



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460**

**OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION**

March 22, 2023

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Valent U.S.A. LLC
4600 Norris Canyon Road
San Ramon, CA 94583

Subject: Label Amendment – Update to Environmental Hazards statement and other minor label updates.
Product Name: S-2399 3.2 FS Fungicide
EPA Registration Number: 59639-231
Application Date: 7/7/2022
Decision Number: 586111

Dear Dr. Alcala:

The amended label 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 conditions that were previously imposed on this registration. You continue to be subject to existing 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 copy of the final printed labeling before you release the 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 the company’s website on your label, then please be aware that the website becomes labeling under FIFRA and is subject to review by the Agency. If the website is false or misleading, the product would be misbranded and unlawful to sell or distribute under FIFRA section 12(a)(1)(E). 40 CFR 156.10(a)(5) lists examples of statements 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 Agency 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.

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Your release for shipment of the product constitutes acceptance of these conditions. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6.

If you have any questions, please contact Stephanie Suarez at 202-566-2918 or at Suarez.Stephanie@epa.gov.



Nathan Mellor, Product Manager 21
Fungicide Branch
Registration Division (7505T)
Office of Pesticide Programs

Enclosure



INPYRFLUXAM GROUP **7** FUNGICIDE

[Bracketed text is optional]
[Bracketed *Italicized text is information for the reviewer*]

S-2399 3.2 FS Fungicide

A SEED TREATMENT PRODUCT PROVIDING SYSTEMIC FUNGICIDE PROTECTION AGAINST SEED AND SEEDLING DISEASES CAUSED BY *RHIZOCTONIA* SPECIES AND OTHER FUNGAL PATHOGENS

An INDIFLIN® brand

Active Ingredient	By wt
Inpyrfluxam*	34.05%
Other Ingredients	<u>65.95%</u>
Total	100.00%

*3-(difluoromethyl)-*N*-[(*R*)-2,3-dihydro-1,1,3-trimethyl-1*H*-inden-4-yl]-1-methyl-1*H*-pyrazole-4-carboxamide

S-2399 3.2 FS Fungicide contains 3.2 lb active ingredient per gallon.

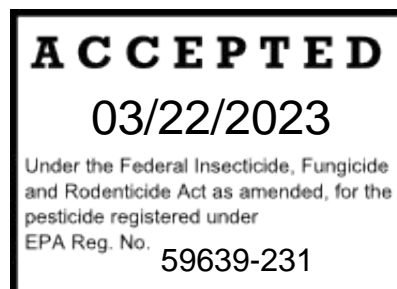
KEEP OUT OF REACH OF CHILDREN

CAUTION

SEE [NEXT] [PAGE][PANEL] [BOOKLET] FOR [ADDITIONAL PRECAUTIONARY STATEMENTS] [AND] [DIRECTIONS FOR USE]

NET CONTENTS:

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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.
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 800-892-0099 for emergency medical treatment information.</p>	

**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS & DOMESTIC ANIMALS**

CAUTION

Harmful if swallowed. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco, or using the toilet.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Mixers, loaders, applicators and other handlers must wear: Long-sleeved shirt and long pants, chemical resistant gloves made of any waterproof material (barrier laminate, butyl rubber ≥ 14 mils, nitrile rubber ≥ 14 mils, neoprene rubber ≥ 14 mils, or Viton ≥ 14 mils), socks and shoes.

Workers involved with handling treated seed (including baggers, bag sewers and bag stackers must wear: long-sleeved shirt, long pants, socks and shoes.

Workers who load and plant treated seed must wear: long-sleeved shirt, long pants, socks and shoes and chemical-resistant gloves made of any waterproof material when handling treated seed.

User Safety Requirements

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.

USER SAFETY RECOMMENDATIONS
<p>Users should:</p> <ul style="list-style-type: none"> • 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:

This pesticide is toxic to birds, fish and aquatic invertebrates. **DO NOT** apply directly to water or to areas where surface water is present or to intertidal areas below the mean high water mark. Drift and runoff from treated areas may be hazardous to aquatic organisms in water adjacent to treated areas. **DO NOT** contaminate water by disposing of equipment washwaters or rinsate.

[Note to reviewer: This language to be used for containers 50 pounds or larger.]

[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 12 hours.

Exception: Once the seeds are planted in soil, the Worker Protection Standard, under certain circumstances, allows workers to enter the treated area without restriction if there will be no worker contact with the soil subsurface or treated seed.

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, including plants, soil, or water, is: Coveralls, chemical-resistant gloves made of any waterproof material and shoes plus socks.

RESTRICTIONS

- S-2399 3.2 FS Fungicide must be used only in accordance with use instructions on this label utilizing mechanical, slurry, or mist-type seed treating equipment, provided that the equipment can be calibrated to accurately and uniformly apply the product to seed.
- This product is for both commercial and on-farm application, and not for residential use.
- **DO NOT** use planter box or hopper box when applying product to seeds.
- Always mix product thoroughly before use.
- **DO NOT** apply this product in a hopper-box or planter-box at planting time.
As stated by regulations specified in 40 CFR 153.155, all seed treated with S-2399 3.2 FS Fungicide must be colored with an EPA-approved dye or colorant to visually distinguish seed that is treated with a pesticide. It is mandatory that such dye or colorant be added into the slurry mixture containing S-2399 3.2 FS Fungicide prior to application. This regulation is necessary to prevent treated seed from accidental use as a food for man or feed for animals.
- **DO NOT** use treated seed for feed, food, or oil purposes.
- Store treated seed away from feeds and foodstuffs.
- Seed treated with this product must be labeled in accordance with all applicable requirements of the Federal Seed Act.
- Treated seeds exposed on soil surface may be hazardous to wildlife. Cover or collect treated seeds spilled during loading and planting.
- **DO NOT** allow children, pets, or livestock to have access to treated seed.
- If excess treated seed remains after planting, dispose of it by burying away from bodies of water.

MODE OF ACTION

The active ingredient in S-2399 3.2 FS Fungicide, inpyrfluxam, belongs to the FRAC Group 7, the succinate dehydrogenase inhibitor (SDHI) group of fungicides. As with other Group 7 fungicides, inpyrfluxam acts by inhibiting succinate dehydrogenase, a key enzyme in the fungal respiration chain.

RESISTANCE MANAGEMENT

For resistance management, please note that **S-2399 3.2 FS Fungicide** contains a **Group 7** fungicide. Any fungal population may contain individuals naturally resistant to **S-2399 3.2 FS Fungicide** and other **Group 7** fungicides. A gradual or total loss of pest control may occur over time if these fungicides are used repeatedly in the same fields. Appropriate resistance-management strategies are to be followed.

Seed treatments of **S-2399 3.2 FS Fungicide** can be followed by foliar use fungicides containing the same modes of action in accordance with resistance management guidelines as specified on the respective labels.

To delay fungicide resistance, take one or more of the following steps:

- Rotate the use of **S-2399 3.2 FS Fungicide** or other **Group 7** fungicides with different groups that control the same pathogens.
- Use tank mixtures with fungicides from a different group that are equally effective on the target pest when such use is permitted. Use at least the minimum application rate as labeled by the manufacturer.
- Adopt an integrated disease management program for fungicide use that includes scouting, uses historical information related to pesticide use, and crop rotation, and which considers host plant resistance, impact of environmental conditions on disease development, disease thresholds, as well as cultural, biological and other chemical control practices.
- Where possible, make use of predictive disease models to effectively plan fungicide applications. Note that using predictive models alone is not enough to manage resistance.

- Monitor treated fungal populations for resistance development.
- Contact your local extension specialist or certified crop advisor for any additional pesticide resistance management and/or Integrated Pest Management (IPM) guidance for specific crop and pathogens.
- For further information or to report suspected resistance contact **Valent** at 1800-6-VALENT (800-682-5368). You can also contact your pesticide distributor or university extension specialist to report resistance. Valent encourages responsible product stewardship to ensure effective long-term control of the fungal diseases on this label.

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 (S-2399 3.2 FS Fungicide 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 REQUIREMENTS

The Federal Seed Act requires that the container or bag containing treated seed be labeled or tagged with the following information:

- This seed has been treated with S-2399 3.2 FS Fungicide containing inpyrfluxam.
- **DO NOT** use treated seed for feed, food or oil processing.

The U.S. Environmental Protection Agency requires the following statements on the container of seed treated with S-2399 3.2 FS Fungicide:

- This seed has been treated with X lb of inpyrfluxam per 100 lb seed.
- The maximum yearly total application rate for inpyrfluxam on cereals is 0.003 lb ai/A for wheat and 0.002 lb ai/A for oats, barley and triticale.
- The maximum yearly total application rate for inpyrfluxam on corn is 0.049 lb ai/A including seed treatment and in-furrow applications.
- The maximum yearly total application rate for inpyrfluxam on rice is 0.016 lb ai/A.
- The maximum yearly total application rate for inpyrfluxam on sorghum is 0.0006 lb ai/A.
- The maximum yearly total application for inpyrfluxam on legume vegetables, crop group 6 (except soybean) is 0.020 lb ai/A.
- The maximum yearly total application rate for inpyrfluxam on soybean is 0.131 lb ai/A including seed treatment and foliar applications.
- The maximum yearly total application rate for inpyrfluxam on rapeseed subgroup 20A is 0.0004 lb ai/A.
- The maximum yearly total application rate for inpyrfluxam on sugar beet is 0.091 lb ai/A including seed treatment, foliar or soil applications.
- Store away from feeds and other foodstuffs.
- **DO NOT** allow children, pets, or livestock to have access to treated seed.
- Wear long sleeved shirt, long pants and chemical-resistant gloves made of any waterproof material when opening this bag or handling (e.g., loading, pouring) treated seed.
- Treated seeds exposed on soil surface may be hazardous to wildlife. Plant treated seed into the soil to the specified minimum depth or greater to minimize exposure.
- Cover or collect treated seeds spilled during loading and planting, in particular at row ends and field corners.
- Dispose of all excess treated seed by burying seed away from bodies of water.
- **DO NOT** contaminate water bodies when disposing of planting equipment washwaters.
- Dispose of seed packaging in accordance with local requirements.

- Excess treated seed may be used for ethanol production only if (1) by-products are not used for livestock feed and (2) no measurable residues of pesticide remain in ethanol by-products that are used in agronomic practice.
- S-2399 3.2 FS Fungicide is to be used only as a dry-seeded rice seed treatment. Cover the planted seed thoroughly by soil.

USE INFORMATION

S-2399 3.2 FS Fungicide is a systemic fungicide seed protection product for use on a wide range of crops. The active ingredient inpyrfluxam provides protection against *Rhizoctonia* species and other fungi causing seed decay, seedling damping-off and root rot.

For best results, use S-2399 3.2 FS Fungicide combined with Oomycete-active seed treatment fungicides, including ethaboxam and metalaxyl, to broaden the spectrum of activity across seed and seedling pathogens inciting seed decay and seedling dieback.

APPLICATION DIRECTIONS

Accurate application of S-2399 3.2 FS Fungicide to seed is required for best performance. Thoroughly mix S-2399 3.2 FS Fungicide in the desired seed slurry mixture, prior to application to seed. Pretest tank mixtures with other seed treatment products to evaluate formulation compatibility and to ensure proper physical compatibility of products. **DO NOT** tank mix with any products which contain a prohibition on tank mixing.

It is the pesticide user's responsibility to ensure that all products are registered for the intended use. Read and follow the applicable restrictions and limitations and directions for use on all product labels involved in tank mixing. Users must follow the most restrictive directions for use and precautionary statements of each product in the tank mixture.

The following table provides use rates of S-2399 3.2 FS Fungicide by labeled crop, with disease protection guidelines.

Cereal Grains Crop Group 15 (except Corn, Rice and Sorghum (milo)) Barley; buckwheat; millet, pearl; millet, proso; oats; rye; teosinte; triticale; wheat.	
Diseases	Application Rate of S-2399 3.2 FS Fungicide (fl oz/100 lb seeds)
Barley Loose Smut (<i>Ustilago nuda</i>) Wheat Loose Smut (<i>Ustilago tritici</i>)[*]	0.04 to 0.08 (1 to 2 g ai/100 kg seeds)
Seed decay, seedling blight and damping-off caused by <i>Rhizoctonia solani</i>	
Restrictions:	
<ul style="list-style-type: none"> • The maximum yearly total application rate for inpyrfluxam on cereals is 0.003 lb ai/A for wheat and 0.002 lb ai/A for oats, barley and triticale. 	

[*Not for use in California.]

Corn (Sweet and Field); Popcorn			
Crops	Diseases	Application Rate of S-2399 3.2 FS Fungicide	
		mg ai/seed	fl oz/80,000 seeds (fl oz/100 lb seeds)
Field Corn Sweet Corn	Seed decay, seedling blight and damping off caused by <i>Rhizoctonia solani</i>	0.014	0.1 (0.22 fl oz/100 lb seeds based on the assumption of 1800 seeds/lb)
Popcorn		0.014	0.1 (0.37 fl oz/100 lb seeds based on the assumption of 3000 seeds/lb)
It is acceptable to apply S-2399 2.84 SC Fungicide (EPA Reg. No.: 59639-230) (also containing inpyrfluxam) following the use of S-2399 3.2 FS Fungicide as a seed treatment.			
Restrictions:			
<ul style="list-style-type: none"> The maximum yearly total application rate for inpyrfluxam on corn is 0.049 lb ai/A including seed treatment and in-furrow applications. 			

Rice*	
Diseases	Application Rate of S-2399 3.2 FS Fungicide (fl oz/100 lb seed)
Seed decay, seedling blight and damping off caused by <i>Rhizoctonia solani</i>	0.2 to 0.4 (5 to 10 g ai/100 kg seeds)
Restrictions:	
<ul style="list-style-type: none"> *S-2399 3.2 FS Fungicide is to be used only as a dry-seeded rice seed treatment. The maximum yearly total application rate for inpyrfluxam on rice is 0.016 lb ai/A. 	

Sorghum (milo)	
Diseases	Application Rate of S-2399 3.2 FS Fungicide
Seed decay, seedling blight and damping off caused by <i>Rhizoctonia solani</i>	0.2 fl oz/100 lb seeds (5 g ai/100 kg seeds)
Restrictions:	
<ul style="list-style-type: none"> The maximum yearly total application rate for inpyrfluxam on sorghum is 0.0006 lb ai/A. 	

**Legume Vegetables, Succulent or Dried, Crop Group 6
(except Soybean)**

Bean (*Lupinus* spp.) (includes grain lupin, sweet lupin, white lupin, and white sweet lupin); bean (*Phaseolus* spp.) (includes field bean, kidney bean, lima bean, navy bean, pinto bean, runner bean, snap bean, tepary bean, wax bean); bean (*Vigna* spp.) (includes adzuki bean, asparagus bean, blackeyed pea, catjang, Chinese longbean, cowpea, Crowder pea, moth bean, mung bean, rice bean, southern pea, urd bean, yardlong bean); broad bean (fava); chickpea (garbanzo); guar; jackbean; lablab bean (hyacinth bean); lentil; pea (*Pisum* spp.) (includes dwarf pea, edible-podded pea, English pea, field pea, garden pea, green pea, snowpea, sugar snap pea); pigeon pea; sword bean

Diseases	Application Rate of S-2399 3.2 FS Fungicide (fl oz/100 lb seeds)
Seed decay, seedling blight and damping off caused by <i>Rhizoctonia solani</i>	0.1 to 0.2 (2.5 to 5 g ai/100 kg seeds)
Restrictions: <ul style="list-style-type: none"> The maximum yearly total application rate for inpyrfluxam on legume vegetables, crop group 6 (except soybean) is 0.020 lb ai/A. 	

Soybean

Diseases	Application Rate of S-2399 3.2 FS Fungicide
Seed decay, seedling blight and damping off caused by <i>Rhizoctonia solani</i>	0.1 to 0.2 fl oz/100 lb seeds (2.5 to 5 g ai/100 kg seeds) or 0.004 to 0.008 mg ai/seed* 0.05 to 0.1 fl oz/140,000 seeds* *based on 2800 seeds/lb
Sudden Death Syndrome [*] (<i>Fusarium virguliforme</i>) (suppression)	1 fl oz/100 lb seeds (25 g ai/100 kg) or 0.04 mg ai/seed* or 0.5 fl oz/140,000 seeds* *based on 2800 seeds/lb

It is acceptable to apply S-2399 2.84 SC Fungicide (EPA Reg. No.: 59639-230) (also containing inpyrfluxam) following the use of S-2399 3.2 FS Fungicide as a seed treatment.

Restriction:

- Regardless of application method, **DO NOT** apply more than 0.19 lb active ingredient inpyrfluxam per acre per year.
- The maximum yearly total application rate for inpyrfluxam on soybean is 0.131 lb ai/A including seed treatment and foliar applications.

[*Not for use in California]

Rapeseed, Canola Varieties Only, Crop Subgroup 20A	
Borage; crambe; cuphea; echium; flax seed; gold of pleasure; hare's ear mustard; lesquerella; lunaria; meadowfoam; milkweed; mustard seed; oil radish; poppy seed; rapeseed; sesame; sweet rocket; cultivars, varieties, and/or hybrids of these	
Diseases	Application Rate of S-2399 3.2 FS Fungicide (fl oz/100 lb seeds)
Seed decay, seedling blight and damping off caused by <i>Rhizoctonia solani</i>	0.2 (5 g ai/100 kg seeds)
Black leg (suppression)	
Restrictions:	
<ul style="list-style-type: none"> The maximum yearly total application rate for inpyrfluxam on rapeseed, canola varieties only, crop subgroup 20A is 0.0004 lb ai/A 	

Sugar Beet	
Diseases	Application Rate of S-2399 3.2 FS Fungicide*
Seed decay, seedling blight and damping off caused by <i>Rhizoctonia solani</i>	0.0044 to 0.0088 fl oz/seed unit** (0.05 to 0.1 g ai/100,000 seeds)
	*Incorporate S-2399 3.2 FS Fungicide into pelleting process for application to sugar beet seed. **seed unit = 100,000 seeds
It is acceptable to apply S-2399 2.84 SC Fungicide (EPA Reg. No.: 59639-230) (also containing inpyrfluxam) following the use of S-2399 3.2 FS Fungicide as a seed treatment.	
Restrictions:	
<ul style="list-style-type: none"> The maximum yearly total application rate for inpyrfluxam on sugar beet is 0.091 lb ai/A including seed treatment, foliar or soil applications. 	

STORAGE AND DISPOSAL

DO NOT contaminate water, food or feed by storage or disposal.

STORAGE

Store in a dry place away from excessive heat.

DO NOT store near food or feed.

Store in original container only.

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 statement for containers equal to or less than 5 gallons]

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. Offer for recycling, if available; otherwise dispose of in a sanitary landfill or by other procedures allowed by State and local authorities.

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

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. Fill the container 1/4 full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times. Offer for recycling, if available; otherwise dispose of in a sanitary landfill or by other procedures allowed by State and local authorities.

[Use the following statement for all formulation types/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. Offer for recycling, if available; otherwise dispose of in a sanitary landfill or by other procedures allowed by State and local authorities.

RECYCLING

Once cleaned, some agricultural plastic pesticide containers can be taken to a container collection site or picked up for recycling. To find the nearest site, contact your chemical dealer or manufacturer, or contact the Ag Container Recycling Council (ACRC) at **877-952-2272** (toll free) or www.acrecycle.org.

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

IMPORTANT: Read the entire Label including this section titled Risks of Using this Product, Limited Warranty and Disclaimer, 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. 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. 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 TO THE FULLEST EXTENT ALLOWED BY LAW, AGREES THAT ALL SUCH RISKS ASSOCIATED WITH THE APPLICATION AND USE ARE ASSUMED BY THE BUYER.

The Directions for Use of this product must be followed carefully. 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 AND DISCLAIMER

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 strictly in accordance with the label **and subject to the Risks of Using This Product as described above. To the extent consistent with applicable law, 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 fullest extent allowed by law, Valent or Seller is not liable for any incidental, consequential, indirect or special damages resulting from the use or handling of this product. TO THE FULLEST EXTENT ALLOWED BY 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

To the extent consistent with applicable law allowing such requirements, 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 later, 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 **Risks of Using This Product, Limited Warranty and Disclaimer, and Limitation of Liability**, which may not be modified by any oral or written agreement.

TANK MIXES

NOTICE: Tank mixing or use of this product with any other product which is not specifically and expressly authorized by the label shall be the exclusive risk of user, applicator and/or application advisor, to the extent allowed by applicable law.

Read and follow the entire label of each product to be used in the tank mix with this product.

©2023 Valent U.S.A. LLC

INDIFLIN is a registered trademark of Sumitomo Chemical Co., Ltd.

Manufactured For:
Valent U.S.A. LLC
P.O. Box 5075
San Ramon CA 94583

Made in U.S.A.

EPA Reg. No. 59639-231
EPA Est.

059639-00231.20230313.S2399_3.2FS.Amend_Bird_EHS_Clean