armyworm	1	
Sodwebworm	1	

STORED SOYBEANS, GRAINS

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(Indian Meal Moth, Almond Moth)

To control and prevent Indian Meal Moth and Almond Moth infestations of stored soybeans and grains, prepare a spray mixture which includes 1 gallon of water for every 1.5 oz. by weight of **JAVELIN® WG**. The spray mixture may be applied either by treating the top 4 inches of grain as it is being augered into storage (applying 0.6 pint of mixture per bushel in the grain stream), or by treating the surface of grain after it is in the bin. The Table below can be used as a guide in determining the total amount of **JAVELIN® WG** needed according to the bin diameter or the number of bushels to be treated.

Bin Diameter (ft)	Surface Area (sq. ft.)	Bushels (to 4 in. depth)	JAVELIN® WG Rate (by weight)	
			Grams	oz.
8	50	13	21	0.75
12	113	30	50	1.75
16	201	53	85	3.00
20	314	84	120	4.25
24	452	120	185	6.50
28	615	163	255	9.00
32	804	214	326	11.50

To insure thorough coverage when making applications to the grain surface after it is in the bin, apply spray mixture in three (3) applications. Mix the grain with a scoop or rake to a depth of four (4) inches after each application.

Stored grain may be treated anytime, but for best results, treat grain at the time it is placed into storage or shortly thereafter, or in the early spring prior to egg-laying. Full season control is normally experienced. Re-treat only if reinfestation occurs.

For the protection of bagged grain, apply spray mixture to entire grain mass, and mix thoroughly prior to bagging. **JAVELIN® WG** at 6 oz. by weight per 10 gallons of water will treat approximately 100 bushels.

Treated grain may be used at any time after treatment.

FLOWERS AND ORNAMENTALS

JAVELIN® WG may also be used on flowers and ornamentals outdoors and in the greenhouse at a rate of 1/4-1 1/2 lb. per 100 gallons of water for control of listed insects on this label.

GUIDE FOR SMALL SPRAY VOLUME MIXING

Rate <u>Lbs./A</u>	Conversion Rate* <u>Teaspoons/Gallon</u>
1/4	1/2
1/2	1
1	2

*Assumes Application to spray runoff.

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**LIMITATION OF WARRANTY
AND LIMITATION OF LIABILITY**

NOTICE: Read this Limitation of Warranty and Limitation of 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.

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 weather conditions, presence of other materials, or the manner of use or application, all of which are beyond the control of Sandoz or seller. All such risks shall be assumed by buyer or user.

Sandoz 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, under normal use conditions, subject to the risks described above. **SANDOZ MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF FITNESS OR OF MERCHANTABILITY OR ANY OTHER EXPRESS OR IMPLIED WARRANTY.**

In no event shall Sandoz or seller be liable for any incidental, consequential or special damages resulting from the use or handling of this product. **THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE EXCLUSIVE LIABILITY OF SANDOZ OR 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 SANDOZ OR SELLER, THE REPLACEMENT OF THE PRODUCT.**

Sandoz and seller offer this product, and buyer and user accept it, subject to the foregoing limitations of warranty and limitation of liability, which may not be modified by any oral or written agreement.