



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

OFFICE OF CHEMICAL SAFETY  
AND POLLUTION PREVENTION

August 17, 2020

Zenna Burke  
Senior Regulatory Project Manager  
Valent U.S.A. LLC  
1600 Riviera Ave., Suite 200  
Walnut Creek, CA 94596-8025

Subject: Non-PRIA (Pesticide Registration Improvement Act) Labeling Amendment – Minor label changes to the directions for use section, adding “Not for use in California” to 3 listed nematodes.  
Product Name: VBC-90052  
EPA Registration Number: 59639-220  
Application Date: 02/12/2020  
OPP Decision Number: 560668

Dear Ms. Burke:

The amended labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, is acceptable.

This approval does not affect any terms or conditions that were previously imposed on this registration. You continue to be subject to existing terms or conditions on your registration and any deadlines connected with them.

A stamped copy of your labeling is enclosed for your records. This labeling supersedes all previously accepted labeling. You must submit one (1) copy of the final printed labeling before you release this product for shipment with the new labeling. In accordance with 40 CFR § 152.130(c), you may distribute or sell this product under the previously approved labeling for 18 months from the date of this letter. After 18 months, you may only distribute or sell this product if it bears this new revised labeling or subsequently approved labeling. “To distribute or sell” is defined under FIFRA section 2(gg) and its implementing regulation at 40 CFR § 152.3.

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 U.S. Environmental Protection Agency (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

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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.

If you have any questions, please contact Joseph Mabon by phone at (703) 347-0177 or via email at [mabon.joseph@epa.gov](mailto:mabon.joseph@epa.gov).

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Kendrick', written in a cursive style.

Cody Kendrick, Risk Manager  
Microbial Pesticides Branch  
Biopesticides and Pollution  
Prevention Division (7511P)  
Office of Pesticide Programs

Enclosure: VBC-90052 EPA Registration No. 59639-220 Label Dated August 17, 2020



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

## VBC-90052

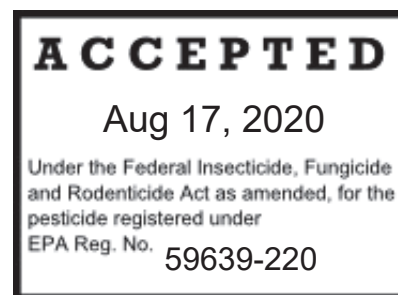
VBC-90052 is a biological seed treatment that provides protection against listed plant parasitic nematodes.

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

\*Contains a minimum of 5.1 X 10<sup>10</sup> CFU/gram of active ingredient.

**KEEP OUT OF REACH OF CHILDREN**

**SEE NEXT PAGE FOR PRECAUTIONARY STATEMENTS**



### NET CONTENTS

EPA Reg. No. 59639-220  
EPA Est.

[For Nonrefillable containers: Lot No.       ]

## FIRST AID

### HOTLINE 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 Valent at 1-800-892-0099 for 24-hour emergency medical treatment information.

## PRECAUTIONARY STATEMENTS

### PERSONAL PROTECTIVE EQUIPMENT (PPE)

#### Applicators and other handlers must wear

- Long-sleeved shirt
- Long pants
- Socks and shoes

**Mixers/loaders and applicators must wear:** a NIOSH-approved particulate respirator with any N, 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 170.607(d), (e), and (f)], 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 clothing/PPE immediately after handling this product. As soon as possible, wash thoroughly and change into clean clothing.

## **ENVIRONMENTAL HAZARDS**

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.

## **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 PRECAUTIONARY STATEMENTS AND DIRECTIONS FOR USE 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.

**Exception:** If the product (treated seeds) is soil-incorporated (planted), 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.

For early entry into 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, wear: coveralls 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-90052 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-90052 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-90052, 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-90052 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. LLC, 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-90052 must be labeled with the following statements:

- This seed has been treated with VBC-90052 that contains *Bacillus amyloliquefaciens* Strain PTA-4838.
- Do not use for food, feed, or oil purposes.
- Treat only those seeds needed for immediate use, minimizing the interval between treatment and planting.

In addition, the U.S. Environmental Protection Agency requires the following statements on the containers of seed treated with VBC-90052:

- Store treated seed away from foods and feedstuffs.
- Do not allow children, pets, or livestock to have access to treated seeds.
- Wear long-sleeved shirt, long pants and protective gloves when handling treated seed.
- Treated seeds exposed on soil surface may be hazardous to wildlife. Cover or collect treated seeds spilled during loading and planting (such as in row ends).
- Dispose of all excess treated seed by burying seed away from bodies of water.
- Dispose of seed packaging or containers in accordance with local requirements.

## **APPLICATION DIRECTIONS**

Accurate application of VBC-90052 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-90052 with 1/2 to 2/3 of the desired final volume of water to assure a uniform suspension, then add the remaining required water for proper slurry volume and mix until uniform.

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

<b>Cereal Grains (Except Corn and Sorghum)</b> <b>[Not for Use in California]</b> Barley, Buckwheat, Millet (Pearl, Proso), Oats, Rice, Rye, Teosinte, Triticale and Wheat	
Pests	VBC-90052 Application Rate
Cereal Cyst Nematode Root Lesion Nematode	0.05 to 0.2 fl oz per 100 lb seeds
<b>Corn (Including Field, Sweet and Pop)</b> <b>[Not for Use in California]</b>	
Pests	VBC-90052 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

[\*Not for use in California.]

continued



**SEED TREATMENT APPLICATION RATES** (continued)

<b>Cotton (De-linted Only) [Not for Use in California]</b>	
<b>Pests</b>	<b>VBC-90052 Application Rate</b>
Columbia Nematode Lance Nematode Reniform Nematode Root Knot Nematode Sting Nematode	0.05 to 0.14 fl oz per 100,000 seeds
<b>Cucurbit Vegetables [Not for Use in California]</b> 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	
<b>Pests</b>	<b>VBC-90052 Application Rate</b>
Root Knot Nematode	0.05 to 0.2 fl oz per 100 lb seeds
<b>Fruiting Vegetables [Not for Use in California]</b> 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)	
<b>Pest</b>	<b>VBC-90052 Application Rate</b>
Root Knot Nematode	0.05 to 0.14 fl oz per 100,000 seeds

continued

**SEED TREATMENT APPLICATION RATES** (continued)

<p><b>Grass Forage, Fodder and Hay [Not for Use in California]</b>                  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>	
<b>Pests</b>	<b>VBC-90052 Application Rate</b>
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><b>Legume Vegetables (Succulent or Dried Except Soybean)                  [Not for Use in California]</b>  <b>Bean (<i>Lupinus</i>)</b> (including Grain Lupin, Sweet Lupin, White Lupin and White Sweet Lupin); <b>Bean (<i>Phaseolus</i>)</b> (including Field Bean, Kidney Bean, Lima Bean, Navy Bean, Pinto Bean, Runner Bean, Snap Bean, Tepary Bean and Wax Bean); <b>Bean (<i>Vigna</i>)</b> (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; <b>Pea (<i>Pisum</i>)</b> (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>	
<b>Pests</b>	<b>VBC-90052 Application Rate</b>
Pea Cyst nematode Root Knot Nematode Root Lesion Nematode	0.05 to 0.2 fl oz per 100 lb seeds
<p><b>Non-Grass Animal Feed [Not for Use in California]</b>                  Alfalfa, Velvet Bean, Clover (<i>Trifolium</i> and <i>Melilotus</i>), Kudzu, Lespedeza, Lupin, Sainfoin, Trefoil and Vetch (Crown and Milk)</p>	
<b>Pests</b>	<b>VBC-90052 Application Rate</b>
Root Knot Nematode Root Lesion Nematode	0.05 to 0.2 fl oz per 100 lb seeds

continued

**SEED TREATMENT APPLICATION RATES** (continued)

<p><b>Oilseeds (Except Cotton, Rapeseed and Sunflower)</b>  <b>[Not for Use in California]</b>                  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>	
<b>Pests</b>	<b>VBC-90052 Application Rate</b>
Cereal Cyst Nematode Root Lesion Nematode	0.05 to 0.2 fl oz per 100 lb seeds
<p><b>Potato Seed Piece [Not for Use in California]</b></p>	
<b>Pests</b>	<b>VBC-90052 Application Rate</b>
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><b>Rapeseed (Including Canola) [Not for Use in California]</b></p>	
<b>Pests</b>	<b>VBC-90052 Application Rate</b>
Cereal Cyst Nematode Root Lesion Nematode	0.05 to 0.2 fl oz per 100 lb seeds
<p><b>Root and Tuber Vegetables (Except Potato and Sugarbeet)</b>  <b>[Not for Use in California]</b>                  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>	
<b>Pests</b>	<b>VBC-90052 Application Rate</b>
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)

<b>Sorghum [Not for Use in California]</b>	
<b>Pests</b>	<b>VBC-90052 Application Rate</b>
Ring Nematode Root Knot Nematode Root Lesion Nematode Sting Nematode Stubby Root Nematode	0.05 to 0.2 fl oz per 100 lb seeds
<b>Soybean [Not for Use in California]</b>	
<b>Pests</b>	<b>VBC-90052 Application Rate</b>
Reniform Nematode[*] Root Knot Nematode Soybean Cyst Nematode	0.1 to 0.6 fl oz per 140,000 seeds
[*Not for use in California.]	
<b>Sugarbeet [Not for Use in California]</b>	
<b>Pests</b>	<b>VBC-90052 Application Rate</b>
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
<b>Sunflower [Not for Use in California]</b>	
<b>Pests</b>	<b>VBC-90052 Application Rate</b>
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 cool, dry place away from excessive heat.

Store in original container away from feed and food.

Do not store in direct sunlight and keep away from heat sources.

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.**

©2020 Valent U.S.A. LLC

Manufactured For:

**Valent U.S.A. LLC**

P. O. Box 8025

Walnut Creek CA 94596-8025

Made in U.S.A.

EPA Reg. No. 59639-220

EPA Est.

059639-00220.20200810.VBC90052.AMEND.Clean