T2R / Rubigan A.S. Turf and Ornamental / Amend With Edits / 12-09-99 file: Rubigan A.S. Turf and Ornamental 09Dec99d W-Ed.doc

## Rubigan\* A.S. Turf and Ornamental

EPA Reg. No. 62719-142

## **Registration Notes:**

Source label text based on EPA accepted copy dated September 15, 1998.

## **Proposed Changes by Amendment:**

- 1. End-user Limitation: Added front panel statement limiting use of this product to commercial applicators responsible for disease or weed control programs or persons under their supervision.
- 2. Turf Uses: Added limitation defining the maximum use rate, maximum number of applications and cumulative use rate per use season (8 fl oz/1000 sq ft, 12 applications, and 32 fl oz per 1000 sq ft, respectively).

[Editor's note: Added text is underlined and deleted text is denoted by strike-through.]

\*Trademark of Dow AgroSciences LLC

ACCEPTED

MAR 3 | 2000

Under the Federal Insecticide.
Fungicide, and Hodesticide Act.
on amendati, for the pesticide
regardered under
ENG Rog. No. (2)/1-1/2

(Base Label):

(Logo) Dow AgroSciences LLC

## Rubigan\* A.S. Turf and Ornamental

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.

# To be applied only by or under the supervision of commercial applicators responsible for disease or weed control programs.

### Active Ingredient:

fenarimol: α-(2-chlorophenyl)-α-(4-chlorophenyl)5-pyrimidinemethanol 11.6%
Inert Ingredients 88.4%
Total 100.0%

Contains 1 pound active ingredient per gallon.

## Keep Out of Reach of Children

## CAUTION PRECAUCION

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle. (If you do not understand the label, find someone to explain it to you in detail.)

## **Precautionary Statements**

### Hazards to Humans and Domestic Animals

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

Avoid breathing spray mist and contact with skin, eyes or clothing.

### 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 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 eyes 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 immediately. 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 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 washwaters. Drift and runoff from treated areas may be hazardous to aquatic organisms in neighboring areas.

## Agricultural Use Requirements

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

Refer to label booklet for 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 1-800-992-5994. If you wish to obtain additional product information, visit our web site at www.dowagro.com.

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

Shake Well Before Using.	
EPA Reg. No. 62719-142	EDA Est
*Trademark of Dow AgroSciences LLC  Dow AgroSciences LLC • Indianapolis, IN 46268 U.S.A.	EPA Est.

## **Specialty Fungicide**

Net Contents XXX

(Label Booklet Cover):

(Logo) Dow AgroSciences LLC

## Rubigan\* A.S. Turf and Ornamental

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.

To be applied only by or under the supervision of commercial applicators responsible for disease or weed control programs.

Active Ingredient:	
fenarimol: α-(2-chlorophenyl)-	a-(4-chlorophenyl)-
5-pyrimidinemethanol	11.69
Inert Ingredients	88.49
Total	100.09

Contains 1 pound active ingredient per gallon.

## Keep Out of Reach of Children

## CAUTION PRECAUCION

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle. (If you do not understand the label, find someone to explain it to you in detail.)

### Agricultural Use Requirements

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

Refer to inside of label booklet for additional precautionary information including Personal Protective Equipment (PPE), 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 1-800-992-5994. If you wish to obtain additional product information, visit our web site at www.dowagro.com.

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

Shake Well Before Using.		1
EPA Reg. No. 62719-142	EPA Est.	
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## **Specialty Fungicide**

## **Net Contents XXX**

(Page 1 through end):

## **Precautionary Statements**

## Hazards to Humans and Domestic Animals

## CAUTION

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

Avoid breathing spray mist and contact with skin, eyes or clothing.

## 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 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 eyes 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 immediately. 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 to areas where surface water is present of to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment washwaters. Drift and runoff from treated areas may be hazardous to aquatic organisms in neighboring areas.

## 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 or Butyl Rubber
- Shoes plus socks
- Protective eyewear

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

Chemigation: Do not apply Rubigan A.S. Turf and Omamental through any type of irrigation system.

### Turf

Agricultural Use Requirements for Uses Within the Scope of the Worker Protection Standard: For use of this product on turf grown for sod or seed production, follow PPE and Reentry restrictions in the Agricultural Use Requirements section of this label.

Agricultural Use Requirements for other Turf Areas: No Worker Protection Standard worker entry restrictions or worker notification requirements apply when this product is applied to turf in golf courses, parks, athletic fields, and commercial and residential areas.

#### **Application Directions**

Rubigan A.S. Turf and Ornamental 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 equrses, parks, athletic fields, and commercial and residential areas.

Maximum Application and Use Rate: No single application should exceed 8 fl oz/1000 sq ft. For all turf uses, do not make more than 12 applications per year or exceed the cumulative rate of 32 fl oz per 1000 sq ft per year.

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

Diagona Ormaniam	Recommended Rates of Rubigan A.S.	Spray Interval	Disease	Comments
Disease Organism	(fl oz/1000 sq ft)	(days)	Pressure	(see below)
dollar spot	0.75	10 - 21	Low to Moderate	11
(Sclerotinia	1.5	14 - 28	Moderate to Heavy	12
homoeocarpa)				
(Moellerodiscus spp.)			<u></u>	
copper spot	0.75	10 - 21	Low to Moderate	11
(Gloeocercospora				
sorghi)	1.5	14 - 28	Moderate to Heavy	12
rhizoctonia blight/	1.5	7 - 14	Low to Moderate	11
brown patch	1.5	7 - 14	Moderate to Heavy	Use tank mixes as
(Rhizoctonia solani)				discussed below
necrotic ring spot	2.0	30	All	9, 10
(Leptosphaeria korrae)				
summer patch	2.0	30	All	9, 10
(Magnaporthe poae)				
fusarium blight	2.0	30	All	9, 10
(Fusarium culmorum)	•			
(Fusarium poae)				
take-all patch	4.0	30	All	9, 13
(Gaeumannpmyces	1	]		}
grammis var. avenae)				
spring dead spot	4.0 - 6.0	Single	All	4, 9
(Leptosphaeria korrae)	1	Application		
(Ophiosphaerella				<u> </u>
herpotricha)			,	]
(Gaeumannomyce	<b>1</b> ·			
graminis var. graminis)		[		<u> </u>
fusarium patch/pink snow	8.0	1 or 2	Ali	2, 2, 8
mold		Applications		·
(Gerlachia nivalis)	<u> </u>			1

typhula blight/gray snow	8.0	1 or 2	All	2, 8
mold		Applications		
(Typhula incarnata)				
(Typhula ishikariensis)				

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

## Rate Recommendations for Rubigan A.S. Turf and Ornamental for Other Turf Areas

	Recommended Rates Rubigan A.S.	Spray Interval	Disease	Comments
Disease Organism	(fi oz/1000 sq ft)	(days)	Pressure	(see below)
dollar spot (Sclerotinia_homoeocarpa) (Moellerodiscus spp.)	0.75	30	All	11
antracnose (Colletotrichum graminicola)	1.75 - 3.5	30	Ail	1
copper spot	0.75	10 - 21	Low to Moderate	11
(Gloeocercospora sorghi)	1.5	14 - 28	Moderate to Heavy	12
rhizoctonia blight/brown patch	1.5	7 - 14	Low to Moderate	11
(Rhizoctonia solani)	1.5	7 - 14	Moderate to Heavy	Use tank mixes as discussed below
necrotic ring spot (Leptosphaeria korrae)	4.0 - 8.0	1 or 2 Applications	All	5, 9
summer patch (Magnaporthe poae)	4.0 ~ 8.0	1 or 2 Applications	All	5, 9
fusarium blight (Fusarium culmorum) (Fusarium poae)	4.0 - 8.0	1 or 2 Applications	All	5, 9
fusarium patch/pink snow mold (Gerlachia nivalis)	8.0	1 or 2 Applications	All	2, 3, 8
typhula blight/ gray snow mold (Typhula incarnata) (Typhula ishikariensis)	8.0	1 or 2 Applications	All	2, 8
corticium red thread (Laetisaria fuciformis)	8.0	30	All	2, 7
take-all patch (Gaeumannpmyces grammis)	4.0 - 8.0	1 or 2 Applications	All	6, 9
powdery mildew (Erysiphe graminis)	2.0 - 4.0	Single Application	All	12
spring dead spot (Leptosphaeria korrae) (Ophiosphaerella herpotricha) (Gaeumannomyce graminis var. graminis)	4.0 - 6.0	Single Application	All	4,0

<sup>1.</sup> 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. Turf and Ornamental 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. Turf and Ornamental 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. Turf and Omamental 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.
- 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, 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. For greens and tees, Rubigan A.S. Turf and Ornamental 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.
- 11. 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.
- 12. 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.
- 13. For greens and tees, Rubigan A.S. Turf and Ornamental 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. Turf and Omamental 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 for additional diseases, Rubigan A.S. Turf and Omamental 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 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 for Turf

Label Rates of 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

#### **Ornamentals**

### For Control of Powdery Mildew of Field, Landscape or Container Grown Ornamentals

Agricultural Use Requirements for Uses within the Scope of the Worker Protection Standard: For use of this product on field grown ornamentals, follow PPE and Reentry restrictions in the Agricultural Use Requirements section of this label.

**Agricultural Use Requirements for other Areas :** No Worker Protection Standard worker entry restrictions or worker notification requirements apply when this product is applied to landscape ornamentals.

Rubigan A.S. Turf and Omamental 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 omamentals. Once dried on the leaf surface, Rubigan A.S. Turf and Ornamental is absorbed into the plant foliage and is not easily washed off by the rain or overhead irrigation. Used as directed Rubigan A.S. Turf and Ornamental will not harm the foliage or floral tissues.

Note to User (Phytotoxicity): Environmental factors significantly affect phytotoxicity. While Rubigan A.S. Turf and Ornamental has been tested on numerous ornamental plants without causing serious phytotoxicity, because of the numerous varieties grown, it is recommended that a small group of plants be treated at the recommended rate under anticipated growing conditions and observed for phytotoxic symptoms. Application of Rubigan A.S. Turf and Ornamental 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.

#### **Application Directions**

Rubigan A.S. Turf and Ornamental 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. Turf and Ornamental 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. Turf and Ornamental should begin at the earliest appearance of signs or symptoms of disease.

Rubigan A.S. Turf and Ornamental Rate Recommendations - Field, Landscape And Container Grown Ornamentals

Species	Disease	Recommended Rates and Timing For Rubigan A.S. Turf and Ornamental †
Ajuga Begonia Calendula Chrysanthemum Dahlia Delphinium, Hydrangea Phlox Sweet Pea Verbena Zinnia	Powdery Mildew	3-5 fl oz/100 gallons every 10 to 14 days
Crape Myrtle Euonymus Photinia Roses (field and landscape only)	Powdery Mildew	6-10 fl oz/100 gallons every 10 to 14 days
Crabapple Hawthorn	Scab Rust Powdery Mildew	4-12 fl oz/100 gallons every 7 to 14 days beginning at green tip.
Ornamental Dogwood	Powdery Mildew	8 fl oz/100 gallons every 14 to 28 days

† Apply Rubigan A.S. Turf and Ornamental 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.

**Tank Mixtures:** In areas where blackspot occurs, Rubigan A.S. Turf and Ornamental 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. Turf and Ornamental from the table above.

#### Warranty Disclaimer

Dow AgroSciences 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. Dow AgroSciences MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR ANY OTHER EXPRESS OR IMPLIED WARRANTY.

### Inherent Risks of Use

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 temperature, 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 Dow AgroSciences or the seller. All such risks shall be assumed by buyer.

### **Limitation of Remedies**

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 Dow AgroSciences' 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

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