



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

File

Merlyn L. Jones
DOWELANCO
9330 Zionsville Road
Indianapolis, IN 46268

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

SUBJECT: Label Amendment Submission of 08/13/93 in Response to PR Notice 93-7
EPA Reg. No. 62719-91
EXETOR HERBICIDE

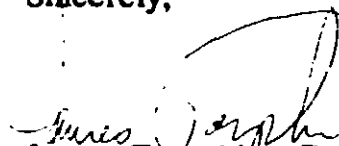
Dear Registrant:

The labeling cited above and submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, successfully **REMOVES THE PRODUCT FROM THE SCOPE** of PR Notice 93-7 once the comments (if any) on the attached sheet are addressed. Other than the alterations (if any) listed on the attached sheet, no further alterations to the labeling are necessary to reflect the requirements of the Worker Protection Standard.

Since your amendment proposes to delete uses directly and/or to delete uses implicitly through the use of exclusionary statements, the Agency will publish in the Federal Register a notice of receipt of your amendment to delete uses, as required by section 6(f)(1) of FIFRA. The Agency will defer action for 90 days from the date of the Federal Register notice to give affected minor users an opportunity to try to persuade you to retain the uses(s). When the comment period has expired, the Agency will approve the amendment unless you have withdrawn it, and stamp the amended labeling "accepted." Your stamped-accepted labeling will then be sent to you.

As described in Supplement A of PR Notice 93-11 (self-verification option), you may sell and distribute product bearing the submitted labeling before you receive a copy of your stamped-accepted labeling. Note that your registration is not amended until the comment period required by section 6(f)(1) of FIFRA has expired and the Agency has approved the amendment. Therefore, you may withdraw your proposed amendment at any time during the comment period and until you receive your stamped-accepted labeling.

Sincerely,


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



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

Revisions:

- 1) Use in forests deleted from product label in order to remove this product from the scope of the Worker Protection Standard.

Exetor*

Herbicide

ACCEPTED
with COMMENTS
In EPA Letter Dated

FEB 17 1991

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

62719-91

*Exetor

For the Control of Woody Plants and Broadleaf Weeds on Rangeland, Permanent Grass Pasture, Roadsides, Fence Rows, Non-Irrigation Ditch Banks and Forest Sites

Active Ingredient(s):

triclopyr (3,5,6-trichloro-2-pyridinyl)oxy acetic acid, butoxyethyl ester 35.3%

inert Ingredient(s): 64.7%

Acid Equivalent: Triclopyr - 25.4% - 2 lb/gal

Contains petroleum distillates

E.P.A. Registration No. ~~464-643~~

E.P.A. Est. 464-MI-1 62719-91

KEEP OUT OF REACH OF CHILDREN

CAUTION

PRECAUCION:

PRECAUCION AL USUARIO:

Si usted no lee inglés, no use este producto hasta que la etiqueta le haya sido explicada ampliamente.

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

HARMFUL IF SWALLOWED, INHALED OR ABSORBED THROUGH SKIN

Avoid Contact With Eyes, Skin, Or Clothing
 • Avoid Breathing Mists or Vapors • Avoid Contamination Of Food • Wash Thoroughly After Handling • Remove And Wash Contaminated Clothing Before Reuse

STATEMENT OF PRACTICAL TREATMENT: In case of skin contact, flush skin with plenty of water. Get medical attention if irritation persists. If swallowed, do not induce vomiting. Call a physician.

Physical or Chemical Hazards

COMBUSTIBLE • Do Not Use or Store Near Heat or Open Flame. • Do Not Cut or Weld Container.

Environmental Hazards

This pesticide is toxic to fish. Keep out of lakes, ponds or streams. Do not contaminate water by cleaning of equipment or disposal of wastes.

NOTICE

Read the entire label. Use only according to label directions.

Before buying or using this product, read "WARRANTY LIMITATIONS AND DISCLAIMER" elsewhere on this label. If terms are not acceptable, return unopened package at once to seller for full refund of purchase price paid. Otherwise, use by the buyer or any other user constitutes acceptance of the terms under "WARRANTY LIMITATIONS AND DISCLAIMER."

IN CASE OF AN EMERGENCY

endangering life or property involving this product, call collect 517-636-4400

AGRICULTURAL CHEMICAL

Do Not Ship or Store with Food, Feeds, Drugs, or Clothing

See Back Panel for Important Use Precautions.

BEST AVAILABLE COPY

GENERAL INFORMATION

EXETOR Herbicide is recommended for the control of unwanted woody plants and annual and perennial broadleaf weeds in rangelands, permanent grass-pastures, forest sites, and on non-crop areas including roadsides, fence rows, non-irrigation ditch dikes and around farm buildings. A forest site/woody area small area of woodland usually privately maintained as a source of fuel and lumber.

Among the woody plant species controlled are:

| | | |
|--------------------------|---|-------------------|
| Alder | Elm(1) (except winged) | Poison Oak(1) |
| Arrowwood | Hazel(1) | Poplar |
| Ash(1) | Hickory(1) | Raspberry |
| Aspen | Honeylocust | Sassafras |
| Beech | Locust, black | Scotch Broom |
| Birch | Madrone(1) | Sumac |
| Blackberry | Maple(1) (including mountain, sugar, red, striped vine(2), hybrid(2)) | Sweetbay Magnolia |
| Blackgum(1) | Mulberry | Sweetgum(1) |
| Cacacua | Oaks(1) (except for post, blackoak and black oak) | Sycamore |
| Ceanothus | Periwinkle, Common | Thornat(1) |
| Cherry(1) (except black) | | Thimbleberry(1) |
| Chinquapin | | Tamarack |
| Choke Cherry(1) | | Wild Rose |
| Cottonwood | | Willow |
| Dogwood | | |
| Elderberry | | |

- (1) Hard-to-control species
(2) Basal applications

Among the annual and perennial broadleaf weeds controlled are:

| | | |
|--------------------|--------------------|-------------------------------------|
| Black Medic | Field Bindweed(1g) | Ragweed |
| Bull Thistle | Fireweed | Smartweed(1g) |
| Burdock | Goldenrod(1g) | Sweet Clover |
| Canada Thistle(1g) | Ground Ivy | Tall Ironweed |
| Chickory(1g) | Horsenead | Vetch |
| Clover | Lambquarters | Wild Carrot(1g) (Queen Anne's Lace) |
| Creeching | Lampcress | Wild Lettuce |
| Boggerweed | Matchweed | Wild Violet |
| Curly Dock | Mulleard | |
| Dandelion(1g) | Oxalis | |
| | Parnassia | |

(1g) Top growth control

GENERAL DIRECTIONS FOR USE

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

Do not use for manufacturing or formulating.

Do not apply this product through any type of irrigation system.

Use the amount specified in enough water to give uniform and complete coverage of the plants to be controlled. The recommended order of addition to the spray tank is water, NALCO-TROL, drift control additive (if used), surfactant (if used), additional herbicide (if used). EXETOR Herbicide, if surfactant is used, add 1 to 2 quans per acre of a standard agricultural surfactant such as Tronc. Sponto 712 or Ortho X-77. Use continuous adequate agitation.

Before using any recommended tank mixtures, read the directions and all precautions on both labels.

When using EXETOR in combination with 3,8 lb/gal 2,4-D low volatile ester herbicide, generally the higher rates should be used for satisfactory brush control.

Use the higher dosage rates when brush approaches an average of 15 feet in height or when the brush covers more than 60% of the area to be treated. Brush over 8 feet tall is difficult to treat efficiently; large brush or trees may be better controlled by basal or mechanical methods. If lower rates are used on hard-to-control species, resprouting may occur the year following treatment.

Exetor herbicide is recommended for the control of unwanted woody plants and annual and perennial broadleaf weeds in rangeland and permanent pastures, and on non-cropland areas including roadsides, fence rows, non-irrigation ditch banks and around farm buildings.

BEST AVAILABLE COPY

1. NON-CROP AREA APPLICATIONS

A - Woody Plant Control

High-Volume Leaf-Stem Treatment: Using a power- or hand-pressured spray gun or wand, apply EXETOR Herbicide as a foliar wetting spray at the rate of 2 to 6 fl oz in water to make 3 gallons of spray mixture, or EXETOR Herbicide at 1.5 to 3 fl oz may be tank mixed with 2 to 4 oz. of 3.8 lb/gal 2,4-D low volatile ester herbicide and diluted to make 3 gallons of spray. Coverage should be thorough to wet all leaves, stems, and root collars.

The required spray volume will increase substantially if the brush exceeds 5 feet in height. Brush over 8 feet tall is difficult to treat efficiently. Large brush or trees may be better controlled by basal or mechanical methods.

Directed Spray Applications: To control hardwoods such as red maple, sugar maple, striped maple, sweetgum, red and white oaks, ash, hickory, alder, birch, aspen, and pin cherry, mix 6 ounces to 2 1/4 pints of EXETOR Herbicide in enough water to make 3 gallons of spray mixture. This spray should be directed onto foliage of competitive hardwoods using knapsack or backpack sprayers with flat fan nozzles or equivalent at any time after the hardwoods have reached full leaf size, but before autumn coloration. The majority of treated hardwoods should be less than 6 feet in height to ensure adequate spray coverage.

Foliar Broadcast Applications: Using equipment that will assure uniform coverage of the spray volume applied, use 8 to 16 qt/A of EXETOR Herbicide in enough water to make 20 to 100 gallons of total spray per acre, or EXETOR Herbicide at 6 pints to 6 qts/A may be combined with 1 to 2 gallons of 3.8 lb/gal 2,4-D low volatile ester herbicide or in sufficient water to make 20 to 100 gallons of total spray per acre. For best results, applications should be made when woody plants and weeds are actively growing. When hard-to-control species such as ash, blackgum, choke cherry, elm, hazel, hickory, maples, oaks and sweetgum are prevalent and during applications made during late summer when the plants are mature, or during drought conditions, use the higher rates of EXETOR Herbicide with a high-volume foliar application method or a conventional basal bark treatment method.

Consult following tables to help you prepare different quantities of spray solution.

TABLE 1

High Volume Leaf Stem/Basal and Dormant Stems/Directed Spray Application Preparation of Different Quantities of Spray Solution

| Quantities required to make | Quantity of Product Listed on Label (to make 3 gallons of spray mixture) | | | | | | | | | | | |
|-----------------------------|--|---------|-------|--------|---------|-------|--------|-------|--------|----------|--------|-------|
| | Ounces | | | | | | | Pints | | | Quarts | |
| | 1.5 | 2 | 3 | 4 | 6 | 8 | 12 | 1 | 2.5 | 6 | 5 | 7.5 |
| 1 gallon | 0.5 oz | 0.75 oz | 1 oz | 1.5 oz | 2.25 oz | 3 oz | 4.5 oz | 6 oz | 15 oz | 2.25 pt | 30 oz | 45 oz |
| 10 gallons | 5 oz | 7.5 oz | 10 oz | 15 oz | 22.5 oz | 30 oz | 45 oz | 60 oz | 9.5 pt | 11.25 qt | 9.5 qt | 14 qt |

TABLE 2

Broadcast Spray Applications (Brush and Weed Control) Preparation for Smaller Area

| Area to be Sprayed | Quantity of Product Listed on Label (Quantity per Acre) | | | | | | | | | |
|--------------------|---|-------|----------|----------|-------|-------|----------|----------|----------|----------|
| | Pints/A | | | Quarts/A | | | | | | |
| | 1 | 6 | 12 | 1 | 2 | 3 | 4 | 6 | 8 | 16 |
| 1000 ft sq | 2 tsp | 2 oz | 4.5 oz | 4 tsp | 8 tsp | 2 oz | 3 oz | 4 oz | 6 oz | 12 oz |
| 5000 ft sq | 1.8 oz | 11 oz | 22 oz | 3.5 oz | 7 oz | 11 oz | 15 oz | 21 oz | 30 oz | 3 1/2 pt |
| 10,000 ft sq | 3.5 oz | 22 oz | 2 1/4 pt | 7 oz | 14 oz | 21 oz | 1 1/4 pt | 2 1/4 pt | 3 1/4 pt | 3 1/4 qt |

| Area to be Sprayed | Quantity of Product Listed on Label (Quantity per Acre) | | | | | | | | |
|--------------------|---|----------|----------|---------|-----------|----------|----------|---------|--|
| | Gallons/A | | | | | | | | |
| | 1 | 2 | 4 | 5 | 20 | 25 | 100 | 400 | |
| 1000 ft sq | 3 oz | 6 oz | 12 oz | 15 oz | 3 1/4 pt | 4 1/4 pt | 2.3 gal | 9.2 gal | |
| 5000 ft sq | 15 oz | 30 oz | 3 1/4 pt | 4.5 pt | 2 1/4 gal | 2.8 gal | 11.2 gal | 45 gal | |
| 10,000 ft sq | 1 1/4 pt | 3 1/4 pt | 3 1/4 qt | 1.1 gal | 4.4 gal | 5.5 gal | 22 gal | 88 gal | |

BEST AVAILABLE COPY

Basal Bark and Dormant Brush Treatments

GENERAL INFORMATION: To control susceptible woody plants, use EXETOR Herbicide in oil or oil-water mixtures prepared and applied as described below. When preparing mixtures, use as oils either diesel fuel, No. 1 or No. 2 fuel oil, or kerosene. Substitute other oils or diluents only as recommended by the manufacturer.

Oil Mixture Sprays: Add EXETOR Herbicide to the required amount of oil in the spray tank or mixing tank and mix thoroughly. If the mixture stands over 4 hours, reagitiation is required.

Oil-Water Mixture Spray: First, premix the EXETOR Herbicide, oil and surfactant in a separate container. Do not allow any water or mixtures containing water to get into the EXETOR Herbicide or the premix. Fill the spray tank about half full with water, then slowly add the premix with continuous agitation and complete filling the tank with water. Continue moderate agitation.

NOTE: If the premix is put in the tank without any water, the first water added may form a thick "invert" (water in oil) emulsion which will be hard to break.

Conventional Basal Bark Treatment: To control susceptible woody plants with stems less than 6 inches in basal diameter, mix 8 ounces to 2½ pints of EXETOR Herbicide in enough oil to make 3 gallons of spray mixture. Apply with knapsack sprayer or power spraying equipment using low pressure (20-40 psi). Spray the basal parts of brush and tree trunks to a height of 12 to 15 inches from the ground. Thorough wetting of the indicated area is necessary for good control. Spray until run-off at the ground line is noticeable. Old or rough bark requires more spray than smooth young bark. Apply at any time, including the winter months, except when snow or water prevent spraying to the ground line. For oil-water mixture application, mix 1 pint EXETOR Herbicide, 6 pints of oil and 2 ounces of Sponto 712, and add to 2¼ gallons water as indicated under Directions for Use. Treat as above. For best results with oil/water mixtures, treat only stems 2 inches or less in diameter. Best results have been obtained with winter to early spring applications rather than with fall or summer applications.

Low Volume Basal Bark Treatment: To control susceptible woody plants with stems less than 6 inches in basal diameter, mix 5 to 7.5 quarts of EXETOR Herbicide in enough oil to make 3 gallons of spray mixture. Apply with a backpack or knapsack sprayer using low pressure and a solid cone or flat fan nozzle. Spray the basal parts of brush and tree trunks in a manner which thoroughly wets the lower stems, including the root collar area, but not to the point of runoff. Herbicide concentration should vary with size and susceptibility of species treated. Apply at any time, including the winter months, except when snow or water prevent spraying to the ground line. Best results have been obtained with winter to early spring applications rather than with fall or summer applications.

Thinline Basal Bark Treatment: To suppress susceptible woody plants with stems less than 6 inches in diameter, apply undiluted EXETOR in a thin stream to all sides of the lower stems. The stream should be directed horizontally to apply a narrow band of EXETOR around each stem or clump. From 10 to 30 ml. of chemical will be required for treatment of single stems and from 50 to 200 ml. to treat clumps of stems. Use an applicator metered or calibrated to deliver the small amounts required. Best results have been obtained with late winter through early spring applications.

Dormant Stem Treatment: Mix 6 to 12 ounces of EXETOR Herbicide in enough oil to make 3 gallons of spray. Apply with knapsack or power spraying equipment, using low pressure (20-40 psi). Treat any time when brush is dormant and most of the foliage has dropped. Thoroughly wet the upper parts of the stems and use the remainder needed to wet the lower 12 to 15 inches above the ground to the point of run-off. For root suckering species such as sumac, persimmon, sassafras and black locust, also spray the ground under the plants to cover small root suckers which may not be visible above the soil surface. Brush of average density and 4 to 6 feet high may take up to 150 gallons of spray mixture per acre. For oil-water mixture application, mix 12 ounces EXETOR Herbicide, 6 pints of oil and 2 ounces of Sponto 712 and 2¼ gallons water as indicated under Directions for Use. Treat as above.

Treatment of Cut Stumps in California and the Pacific Northwest: To control resprouting, apply undiluted EXETOR Herbicide to wet the area adjacent to the cambium and bark around the entire circumference of freshly cut stumps. Treatments may be applied throughout the year; however, control may be reduced with treatment during periods of moisture stress as in late summer. Stumps should be cut so that they are approximately level to facilitate uniform EXETOR Herbicide coverage. Use an applicator which can be calibrated to deliver the small amounts of material required.

NOTE: All basal bark and dormant brush treatment methods may be used to treat susceptible woody species on range and permanent pasture land provided that no more than 3 quarts of EXETOR Herbicide are applied per acre. Large plants or species requiring higher rates of EXETOR may not be completely controlled.

B - Broadleaf Weed Control

Use EXETOR Herbicide at rates of 2 to 8 quarts in a total volume of 20 to 100 gallons per acre as a water spray mixture. Apply at any time weeds are actively growing. EXETOR Herbicide at 1 to 12 pints may be tank mixed with 1 to 2 quarts of 3.8 lb/gal 2,4-D amine or low-volatile ester, to improve the spectrum and consistency of activity.

2 - RANGE AND PERMANENT GRASS PASTURE IMPROVEMENT APPLICATIONS

All application methods previously reviewed may be used to treat susceptible weeds on range and permanent grass pasture land, provided that no more than 3 quarts of EXETOR Herbicide are applied per acre. For control of sensitive woody species, use 3 quarts per acre of EXETOR in combination with a 2,4-D product or other products approved for brush control on range and permanent pasture. High volume foliar or directed spray applications (providing better plant coverage), dormant stem or conventional basal applications would provide best control using this low rate of EXETOR. Large plants or hard to control species requiring higher rates of EXETOR may not be completely controlled when treated at the highest allowable rate for range and pasture use (3 qt/acre).

Grazing Restrictions: Withdraw livestock from treated forage at least 3 days before slaughter during the year of treatment. Do not graze lactating dairy animals on treated areas for one year following treatment. Do not harvest grass for hay from treated areas for one year following treatment. Do not use on newly seeded grasses until the grass has established a good root system and is flowering. Do not spray pastures containing desirable broadleaf forbs, especially legumes, unless injury to such crops can be tolerated.

BEST AVAILABLE COPY

3 - WOODLOT MANAGEMENT

Basal Bark and Dormant Brush treatment techniques may also be used to manage woodlots. See "Non-Crop Area Applications - Woody Plant Control" section of the label for appropriate information. For broadcast applications of EXETOR Herbicide, use volume rates needed to provide adequate coverage of brush for good control, usually 10 to 100 gpa by ground. Application systems should be used to prevent hazardous drift to off-target sites. Nozzles or additives that produce larger droplets of spray may require higher spray volumes to maintain brush control.

Site Preparation

Not for conifer release. Use 8 to 16 quarts per acre of EXETOR Herbicide and apply in a total spray volume of 5 to 25 gallons per acre, or EXETOR Herbicide at 4 to 8 quarts per acre may be used with 1 to 2 gallons of 3.8 lb/gal 2,4-D low volatile ester herbicide in a tank mix combination in a total spray volume of 5 to 25 gallons per acre.

NOTE: Conifers planted sooner than one month after treatment with EXETOR at less than 2 gallons per acre or sooner than two months after treatment at 2 to 4 gallons per acre may be injured. When tank mixtures of herbicides are used for forest site preparation, labels for all products in the mixture should be consulted and the longest recommended waiting period observed.

Directed Spray Applications for Conifer Release

To release conifers from competing hardwoods such as red maple, sugar maple, striped maple, sweetgum, red and white oaks, ash, hickory, alder, birch, aspen, and pin cherry, mix 8 ounces to 2½ pints of EXETOR Herbicide in enough water to make 3 gallons of spray mixture. This spray should be directed onto foliage of competitive hardwoods using knapsack or backpack sprayers with flat fan nozzles or equivalent any time after the hardwoods have reached full leaf size, but before autumn coloration. The majority of treated hardwoods should be less than 6 feet in height to ensure adequate spray coverage. Care should be taken to direct spray solutions away from conifer foliage, particularly foliage of desirable pines.

NOTE: Sprays may cause temporary damage and growth suppression where contact with conifers occurs; however, injured conifers should recover and grow normally. Over-the-top spray applications can kill pines.

USE PRECAUTIONS

Apply this product only as specified on this label.

Before using any recommended tank mixtures, read the directions and all use precautions on both labels.

Do not apply EXETOR Herbicide directly to, or otherwise permit it to come into direct contact with grapes, tobacco, vegetable crops, flowers or other desirable broadleaf plants and do not permit spray mists containing it to drift onto them.

Avoid Injurious Spray Drift: Applications should be made only when there is little or no hazard from spray drift. Very small quantities of spray, which may not be visible, may seriously injure susceptible plants. Do not spray when wind is blowing toward susceptible crops or ornamental plants near enough to be injured. It is suggested that a continuous smoke column at or near the spray site or a smoke generator on the spray equipment be used to detect air movement, lapse conditions, or temperature inversions (stable air). If the smoke layers or indicates a potential of hazardous spray drift, do not spray.

Ground Equipment: To aid in reducing spray drift, EXETOR should be used in thickened (high viscosity) spray mixtures using NALCO-TROL drift control additive, high viscosity invert systems, or equivalent as directed by the manufacturer. With ground equipment, spray drift can be reduced by keeping the spray boom as low as possible, by applying 20 gallons or more of spray per acre; by using no more than 30 pounds spraying pressure with large droplet producing nozzle tips; and by spraying when wind velocity is low. Do not apply with nozzles that produce a fine droplet spray.

High Volume Leaf-Stem Treatment: To minimize spray drift, do not use pressure exceeding 50 psi at the spray nozzle and keep sprays no higher than brush tops. NALCO-TROL drift control additive or equivalent may be used to reduce spray drift.

Do not apply on ditches used to transport irrigation water. Do not apply where runoff or irrigation water may flow onto agricultural land as injury to crops may result.

Do not graze areas treated with more than 3 quarts EXETOR per acre or harvest hay from treated areas for one year following treatment.

Do not apply the product using a mistblower.

It is better not to disturb the treated area until the spray has dried.

Do not use on newly seeded grass until the grass has established a good root system and is tillering.

STORAGE AND DISPOSAL

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

STORAGE: Store above 28°F or agitate before use.

DISPOSAL:

Prohibitions - Open dumping is prohibited.

Pesticide Disposal - Pesticide, spray mixture, or rinse water that cannot be used according to label instructions must be disposed of according to applicable federal, state, or local procedures.

Container Disposal - Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by other approved state and local procedures.

General - Consult federal, state, or local disposal authorities for approved alternative procedures.

Be sure that use of this product conforms to all applicable regulations.

WARRANTY LIMITATIONS AND DISCLAIMER

The Dow Chemical Company warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated on the label when used in strict accordance with the directions therein under normal conditions of use. THIS IS THE ONLY WARRANTY MADE ON THIS PRODUCT. NO OTHER EXPRESS AND NO IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE IS MADE OUTSIDE OF THIS LABEL. Therefore, neither this warranty nor any other warranty of merchantability or fitness for a particular purpose, express or implied, extends to the use of this product contrary to label instructions (including conditions noted on the label, such as unfavorable temperatures, soil conditions, etc.), under abnormal conditions (such as excessive rainfall, drought, tornadoes, hurricanes, etc.) or under conditions not reasonably foreseeable to or beyond the control of seller.

BEST AVAILABLE COPY

When buyer or user suffers losses or damages resulting from the use or handling of this product (including claims based on contract, negligence, strict liability, or other legal theories), buyer or user must promptly notify in writing The Dow Chemical Company of any claims to be eligible to receive either remedy given below. The EXCLUSIVE REMEDY OF THE BUYER OR USER and the LIMIT OF LIABILITY of The Dow Chemical Company or any other seller will be one of the following, at the election of The Dow Chemical Company:

- (1) Refund of purchase price paid by buyer or user for product bought, or
- (2) Replacement of amount of product used.

The seller will not be liable for consequential or incidental damages or losses.

The terms of this Warranty Limitations And Disclaimer cannot be varied by any written or verbal statements or agreements. Any employee or sales agent of the seller is not authorized to vary or exceed the terms of this Warranty Limitations And Disclaimer in any manner.

-48276-L4-

-588-

BEST AVAILABLE COPY

*Trademark of DowElanco

DowElanco • Indianapolis, IN 46268



~~THE DOW CHEMICAL COMPANY~~
~~Midland, Michigan 48674 U.S.A.~~
~~Trademark of THE DOW CHEMICAL COMPANY~~