



U.S. ENVIRONMENTAL PROTECTION AGENCY
 Office of Pesticide Programs
 Biopesticides and Pollution Prevention Division (7511P)
 1200 Pennsylvania Ave., N.W.
 Washington, D.C. 20460

EPA Reg. Number:

59639-219

Date of Issuance:

1/26/2017

NOTICE OF PESTICIDE:

Registration
 Reregistration
 (under FIFRA, as amended)

Term of Issuance:

Unconditional

Name of Pesticide Product:

VBC-90042

Name and Address of Registrant (include ZIP Code):

Valent U.S.A. Corporation
 1600 Riviera Drive, Suite 200
 Walnut Creek, CA 94596

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Biopesticides and Pollution Prevention 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 under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA or the Act).

Registration is in no way to be construed as an endorsement or recommendation of this product by the U.S. Environmental Protection Agency (EPA). In order to protect health and the environment, the Administrator, on his or her 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 the 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 unconditionally registered in accordance with FIFRA section 3(c)(5) provided that you:

1. Submit and/or cite all data required for registration or registration review of your product when the EPA requires all registrants of similar products to submit such data.

Signature of Approving Official:

Jeannine Kausch, Product Manager 92
 Microbial Pesticides Branch
 Biopesticides and Pollution Prevention Division (7511P)
 Office of Pesticide Programs

Date:

1/26/2017

2. Submit storage stability and corrosion characteristics (Guidelines 830.6317 and 830.6320) data as these data requirements are not satisfied. A one-year study is required to satisfy these data requirements. You have 18 months from the date of this registration to provide these data to the EPA.
3. Submit confirmatory analysis of samples (Guideline 885.1400) data. You have 18 months from the date of this registration to provide these data to the EPA.
4. Make the following labeling change before you release this product for shipment:
 - Revise the EPA Registration Number to read, “EPA Reg. No. 59639-219.”
5. Submit one (1) copy of the final printed labeling for the record before you release this product for shipment.

Should you wish to add/retain a reference to your company’s website on your label, then please be aware that the website becomes labeling under FIFRA and is subject to review by the EPA. If the website is false or misleading, the product will be considered to be misbranded and sale or distribution of the product is unlawful under FIFRA section 12(a)(1)(E). 40 CFR § 156.10(a)(5) lists examples of statements the EPA may consider false or misleading. In addition, regardless of whether a website is referenced on your product’s label, claims made on the website may not substantially differ from those claims approved through the registration process. Therefore, should the EPA find or if it is brought to our attention that a website contains false or misleading statements or claims substantially differing from the EPA-approved registration, the website will be referred to the EPA’s Office of Enforcement and Compliance Assurance.

Your release for shipment of this product constitutes acceptance of these terms. If these terms are not complied with, this registration will be subject to cancellation in accordance with FIFRA section 6. A stamped copy of the labeling is enclosed for your records. Please also note that the record for this product currently contains the following acceptable Confidential Statement of Formula (CSF):

- Basic CSF dated 01/25/2017

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OPP Decision No. 518276

If you have any questions, please contact Nicola Steinmetz by phone at (703) 347-8567 or via email at steinmetz.nicola@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeannine Kausch', with a stylized, cursive style.

Jeannine Kausch, Product Manager 92
Microbial Pesticides Branch
Biopesticides and Pollution
Prevention Division (7511P)
Office of Pesticide Programs

Enclosure



[Bracketed italicized text is information for the reader and is not part of the label.]
[Bracketed text is optional]

VBC-90042

VBC-90042 is a biological seed treatment that provides early season protection against listed plant parasitic nematodes.

Active Ingredient	By Wt
<i>Bacillus amyloliquefaciens</i> strain PTA-4838*	16.5%
Other Ingredients	83.5%
Total	100.0%

*Contains a minimum of 5.4 X 10¹⁰ spores/mL of active ingredient.

KEEP OUT OF REACH OF CHILDREN

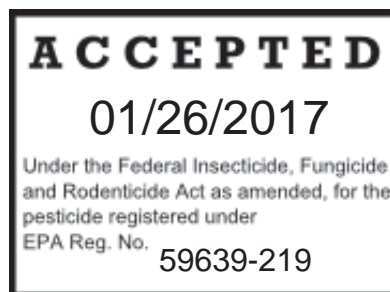
CAUTION

SEE NEXT PAGE FOR PRECAUTIONARY STATEMENTS

NET CONTENTS

EPA Reg. No. 59639-ERO
EPA Est.

[For Nonrefillable containers: Lot No.]



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 800-892-0099 for emergency medical treatment information.

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS & DOMESTIC ANIMALS

CAUTION

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Applicators and other handlers must wear: long-sleeved shirt, long pants, socks and shoes, and chemical-resistant gloves made of barrier laminate, butyl rubber, nitrile rubber, neoprene rubber, polyvinyl chloride or Viton.

Mixers/loaders and applicators must wear: a NIOSH-approved particulate respirator with any P or R filter with NIOSH approval number prefix TC-84A or a NIOSH-approved powered air purifying respirator with a HE filter with NIOSH approval number prefix TC-21C. Repeated exposure to high concentrations of microbial proteins can cause allergic sensitization.

Follow the 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.

Engineering Controls: When handlers use closed systems 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 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

[Environmental hazards statements for container sizes less than 5 gallons]

[For terrestrial uses: 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 contaminate water when disposing of equipment washwater or rinsate.]

[Environmental hazards statements for containers equal to or greater than 5 gallons]

[For terrestrial uses: 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 contaminate water when disposing of equipment washwater or rinsate.]

Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer systems without previously notifying the local sewage treatment plant authority. For guidance, contact your State Water Board or Regional Office of the EPA.]

DIRECTIONS FOR USE

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

READ ENTIRE LABEL. USE STRICTLY IN ACCORDANCE WITH PRECAUTIONARY STATEMENTS AND DIRECTIONS AND WITH APPLICABLE STATE AND FEDERAL REGULATIONS.

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 State or Tribal 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.

Exceptions: If the treated seeds are planted in the soil, 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; chemical-resistant gloves made of barrier laminate, butyl rubber, nitrile rubber, neoprene rubber, polyvinyl chloride, or Viton; and shoes plus socks.

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 (WPS) 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.

Keep unprotected persons out of treatment area until seeds have dried or been packaged.

APPLICATION INSTRUCTIONS

RESTRICTIONS

VBC-90042 must be used only in accordance with use instructions on this label utilizing commercial liquid, slurry or mist-type seed treating equipment, provided that the equipment can be calibrated to accurately and uniformly apply the product to the seed. This product is for both commercial and on-farm application. Do not apply this product in a hopper-box or planter-box at planting time. Always mix product thoroughly before use.

As stated by regulations specified in 40 CFR 153.155, all seed treated with VBC-90042 must be colored with an EPA-approved dye or colorant to visually distinguish seed is treated with a pesticide. It is mandatory that such dye or colorant be added into the slurry mixture containing VBC-90042, prior to application. This regulation is necessary to prevent treated seed from accidental use as a food for man or feed for animals.

SEED QUALITY AND STORAGE OF TREATED SEED

Seed treatments applied to low vigor or poor quality seed or to mechanically damaged seed may result in loss of seed germination or reduced seedling vigor. To verify seed safety, treat a small portion of seed with the desired slurry mixture (VBC-90042 alone or in combination with other commercial seed treatment products) prior to treatment of an entire seed lot. Utilize standard seed germination methodologies to determine and verify seed safety. Use proper storage conditions for treated seed. Due to seed quality and seed storage conditions beyond the control of Valent U.S.A. Corporation, no claims are made to guarantee the germination of carry-over treated seed.

SEED BAG TAG

The Federal Seed Act requires that the containers of seed treated with VBC-90042 must be labeled with the following statements:

- This seed has been treated with VBC-90042 that contains *Bacillus amyloliquefaciens* Strain PTA-4838.
- Do not use for food, feed or oil purposes.

In addition, the U.S. Environmental Protection Agency requires the following statements on the containers of seed treated with VBC-90042:

- Store treated seed away from feeds and other foodstuffs.
- Wear long-sleeved shirt, long pants and protective gloves when handling treated seed.
- Dispose of all excess treated seed. Leftover treated seed may be double-sown around the headland or buried away from water sources in accordance with local requirements.
- Do not contaminate water bodies when disposing of planting equipment washwaters.
- Dispose of seed packaging or containers in accordance with local requirements.

APPLICATION DIRECTIONS

Accurate application of VBC-90042 to seed is required for best performance. Apply as a water-based suspension of adequate volume to distribute product uniformly over seed surface area. The volume of suspension will vary according to seed type and whether companion seed treatments are used.

Thoroughly pre-mix VBC-90042 with water to assure a uniform suspension. Mix the necessary amount of VBC-90042 with a portion of the desired final volume of water.

To verify compatibility with other seed treatment products, pre-test tank mixtures to evaluate formulation and proper physical compatibility of products. When tank mixing this product, observe the most restrictive limitations and precautions listed on the tank mix partner labels.

SEED TREATMENT APPLICATION RATES

Cereal Grains (Except Corn and Sorghum) [Not for Use in California]	
Barley, Buckwheat, Millet (Pearl, Proso), Oats, Rice, Rye, Teosinte, Triticale and Wheat	
Pests	VBC-90042 Application Rate
Cereal Cyst Nematode Root Lesion Nematode	0.05 to 0.2 fl oz per 100 lb seeds
Corn (Including Field, Sweet and Pop) [Not for Use in California]	
Pests	VBC-90042 Application Rate
Dagger Nematode Lance Nematode Needle Nematode Pin Nematode Ring Nematode Root Knot Nematode Root Lesion Nematode Spiral Nematode Sting Nematode Stubby Root Nematode Stunt Nematode	0.1 to 0.2 fl oz per 80,000 seeds

continued

SEED TREATMENT APPLICATION RATES (continued)

Cotton (De-linted Only) [Not for Use in California]	
Pests	VBC-90042 Application Rate
Columbia Nematode Lance Nematode Reniform Nematode Root Knot Nematode Sting Nematode	0.05 to 0.14 fl oz per 100,000 seeds
Cucurbit Vegetables [Not for Use in California] Chayote (Fruit), Chinese Wax Gourd (Chinese Preserving Melon), Citron Melon, Cucumber, Gherkin, Gourd (edible types such as Hyotan, Cucuzza, Hechima and Chinese Okra), <i>Momordica</i> spp. (such as Balsam Apple, Balsam Pear, Bitter Melon and Chinese Cucumber), Muskmelon (such as Cantaloupe), Pumpkin, Summer and Winter Squash (including Butternut, Calabaza, Hubbard, Acorn and Spaghetti) and Watermelon	
Pests	VBC-90042 Application Rate
Root Knot Nematode	0.05 to 0.2 fl oz per 100 lb seeds
Fruiting Vegetables [Not for Use in California] African Eggplant, Bell Pepper, Bush Tomato, Cocona, Currant Tomato, Eggplant, Garden Huckleberry, Goji Berry, Ground Cherry, Martynia, Naranjilla, Nonbell Pepper, Okra, Pea Eggplant, Pepino, Roselle, Scarlet Eggplant, Sunberry, Tomatillo and Tomato (Cultivar, Hybrid and Tree varieties)	
Pest	VBC-90042 Application Rate
Root Knot Nematode	0.05 to 0.14 fl oz per 100,000 seeds

continued

SEED TREATMENT APPLICATION RATES (continued)

<p>Grass Forage, Fodder and Hay [Not for Use in California] Any grass, <i>Gramineae/Poaceae</i> family (either green or cured) (except Sugarcane) and those included in the Cereal Grains group, that will be fed or grazed by livestock, all pasture and range grasses and grasses grown for hay or silage</p>	
Pests	VBC-90042 Application Rate
Lance Nematode Needle Nematode Pin Nematode Ring Nematode Root Knot Nematode Root Lesion Nematode Spiral Nematode Sting Nematode Stubby Root Nematode Stunt Nematode	0.05 to 0.2 fl oz per 100 lb seeds
<p>Legume Vegetables (Succulent or Dried Except Soybean) [Not for Use in California] Bean (<i>Lupinus</i>) (including Grain Lupin, Sweet Lupin, White Lupin and White Sweet Lupin); Bean (<i>Phaseolus</i>) (including Field Bean, Kidney Bean, Lima Bean, Navy Bean, Pinto Bean, Runner Bean, Snap Bean, Tepary Bean and Wax Bean); Bean (<i>Vigna</i>) (including Adzuki Bean, Asparagus Bean, Blackeyed Pea, Catjang, Chinese Longbean, Cowpea, Crowder Pea, Moth Bean, Mung Bean, Rice Bean, Southern Pea, Urd Bean and Yardlong Bean); Broad Bean (Fava); Chickpea (Garbanzo); Guar; Jackbean; Lablab Bean; Lentil; Pea (<i>Pisum</i>) (including Dwarf Pea, Edible-podded Pea, English Pea, Field Pea, Garden Pea, Green Pea, Snowpea and Sugar Snap Pea); Pigeon Pea and Sword Bean</p>	
Pests	VBC-90042 Application Rate
Pea Cyst nematode Root Knot Nematode Root Lesion Nematode	0.05 to 0.2 fl oz per 100 lb seeds
<p>Non-Grass Animal Feed [Not for Use in California] Alfalfa, Velvet Bean, Clover (<i>Trifolium</i> and <i>Melilotus</i>), Kudzu, Lespedeza, Lupin, Sainfoin, Trefoil and Vetch (Crown and Milk)</p>	
Pests	VBC-90042 Application Rate
Root Knot Nematode Root Lesion Nematode	0.05 to 0.2 fl oz per 100 lb seeds

continued

SEED TREATMENT APPLICATION RATES (continued)

<p>Oilseeds (Except Cotton, Rapeseed and Sunflower) [Not for Use in California] Borage, Calendula, Castor Oil Plant, Chinese Tallowtree, Crambe, Cuphea, Echium, Euphorbia, Evening Primrose, Flax Seed, Gold of Pleasure, Hare's-ear Mustard, Jojoba, Lesquerella, Lunaria, Meadow Foam, Milkweed, Mustard Seed, Niger Seed, Oil Radish, Poppy Seed, Rose Hip, Safflower, Sesame, Stokes Aster, Sweet Rocket, Tallowwood, Tea Oil Plant and Vernonia</p>	
Pests	VBC-90042 Application Rate
Cereal Cyst Nematode Root Lesion Nematode	0.05 to 0.2 fl oz per 100 lb seeds
<p>Potato Seed Piece [Not for Use in California]</p>	
Pests	VBC-90042 Application Rate
Potato Cyst Nematode Root Knot Nematode Root Lesion Nematode Sting Nematode Stubby Root Nematode	0.05 to 0.2 fl oz per 100 lb seed pieces
<p>Rapeseed (Including Canola) [Not for Use in California]</p>	
Pests	VBC-90042 Application Rate
Cereal Cyst Nematode Root Lesion Nematode	0.05 to 0.2 fl oz per 100 lb seeds
<p>Root and Tuber Vegetables (Except Potato and Sugarbeet) [Not for Use in California] Arracacha, Arrowroot, Artichoke (Chinese and Jerusalem), Beet (Garden), Burdock (Edible), Canna (Edible), Carrot, Cassava (Bitter and Sweet), Celeriac, Chayote (Root), Chervil (Turnip-rooted), Chicory, Chufa, Dasheen (Taro), Horseradish, Leren, Parsley (Turnip-rooted), Parsnip, Radish, Radish (Oriental), Rutabaga, Salsify (including Black and Spanish), Skirret, Sweet Potato, Tanier, Turmeric, Turnip and Yam (including Bean and True)</p>	
Pests	VBC-90042 Application Rate
False Root Knot Nematode Root Knot Nematode Sting Nematode Stubby Root Nematode	0.05 to 0.14 fl oz per 100 lb seeds

continued

SEED TREATMENT APPLICATION RATES (continued)

Sorghum [Not for Use in California]	
Pests	VBC-90042 Application Rate
Ring Nematode Root Knot Nematode Root Lesion Nematode Sting Nematode Stubby Root Nematode	0.05 to 0.2 fl oz per 100 lb seeds
Soybean [Not for Use in California]	
Pests	VBC-90042 Application Rate
Reniform Nematode Root Knot Nematode Soybean Cyst Nematode	0.1 to 0.6 fl oz per 140,000 seeds
Sugarbeet [Not for Use in California]	
Pests	VBC-90042 Application Rate
Clover Cyst Nematode False Root Knot Nematode Root Knot Nematode Sugarbeet Nematode Stem and Bulb Nematode	0.05 to 0.14 fl oz per 100,000 seeds
Sunflower [Not for Use in California]	
Pests	VBC-90042 Application Rate
Cereal Cyst Nematode Root Lesion Nematode	0.2 to 0.4 fl oz per 100 lb seeds

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE

Store in a dry place away from excessive heat.

Do not store near food or feed.

Store in original container only.

Not for use or storage around the home.

To close package, replace and tighten cap to form an airtight seal.

PESTICIDE DISPOSAL

To avoid wastes, use all material in this container by application according to label directions. If wastes cannot be avoided, offer remaining product to a waste facility or pesticide disposal program (often such programs are run by state or local governments or by industry).

CONTAINER HANDLING

[Use the following statements for containers equal to or less than 5 gallons]

[Nonrefillable container. Do not reuse or refill this container. Clean container 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 if available or puncture and dispose of in a sanitary landfill or by incineration.]

[Use the following statements for containers greater than 5 gallons]

[Nonrefillable container. Do not reuse or refill this container. 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. Then offer for recycling if available or puncture and dispose of in a sanitary landfill or by incineration.]

[Use the following statements for all refillable container types]

[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 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. Then offer for recycling if available or puncture and dispose of in a sanitary landfill or by incineration or by other procedures approved by state and local authorities.]

**DISCLAIMER, RISKS OF USING THIS PRODUCT,
LIMITED WARRANTY
AND LIMITATION OF LIABILITY**

IMPORTANT: Read the entire Label including this Disclaimer, Risks of Using this Product, Limited Warranty, and Limitation of Liability before using this product. If the terms are not acceptable THEN DO NOT USE THE PRODUCT; rather, return the unopened product within 15 days of purchase for a refund of the purchase price.

RISKS OF USING THIS PRODUCT

The Buyer and User (referred to collectively herein as "Buyer") of this product should be aware that there are inherent unintended risks associated with the use of this product which are impossible to eliminate. These risks include, but are not limited to, injury to plants and crops to which this product is applied, lack of control of the target pests, and resistance of the target pests to this product. Such risks of crop injury, non-performance, resistance or other unintended consequences are unavoidable and may result because of such factors as weather, soil conditions, disease, moisture conditions, irrigation practices, condition of the crop at the time of application, presence of other materials either applied in the tank mix with this product or prior to application of this product, cultural practices or the manner of use or application (or a combination of such factors), all of which are factors beyond the control of Valent. The Buyer should be aware that these inherent unintended risks may reduce the harvested yield of the crop in all or a portion of the treated acreage, or otherwise affect the crop such that additional care, treatment and expense are required to take the crop to harvest. If the Buyer chooses not to accept these risks, THEN THIS PRODUCT SHOULD NOT BE APPLIED. By applying this product, Buyer acknowledges and accepts these inherent unintended risks AND AGREES THAT, TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, RISKS ASSOCIATED WITH THE APPLICATION AND USE ARE ASSUMED BY THE BUYER.

To the extent consistent with applicable law, Valent shall not be responsible for losses or damages (including, but not limited to, loss of yield, increased expenses of farming the crop or such incidental, consequential or special damages that may be claimed) resulting from use of this product in any manner not set forth on the label. To the extent consistent with applicable law, Buyer assumes all risks associated with the use of this product in any manner or under conditions not specifically directed or approved on the label.

LIMITED WARRANTY

Valent warrants only that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated in the label, under average use conditions, when used in accordance with the label **and subject to the Risks of Using This Product as described above. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, EXCEPT AS SET FORTH ABOVE, VALENT MAKES NO OTHER WARRANTIES, EITHER EXPRESSED OR IMPLIED.** No agent or representative of Valent or Seller is authorized to make or create any other express or implied warranty.

LIMITATION OF LIABILITY

To the extent consistent with applicable law, Valent or Seller shall not be liable for any incidental, consequential, indirect or special damages resulting from the use or handling of this product. The limitation includes, but is not limited to, loss of yield on all or any portion of the treated acreage, increased care, treatment or other expenses required to take the crop to harvest, increased finance charges or altered finance ratings, emotional or mental distress and/or exemplary damages. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE EXCLUSIVE REMEDY OF THE BUYER, AND THE EXCLUSIVE MAXIMUM LIABILITY OF VALENT 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 THIS PRODUCT OR, AT THE ELECTION OF VALENT OR SELLER, THE REPLACEMENT OF THE PRODUCT.

PROMPT NOTICE OF CLAIM

Valent must be provided notice as soon as Buyer has reason to believe it may have a claim, but in no event later than twenty-one days from date of planting, or twenty-one days from the date of application, whichever is latter, so that an immediate inspection of the affected property and growing crops can be made.

To the extent consistent with applicable law, if Buyer does not notify Valent of any claims, in such period, it shall be barred from obtaining any remedy.

NO AMENDMENTS

Valent and Seller offer this product, and Buyer accepts it, subject to the foregoing Disclaimer, Risks of Using This Product, Limited Warranty and Limitation of Liability, which may not be modified by any oral or written agreement.

©2017 Valent U.S.A. Corporation

Manufactured For:

Valent U.S.A. Corporation

P. O. Box 8025

Walnut Creek CA 94596-8025

Made in U.S.A.

EPA Reg. No. 59639-ERO

EPA Est.

059639-00ERO.20170123.VBC90042.NewProd