

Reg # 62719-142

PM-21

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

APR 20 1994

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

Robert F. Bischoff  
DOWELANCO  
9330 ZIONSVILLE ROAD  
INDIANAPOLIS, IN 46268

Subject: Label Amendment Submission of 01/18/94 in Response to PR Notice 93-7  
EPA Reg. No. 62719-142  
RUBIGAN A.S. TURF AND ORNAMENTAL FUNGICIDE

Dear Registrant:

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

**WHAT THIS ACCEPTANCE MEANS:**

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

**WHAT YOU NEED TO DO NEXT:**

By the next label printing make all the specified changes to your labeling. Send to EPA one (1) copy of the final printed labeling:

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

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

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Page 2

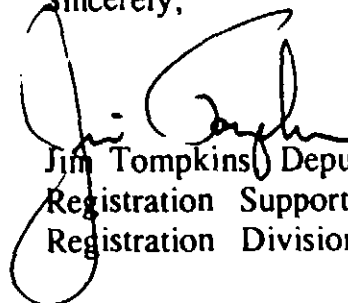
Submit the final printed labeling via the U.S. Postal Service to:

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

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

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

Sincerely,



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

Attachment

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**Rubigan\* A.S.**

EPA Reg. No. 62719-142

**Revisions:**

- 1) Added language required by the Worker Protection Standard to EPA accepted text dated 12/03/90.
- 2) Labeling prepared for submission January 12, 1994, to add protective eyewear omitted from original WPS submission.

(Editor's note: Deleted text indicated by strike-through and added text by underline.)

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ACCEPTED  
with COMMENTS  
in EPA Letter Dated

APR 20 1994

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

62719-142

1/12/94

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(front label):

(logo) DowElanco

Rubigan\* A.S.

A locally systemic fungicide for the control of specified diseases on turfgrasses and ornamentals. For use on: golf courses, parks, athletic fields, commercial and residential areas.

Active Ingredient:

fenarimol: a-(2-chlorophenyl)-a-(4-chlorophenyl)-5-pyrimidinemethanol..... 11.6%

Inert ingredients ..... 88.4%

Contains 1 pound active ingredient per gallon.

**SHAKE WELL BEFORE USING**

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**Precautionary Statements**

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**Hazards to Humans and Domestic Animals**

**Keep Out of Reach of Children**

**Caution**

**Causes Eye Irritation • Harmful If Swallowed, Inhaled Or Absorbed Through The Skin**

~~Avoid breathing spray mist and contact with skin, eyes or clothing. Use eye protection and protective clothing, such as coveralls, a long-sleeved shirt, and impermeable gloves (i.e., butyl rubber) when handling this product. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse.~~

**Personal Protective Equipment (PPE)**

Some materials that are chemical-resistant to this product are listed below. If you want more options, follow the instructions for category C on an EPA chemical resistance category selections chart.

**Applicators and other handlers must wear:**

- Long-sleeved shirt and long pants
- Chemical-resistant gloves such as Barrier Laminate, Butyl Rubber, Nitrile Rubber, Neoprene Rubber, Polyvinyl Chloride (PVC) or Viton
- Shoes plus socks
- Protective eyewear

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

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**User Safety Recommendations****Users should:**

- Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.
- Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

**Agricultural Use Requirements**

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR part 170. Refer to the label booklet under "Agricultural Use Requirements" in the Directions for Use section for information about this standard.

Refer to label booklet for additional precautionary information including Personal Protective Equipment (PPE) and User Safety Recommendations, and Directions for Use including Storage and Disposal.

**Notice:** Read the entire label. Use only according to label directions. Before buying or using this product, read "Warranty Disclaimer" and "Limitation of Remedies" inside label booklet. In case of emergency endangering health or the environment involving this product, call collect 517-636-4400.

Agricultural Chemical: Do not ship or store with food, feeds, drugs or clothing.

EPA Reg. No. 62719-142

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EPA Est. 1471-IN-5; 37429-GA-01  
Superscripts correspond to places 7 & 8 of lot number.

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DowElanco • Indianapolis, IN 46268, U.S.A.  
Specialty Fungicide

0.5 gal

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(front page of datapack booklet and base label on back of container):  
**SHAKE WELL BEFORE USING**

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### Precautionary Statements

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#### Hazards to Humans and Domestic Animals

Keep Out of Reach of Children

Caution

**Causes Eye Irritation • Harmful If Swallowed, Inhaled Or Absorbed Through The Skin**

~~Avoid breathing spray mist and contact with skin, eyes or clothing. Use eye protection and protective clothing, such as coveralls, a long-sleeved shirt, and impermeable gloves (i.e., butyl rubber) when handling this product. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse.~~

#### Personal Protective Equipment (PPE)

Some materials that are chemical-resistant to this product are listed below. If you want more options, follow the instructions for category C on an EPA chemical resistance category selections chart.

#### Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Chemical-resistant gloves such as Barrier Laminate, Butyl Rubber, Nitrile Rubber, Neoprene Rubber, Polyvinyl Chloride (PVC) or Viton
- Shoes plus socks
- Protective eyewear

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

#### User Safety Recommendations

##### Users should:

- Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.
- Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

#### **First Aid**

**If in eyes:** Immediately flush with plenty of water. Call a physician if irritation develops.

**If on skin:** Wash all exposed areas with plenty of soap and water. Get medical attention if irritation develops.

**If inhaled:** If discomfort occurs, remove individual to fresh air. If breathing difficulty occurs, get medical attention. If not breathing, provide cardiopulmonary resuscitation assistance (mouth-to-mouth) and call a physician.

**If swallowed:** Call a physician or Poison Control Center. Drink one or two glasses of water and induce vomiting by touching back of throat with finger. Do not induce vomiting or give anything by mouth to an unconscious person.

#### **Environmental Hazards**

This pesticide is toxic to fish. Do not apply directly to water or wetlands. Do not contaminate water when disposing of equipment washwaters. Drift and runoff from treated areas may be hazardous to aquatic organisms in neighboring areas.

Refer to label booklet for additional precautionary information including Personal Protective Equipment (PPE) and User Safety Recommendations, and Directions for Use including Agricultural Use Requirements and Storage and Disposal.

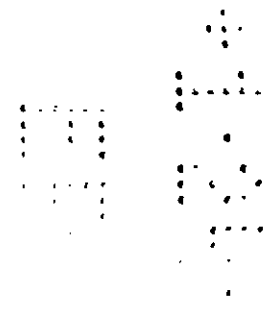
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Rubigan\* A.S.



**BEST AVAILABLE COPY**

(Datapack, page 2 through end):

(logo) DowElanco

Rubigan\* A.S.

**A locally systemic fungicide for the control of specified diseases on turfgrasses and ornamentals. For use on: golf courses, parks, athletic fields, commercial and residential areas.**

Active Ingredient:

fenarimol: a-(2-chlorophenyl)-a-(4-chlorophenyl)-5-pyrimidinemethanol..... 11.6%

Inert Ingredients ..... 88.4%

Contains 1 pound active ingredient per gallon.

EPA Reg. No. 62719-142

\*Trademark of DowElanco

DowElanco • Indianapolis, IN 46268, U.S.A.

#### **Directions for Use**

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

Read all Directions for Use carefully before applying.

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 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.

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 such as Barrier Laminate, Butyl Rubber, Nitrile Rubber, Neoprene Rubber, Polyvinyl Chloride (PVC) or Viton
- Shoes plus socks
- Protective eyewear

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**Storage and Disposal**

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

**Storage:** Avoid freezing. Do not store near heat or open flame. Store in original container only. In case of leak or spill, use absorbent materials to contain liquids and dispose as waste.

**Pesticide Disposal:** Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

**Container Disposal:** Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

**General Information**

Rubigan A.S. fungicide is a locally systemic fungicide that provides both protective and curative (eradicant) action. Rubigan A.S. is recommended for use as a foliar spray for the control of selected turf and ornamental diseases.

**Chemigation:** Do not apply Rubigan A.S. through any type of irrigation system.

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**Approved Uses****Turf****Application Directions**

Rubigan A.S. should be added to the spray tank during the last half of the filling operation. Agitate thoroughly during the filling and spraying operation to insure a uniform spray mixture. Use only a properly calibrated fungicide sprayer with nozzle screens and inline strainers no finer than 50 mesh. Calibrate spray equipment to deliver sufficient water volume for uniform coverage.

For use on: golf courses, parks, athletic fields, commercial and residential areas.

**Rate Recommendations for Rubigan A.S. for Greens and Tees**

Disease Organism	Recommended Rates (Fl Oz - Rubigan A.S.) per 1000 Sq. Ft.	Spray Interval (Days)	Disease Pressure	Comments (See Below)
dollar spot ( <i>Sclerotinia</i> <i>homoeocarpa</i> ) ( <i>Moellerodiscus spp.</i> )	0.75 1.5	10 - 21 14 - 28	Low to <u>Moderate</u> Moderate to Heavy	12 13
copper spot ( <i>Gloeocercospora</i> <i>sorghii</i> )	0.75 1.5	10 - 21 14 - 28	Low to <u>Moderate</u> Moderate to Heavy	12 13
rhizoctonia blight/ large brown patch ( <i>Rhizoctonia solani</i> )	1.5 1.5	7 - 14 7 - 14	Low to <u>Moderate</u> Moderate to Heavy	12 Use tank mixes as discussed below 9, 11
necrotic ring spot ( <i>Leptosphaeria korrae</i> )	2.0	30	All	9, 11
summer patch ( <i>Magnaporthe poae</i> )	2.0	30	All	9, 11

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1/12/94

SRCS

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fusarium blight ( <i>Fusarium culmorum</i> ) ( <i>Fusarium poae</i> )	2.0	30	All	9, 11
take-all patch ( <i>Gaeumannomyces</i> <i>graminis</i> )	4.0	30	All	9, 14
spring dead spot ( <i>Leptosphaeria korrae</i> )	4.0 - 6.0	Single Application	All	4, 9
fusarium patch/ pink snow mold ( <i>Microdochium nivalis</i> )	8.0	1 or 2 Applications	All	2, 3, 8
typhula blight/ gray snow mold ( <i>Typhula incarnata</i> ) ( <i>Typhula ishikariensis</i> )	8.0	1 or 2 Applications	All	2, 8

When treating golf greens and tees, always treat aprons and approaches.

#### Rate Recommendations for Rubigan A.S. for Greens and Tees

Disease Organism	Recommended Rates (Fl Oz - Rubigan A.S.) per 1000 Sq. Ft.	Spray Interval (Days)	Disease Pressure	Comments (See Below)
dollar spot ( <i>Sclerotinia</i> <i>homoeocarpa</i> ) ( <i>Moellerodiscus spp.</i> )	0.75	30	All	12
antracnose ( <i>Colletotrichum</i> <i>graminicola</i> )	1.75 - 3.5	30	All	1
copper spot ( <i>Gloeocercospora</i> <i>sorghii</i> )	0.75	10 - 21	Low to Moderate	12
	1.5	14 - 28	Moderate to Heavy	13
rhizoctonia blight/ large brown patch ( <i>Rhizoctonia solani</i> )	1.5	7 - 14	Low to Moderate	12
	1.5	7 - 14	Moderate to Heavy	Use tank mixes as discussed below . . . 5, 9
necrotic ring spot ( <i>Leptosphaeria korrae</i> )	4.0 - 8.0	1 or 2 Applications	All	5, 9
summer patch ( <i>Magnaporthe poae</i> )	4.0 - 8.0	1 or 2 Applications	All	5, 9
fusarium blight ( <i>Fusarium culmorum</i> ) ( <i>Fusarium poae</i> )	4.0 - 8.0	1 or 2 Applications	All	5, 9

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stripe smut ( <i>Ustilago striformis</i> )	15.0	Single	All	2, 9, 10
fusarium patch/ pink snow mold ( <i>Microdochium nivalis</i> )	8.0	1 or 2 Applications	All	2, 3, 8
typhula blight/ gray snow mold ( <i>Typhula incarnata</i> ) ( <i>Typhula ishikariensis</i> )	8.0	1 or 2 Applications	All	2, 8
corticium red thread ( <i>Laetisaria fuciformis</i> )	8.0	30	All	2, 7
take-all patch ( <i>Gaeumannomyces grammis</i> )	4.0 - 8.0	1 or 2 Applications	All	6, 9
powdery mildew ( <i>Erysiphe graminis</i> )	2.0 - 4.0	Single Application	All	4, 9
spring dead spot ( <i>Leptosphaeria korrae</i> )	4.0 - 6.0	Single Application	All	4, 9

1. Applications for anthracnose should be applied prior to the anticipated appearance of disease symptoms and continued at 30-day intervals for as long as conditions for disease continue.
2. Single high rate applications such as required to control these diseases may inhibit germination of creeping bentgrass for up to 30 days following application.
3. This recommendation does not apply to the control of fusarium patch (pink patch) as it occurs under the conditions of cool, wet weather in the western United States, (CA, OR, and WA). Under these conditions, Rubigan A.S. should be applied at 2.0 fl oz /1000 sq ft every 3 to 4 weeks during periods of favorable disease conditions.
4. For spring dead spot, make a single application of 4.0 fl oz /1000 sq ft in September, or 6.0 fl oz /1000 sq ft in October or November.
5. Rubigan A.S. should be applied preventively in a single 4.0 - 8.0 fl oz /1000 sq ft application in April or as a split application with 2.0 - 4.0 fl oz /1000 sq ft applied in April and 2.0 - 4.0 fl oz /1000 sq ft applied in May. Use the higher rate listed when area to be treated has a previous history of disease infestation.
6. For take-all patch, Rubigan A.S. should be applied preventively in a single 8.0 fl oz /1000 sq ft application or as a split application each at 4.0 fl oz /1000 sq ft applied at 30-day intervals. Applications should be made prior to permanent snow cover or frozen soil.
7. Applications for corticium red thread should begin 1 to 2 weeks prior to the anticipated appearance or disease symptoms. Applications should be made at 30-day intervals with a maximum of 2 applications during any one season.
8. The initial application for fusarium patch and typhula blight should be made as a standard foliar application prior to permanent snow cover or frozen soil. A second application may be necessary in late winter or early spring if conditions are favorable for renewed disease development.
9. Applications for necrotic ring spot, summer patch, fusarium blight, stripe smut, take-all patch and spring dead spot, should be applied to the turfgrass and thoroughly irrigated with 0.5 to 1 inch of water.
10. Application for stripe smut should be made as a single application in October or in early spring prior to turfgrass greenup.

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11. For greens and tees, Rubigan A.S. should be applied preventively at 2.0 fl oz /1000 sq ft beginning in April with a second application at 2.0 fl oz /1000 sq ft in May. If conditions are favorable in the fall for disease occurrence, applications 14 days prior to the anticipated appearance of disease symptoms may be necessary.
12. All applications for dollar spot, copper spot and rhizoctonia blight should be made as standard foliar applications. Applications made prior to the appearance of visible disease symptoms (preventative applications) should be made at the lowest rate and longest interval listed above.
13. Applications to areas with visible symptoms of dollar spot, copper spot and powdery mildew should be made at the highest rate listed for that disease and continued at the shortest spray interval for that rate until the disease is brought under control. At this time, the lower rate, longer spray interval recommendations can begin.
14. For greens and tees, Rubigan A.S. should be applied preventative in two applications of 4.0 fl oz /1000 sq ft at 30-day intervals. Applications should be made prior to permanent snow cover or frozen soil. If conditions are favorable in the fall for disease occurrence, applications 14 days prior to the anticipated appearance of disease symptoms may be necessary.

#### Tank Mixtures

When disease pressure from rhizoctonia blight increases to moderate, control will be enhanced by tank mixing Rubigan A.S. with a contact fungicide such as Daconil 2787. If a tank mixture is used, apply the minimum label rate recommended for the control of rhizoctonia blight. Under conditions of heavy Rhizoctonia blight pressure, additional sequential applications of a contact fungicide may be necessary to keep the disease adequately controlled.

#### Additional Disease Control

If turf is treated by additional diseases, Rubigan A.S. is compatible with most commonly used turf fungicides. Leaf spotting organisms such as *drechslera* and *curvularia* will require the use of a fungicide such as Daconil 2787 or Tersan I.S.R for control. If a tank mixture is used, follow label directions for the use of that product and apply at the minimum rate recommended for control of the target disease organism.

#### Rate Conversion Chart Rubigan A.S. for Turf

Label Rates Rubigan A.S./1000 Sq Ft	Quantity Rubigan A.S. Per Acre
0.75 fl oz	1 qt
1.50 fl oz	2 qt
2.00 fl oz	2.75 qt
4.00 fl oz	5.5 qt
6.00 fl oz	8 qt
8.00 fl oz	11 qt
15.00 fl oz	20 qt

#### Ornamentals

Rubigan A.S. is a locally systemic fungicide for the prevention or therapeutic control of powdery mildew of field or landscape grown roses and field, landscape or container grown ornamentals. Once dried on the leaf surface, Rubigan A.S. is absorbed into the plant foliage and is not easily washed off by the rain or overhead irrigation. Used as directed Rubigan A.S. will not harm the foliage or floral tissues.

#### Application Directions

Rubigan A.S. should be added to the spray tank during the last half of the filling operation. Continuous agitation during completion of filling and spraying will be necessary to insure a uniform spray mixture. Apply Rubigan A.S. with sufficient pressure and spray volume to insure thorough wetting of all plant surfaces. Special care should be taken to thoroughly wet new terminal growth and plant areas already diseased. Applications of Rubigan A.S. should begin at the earliest appearance of signs or symptoms of disease.

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**Field or Landscape Grown Roses  
Recommended Usage Rates and Spray Intervals**

Disease Severity†	Recommended Rates for Rubigan A.S. Fluid Oz./100 Gal.	Spray Interval (Days)
Low	4 - 5	10 - 14
Medium	6 - 8	10 - 14
High	8 - 12	7 - 10

†Low (1 - 30), Medium (30 - 60), High (60 - 100) percent of leaves on individual plants infected with disease organism.

**Tank Mixtures** In areas where blackspot occurs, Rubigan A.S. should be tank-mixed with an EPA registered, commercially available fungicide. Use the recommended label rate of the selected tank-mix product for blackspot control and the appropriate rate of Rubigan A.S. from the table above.

**Note to User:** Application of Rubigan A.S. at recommended rates may cause leaf puckering and other growth effects on the foliage of rose cultivars growing under cool, foggy or overcast conditions. Plants growing under such conditions develop more slowly and are more sensitive to these growth effects. The rose cultivars Royalty and Visa have exhibited growth effects under these conditions while the same cultivars growing under sunny conditions have exhibited no such effects.

**Field, Landscape or Container Grown Ornamentals  
Recommended Usage Rates and Spray Intervals**

Type Application	Recommended Rates† for Rubigan A.S. Fl Oz / 100 Gal	Spray Interval† (Days)
ajuga begonia calendula	dahlia delphinium hydrangea	sweet pea verbena zinnia chrysanthemum
phlox		
Ground	3 - 5	10 - 14

Type Application	Recommended Rates† for Rubigan A.S. Fl Oz / 100 Gal	Spray Interval† (Days)
crapemyrtle euonymus photinia		
Ground	6 - 10	10 - 14

†Apply Rubigan A.S. at the recommended low rate and maximum spray interval only when using as a preventative or when leaf infection is less than 10 percent. Use the higher rates and shorter spray intervals when greater than 10 percent leaf infection occurs and environmental conditions encourage disease spread.

**Flowering Crabapples**

For control of scab, powdery mildew and rusts apply Rubigan A.S. at 4 - 12 fl oz /100 gallons of water. Begin applications when disease first appears and repeat at 7 - 14 day intervals throughout the growing season. Use the shorter intervals or higher rates during humid, rainy weather.

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**Warranty Disclaimer**

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DowElanco 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, subject to the inherent risks set forth below. DOWELANCO MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR ANY OTHER EXPRESS OR IMPLIED WARRANTY.

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**Inherent Risk of Use**

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It is impossible to eliminate all risks associated with use of this product. Plant injury, lack of performance, or other unintended consequences may result because of such factors as use of the product contrary to label instructions (including conditions noted on the label, such as unfavorable temperatures, soil conditions, etc.), abnormal conditions (such as excessive rainfall, drought, tornadoes, hurricanes), presence of other materials, the manner of application, or other factors, all of which are beyond the control of DowElanco or the seller. All such risks shall be assumed by Buyer.

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**Limitation of Remedies**

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The exclusive remedy for losses or damages resulting from this product (including claims based on contract, negligence, strict liability, or other legal theories), shall be limited to, at DowElanco's election, one of the following:

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

DowElanco shall not be liable for losses or damages resulting from handling or use of this product unless DowElanco is promptly notified of such loss or damage in writing. In no case shall DowElanco be liable for consequential or incidental damages or losses.

The terms of the Warranty Disclaimer above and this Limitation of Remedies cannot be varied by any written or verbal statements or agreements. No employee or sales agent of DowElanco or the seller is authorized to vary or exceed the terms of the Warranty Disclaimer or this Limitation of Remedies in any manner.

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