

62719-261

10/31/2001

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

OCT 31 2001

Mr. Steve A. McMaster
Regulatory Manager
Dow AgroSciences LLC
9330 Zionsville Road
Indianapolis, IN 46268

Dear Mr. McMaster:

Subject: XL* 2GR
EPA Registration No. 62719-261
Application and Your Letter Dated September 17, 2001,
Request to Amend Registration: Revise First Aid
Statements and Addition of Terms and Conditions of Use

The subject application to revise the labeling of XL* 2GR as described above has been reviewed and found to be acceptable under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended, provided that you:

- o Submit one (1) copy of the final printed label prior to your shipment of XL* 2GR under the enclosed revised stamped label.

If this condition is not complied with, the registration will be subject to cancellation in accordance with FIFRA, section 69e). Your release for shipment under this labeling constitutes acceptance of this condition. A stamped copy of the label is enclosed for your records.

Sincerely yours,

Eugene M. L. Wilson

for

Joanne I. Miller
Product Manager (23)
Herbicide Branch
Registration Division (7505C)

Enclosure

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Product Label

Dow AgroSciences

XL* 2GR

Contains Surflan*

ACCEPTED
with COMMENTS
in EPA Letter Dated

OCT 31 2001

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

62719-261

XL 2GR is an easy-to-use herbicide. XL 2GR stops unsightly weeds and weed grasses BEFORE they start to grow in your established ornamental shrubs, flower beds and warm-season lawn grasses around your home. Used according to label directions, XL 2GR provides effective weed control all season long -- and gives your landscape that neat and clean look.

XL 2GR controls weeds in the following areas:

- Landscape ornamental trees and shrubs
- Ornamental ground covers
- Established flower beds
- Ornamental bulbs
- Established warm season turfgrasses including:
 - bermudagrass
 - St. Augustinegrass
 - tall fescue
- buffalograss
- zoysiagrass
- centipedegrass
- bahiagrass

Active Ingredients:

benefin: *N*-butyl-*N*-ethyl- α,α,α -trifluoro-
2,6-dinitro-*p*-toluidine 1.0%

oryzalin: 3,5-dinitro-*N*⁴,*N*⁴-
dipropylsulfanilamide..... 1.0%

Inert Ingredients..... 98.0%

Total..... 100.0%

Contains ___lb of active ingredient per ___lb bag

Keep Out of Reach of Children

CAUTION

Causes Moderate Eye Irritation • Prolonged or frequently repeated contact may cause allergic reactions in some individuals

Avoid contact with eyes or clothing. Wash thoroughly with soap and water after handling.

See back panel for additional Precautionary Statements and First Aid, and Directions For Use, Including Storage and Disposal

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EPA Reg. No. 62719-261

EPA Est. No. _____

*Trademark of Dow AgroSciences LLC

Read all directions carefully before using this product.

Herbicide

Net Weight __lb

Directions for Use

It is a violation of Federal law to use this product in a manner inconsistent with labeling. Read all directions carefully before using this product.

GENERAL PRECAUTIONS AND RESTRICTIONS

Not for use on plants grown for sale or other commercial use, or for commercial seed production, or for research purposes. For use on plants intended for aesthetic purposes or climatic modification and being grown in interior plantscapes, ornamental gardens or parks, or on golf courses or lawns and grounds.

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.

Keep all persons, children, and pets out of treated area until dusts have settled.

Do not graze or feed forage from treated areas to livestock.

WHAT IS XL 2GR?

XL* 2GR is a pre-emergence herbicide applied to the soil surface to prevent the growth of undesirable weeds and grasses. Simple for homeowner use, XL 2GR forms a protective "barrier" in the soil surface which prevent weeds from emerging.

WHAT WEEDS DOES XL 2GR CONTROL?

Used properly, XL 2GR controls the following broadleaf weeds and weed grasses:

Broadleaf Weeds

bittercress
carpetweed
coast fiddleneck
common chickweed
common groundsel
common purslane
desert rockpurslane
Florida pusley
henbit
lambquarters
London rocket
pigweeds
prostrate knotweed
prostrate spurge
puncturevine
redstem filaree
shepherdspurse

Weed Grasses

annual bluegrass
barnyardgrass
brachiaria
browntop panicum
crabgrasses
crowfootgrass
fall panicum
foxtails
field sandbur
goosegrass
Italian ryegrass
johnsongrass (seedling only)
junglerice
little barley
little lovegrass
Mexican lovegrass
orcutt lovegrass

S/No

whitestem filaree
yellow woodsorrel (oxalis)

red sprangletop
signalgrass
southwestern cupgrass
Texas panicum
wild oats
witchgrass

XL 2GR provides partial control of the following weeds, depending on soil and weather conditions:

Broadleaf Weeds

annual sowthistle
black mustard
black nightshade
climbing milkweed
common mallow
common ragweed
horseweed
ladysthumb

Weed Grasses

morningglory
prickly lettuce
smartweed
spotted spurge
teaweed (prickly sida)
velvetleaf
volunteer wheat
wild mustard

WHERE CAN I USE XL 2GR?

Apply XL 2GR over the top of **ESTABLISHED** shrubs, flowers, ground covers, bulbs, and warm season grasses. **ESTABLISHED** plants are those that have been transplanted into their final growing location and have the soil firmly settled around the roots from packing and rainfall or irrigation. To determine if it is permitted to apply XL 2GR over the top of any specific plant, refer to the "**List of Tolerant Plants**" located near the end of this label. In areas treated with XL 2GR, plant only ornamental species listed on the label for a period of one-year following application or injury may occur.

Note: If you will be transplanting plants into previously treated areas, untreated soil should be used to backfill such plants, or injury may occur.

Do not apply XL 2GR in ornamental plantings where the herbicide may runoff onto lawn areas containing dichondra or cool season turfgrasses. XL 2GR can cause severe injury or death in these plants.

Always read and follow the label directions when applying XL 2GR.

WHEN TO APPLY XL 2GR

XL 2GR stops weeds during germination. IT WILL NOT KILL ESTABLISHED WEEDS. Proper timing of application is important for best results. To be effective, XL 2GR must be applied before the weeds emerge.

In ornamental flower and shrub beds

For best results, apply XL 2GR as soon as possible after tilling, killing or pulling existing weeds from bed area. Since many weeds germinate in the spring, an application in early spring prior to the germination of annual broadleaf weeds and weed grasses is ideal (consult your extension agent or master gardener for the proper time to treat in your area). In warm climates with long growing seasons, a second application may be required 6 to 8 months after the first application to extend effective control.

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Over the top of ornamental bulbs

Apply XL 2GR to the soil surface in the fall 2 to 4 weeks after planting of bulbs, but before annual weeds begin to sprout. Apply XL 2GR again in late winter or early spring. Before applying, remove any existing weeds from bed area. In the spring, do not apply to tulip plants that have grown to a height greater than 3/4". If you will be transplanting plants listed on this label into previously treated beds, use untreated soil to backfill such plants, or injury may occur. Otherwise, wait one year and cultivate deeply prior to planting other plants following use of XL 2GR.

In warm-season turfgrasses such as: tall fescue, bermudagrass, St. Augustinegrass, centipedegrass, zoysiagrass, buffalograss or bahiagrass

For maximum effectiveness, apply prior to the germination of broadleaf weeds and grass weeds (consult your extension agent for the proper time in your area). Apply in late winter to prevent emergence of spring germinating weeds, early spring to prevent summer annual weed grasses and broadleaf weeds, and late summer or early fall to prevent emergence of annual bluegrass and broadleaf winter annuals. If you miss the initial application period, partial control can still be achieved by using XL 2GR later than the optimal time since weeds and weed grasses continue to sprout throughout the growing season. Be sure to kill or pull all existing weeds prior to applying XL 2GR because XL 2GR will not control established weeds. In warm climates with long growing seasons, a second application may be required 4 to 6 months after the first application to extend control.

Turfgrass Precautions:

- XL 2GR should not be applied in the spring to turfgrass planted the previous fall.
- In bermudagrass areas that have been over-seeded with winter grasses, a spring application of XL 2GR may thin the overseeded grasses.
- XL 2GR should not be used on dichondra.
- XL 2GR should not be applied to newly sprigged areas of bermudagrass, St. Augustinegrass, centipedegrass, or zoysiagrass until these turfs are well established.
- Do not use on turf type tall fescue in spring and summer following fall seeding.
- Do not apply XL 2GR in late summer or early fall to areas where fall overseeding will occur.
- Wait at least six weeks after application of XL 2GR to reseed turfgrasses. When using XL 2GR at the highest rate, delay reseeding for 12 to 16 weeks following application.
- For satisfactory reseeding results, increase the amount of seed used and use equipment designed to place seed in contact with the soil.

HOW TO APPLY XL 2GR

Read and follow all instructions for the application equipment. Always calibrate equipment according to the manufacturer's directions before applying.

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On ornamental tree and shrub and flower beds

Before applying XL 2GR, make sure shrub beds are free of established weeds. Remove weed residues, prunings, and trash. Remove or break up large soil clods. Apply XL 2GR evenly over the shrub or bedding area using equipment designed to apply granular herbicides or insecticides (such as a rotary spreader). Read and follow all instructions for the application equipment. Always calibrate equipment according to the manufacturer's directions before applying. During application, check frequently to be sure equipment is working properly and distributing granules uniformly. For a more uniform application, spread one-half the desired amount over the area in one direction, then apply the remaining half at right angles to the first. For optimum weed control performance, thoroughly water in XL 2GR within a few hours after application.

On tall fescue, bermudagrass, St. Augustinegrass, centipedegrass, zoysiagrass, buffalograss and bahiagrass lawns

Apply XL 2GR to established turf before germination of target weeds since XL 2GR will not control established weeds. Apply XL 2GR evenly over the turfgrass area using a rotary spreader or other equipment used to apply granular herbicides or insecticides. Calibrate equipment according to the manufacturer's directions before applying. During application, check frequently to be sure equipment is working properly and distributing granules uniformly. For a more uniform application, spread one-half the desired amount over the area in one direction, then apply the remaining half at right angles to the first. For optimum weed control performance, thoroughly water in XL 2GR within a few hours after application.

HOW MUCH XL 2GR SHOULD BE APPLIED?

Use the charts below to determine how much XL 2GR to apply: Over-application may result in plant injury or excessive soil residue.

Ornamental shrubs and beds:

| Desired Length of Control | Rate of XL 2GR (lb/1000 sq ft) | Minimum Time Between Applications (months) | Total Amount Allowed Per Year (lb/1000 sq ft) |
|---------------------------|--------------------------------|--|---|
| 3 - 4 months | 4 1/2 | 2 | 18 |
| 6 - 8 months | 7 | 4 | 27 |

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Ornamental bulb beds:

| Time of Application | Soil Texture | Rate of XL 2GR (lb/1000 sq ft) | Minimum Time Between Applications (months) | Total Amount Allowed Per Year (lb/1000 sq ft) |
|---------------------|-------------------|--------------------------------|--|---|
| Fall | Coarse | 1 3/4 | 3 | 3.4 |
| Fall | Medium and Fine | 3 1/2 | 3 | 5.2 |
| Feb. - March | All Soil Textures | 1 3/4 | 3 | 5.2 |

Turfgrass:

| <u>Type of weed</u> | <u>Time of Application</u> | <u>Amount of XL 2GR†</u> |
|--|----------------------------|--------------------------------|
| Spring germinating | Late winter | 2 1/2 to 3 1/2 lb / 1000 sq ft |
| Summer annual grass-weeds and broadleaf weeds | early spring | 3 1/2 lb / 1000 sq ft |
| Annual bluegrass (<i>Poa annua</i>) and broadleaf winter annuals | Late summer/early fall | 3 1/2 lb / 1000 sq ft |

†XL 2GR may thin established annual bluegrass (*Poa annua*) turfs and fine-leaved fescues at rates above 2 1/2 lb/1000 sq ft

| Rate of XL 2GR (lb/1000 sq ft) | Minimum Time Between Applications (months) | Total Amount Allowed Per Year (lb/1000 sq ft) |
|--------------------------------|--|---|
| 2 1/2 - 3 1/2 | 3 | 10 |

Helpful Application Techniques for XL 2GR**On Ornamental Shrub Beds:**

1. Handheld rotary applicators are ideal for broadcast applying XL 2GR. The rate of application depends on the gauge setting, walking speed of the operator and the speed of turning the crank. Walk and turn the crank at a

constant rate of speed.

2. For hard to reach, small areas, a small container with holes punched in the bottom makes an excellent shaker type applicator.

3. On large areas, the push-type propelled rotary applicator does a fine job.

4. Optimum weed control performance will be obtained if XL 2GR is watered in to the soil within a few hours after application.

On Turfgrass:

1. Small area application is easy using a small rotary applicator. To insure proper coverage and avoid missed areas, early morning treatment when wheel tracks are evident in the dew and the wind is calm is ideal.

Spreader Settings:

[Editor's note: Subregistrant may include spreader settings for recommended equipment.]

List of Tolerant Plants

Do not apply to Begonia, Coleus, Slender Deutzia, Douglas Fir, Techny Arborvitae and Eastern Hemlock as injury may occur.

The following ESTABLISHED plants are tolerant to applications of XL 2GR.

Established Flowers

Aster, Stokes
Baby's Breath
Bird Of Paradise
Blazing Star

Bleeding Heart
Caladium, Fancy Leafed
Chrysanthemum
Coneflower, Purple
Coreopsis

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Daisy, Gloriosa (Black-Eyed Susan)
 Daisy, Painted
 Daisy, Shasta
 Geranium
 Geum
 Gladiolus
 Impatiens (Busy Lizzie)
 Iris, Bearded
 Marigold
 Marigold, Cape
 Moss, Rose
 Pansy
 Petunia
 Ranunculus, Persian
 Rose
 Sage
 Snapdragon
 Sweet William
 Yarrow
 Zinnia, Common

Established Ornamental Shrubs

Abelia, Glossy
 Acacia, Prostrate
 Agave
 Andromeda
 Arborvitae, American
 Arborvitae, Aureus Nana-Dwarf Golden
 Arborvitae, Emerald
 Arborvitae, Globosa-Globe
 Arborvitae, Little Giant-Dwarf
 Arborvitae, Minima Glauca-Dwarf
 Arborvitae, Nigra-Dark American
 Arborvitae, Oriental
 Arborvitae, Pyramidalis
 Arborvitae, Rheingold
 Arborvitae, Woodwardii
 Azalea
 Bamboo, Compacta-Dwarf Heavenly
 Bamboo, Harbour Dwarf-Heavenly
 Bamboo, Heavenly
 Bamboo, Nana Compacta-Heavenly
 Bamboo, Nana Purpurea-Heavenly
 Bamboo, Woods Dwarf-Heavenly
 Barberry, Atropurea-Redleaf Japanese
 Barberry, Aurea-Golden Japanese
 Barberry, Crimson Pygmy

Bottlebrush, Lemon
 Bougainvillea, Barbara Karst
 Bougainvillea, California Gold
 Bougainvillea, Scarlet O'hara
 Bougainvillea, Texas Dawn
 Boxwood, Common
 Boxwood, Japonica-Japanese
 Boxwood, Littleleaf
 Bridal Wreath
 Broom, Hollandia-Warminster
 Broom, Lena-Scotch
 Cactus, Easter
 Cherry, Brush
 Cinquefoil
 Cleyera, Japanese
 Cotoneaster, Bearberry
 Cotoneaster, Brightbead
 Cotoneaster, Cranberry
 Cotoneaster, Himalayan
 Cotoneaster, Parney
 Cotoneaster, Praecox-Early
 Cotoneaster, Pyrenees
 Cotoneaster, Rock
 Cotoneaster, Rockspray
 Coyotebush
 Cranberry Bush, Compactum-Dwarf
 Crape Myrtle
 Cryptomeria, Japanese
 Cypress, Filifera-Thread
 Cypress, Kosteri
 Cypress, Squarrosa Minima-Dwarf Moss
 Deutzia, Nakiana-Dwarf
 Dogwood, Flaviramea-Yellowtwig
 Dogwood, Flowering
 Dogwood, Kousa
 Dogwood, Sibirica-Siberian
 Dwarf Burning Bush
 Escallonia
 Euonymus, Canadale Gold
 Euonymus, Emerald'n Gold
 Euonymus, Evergreen
 Euonymus, Silver King
 Euonymus, Spreading
 Euonymus, Stringybark
 Euonymus, Sunspot
 Euonymus, Winged

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Fatshedera
 Firethorn, Formosa
 Firethorn, Scarlet
 Flame Azalea
 Forsythia
 Gardenia
 Grape, Oregon
 Hawthorn, India
 Hibiscus, Chinese
 Hibiscus, Ross Estey
 Holly, Balkans
 Holly, Blue Boy
 Holly, Blue Girl
 Holly, Chinese
 Holly, Compacta-Dwarf Japanese
 Holly, Convexa
 Holly, Dwarf Chinese
 Holly, Ebony Magic
 Holly, English
 Holly, Gold Coast
 Holly, Helli-Heller's Japanese
 Holly, Japanese
 Holly, Nana-Dwarf Yaupon
 Holly, Nordica-Inkberry
 Holly, Pendula-Weeping Yaupon
 Holly, San Jose
 Holly, Yaupon
 Honeysuckle, Mexican
 Honeysuckle, Trumpet
 Honeysuckle, Winter
 Hopseed Bush
 Jasmine, Chinese Star
 Juniper
 Leucothoe, Coast
 Leucothoe, Drooping
 Lilac
 Lilac, Wild
 Lily-Of-The-Valley
 Lily-Of-The-Valley, Temple Bells
 Lily-Of-The-Valley, Valley Rose
 Manzanita, Stanford
 Mockorange
 Myoporum, Prostrate
 Myrtle, True
 Oleander
 Oleander, Hardy Red
 Oleander, Ruby Lace
 Osmanthus, Holly-Leaf
 Palm, Areca
 Palm, Chinese Fountain
 Palm, Christmas
 Palm, Pigmy Date
 Photinia, Fraser's
 Pittosporum
 Plant, Century
 Plumbago, Blue Cape
 Privet, Amur
 Privet, California
 Privet, Glossy
 Privet, Howardi
 Privet, Japanese
 Privet, Vicary Golden
 Privet, Wax Leaf
 Protea
 Pyracantha, Lolendei Monrovia
 Pyracantha, Monon
 Pyracantha, Rutgers Hybrid
 Pyracantha, Santa Cruz
 Pyracantha, Victory
 Pyrcantha, Red Elf Hybrid
 Rhamphiolepis, Enchantress-Moness
 Rhamphiolepis, Roundleaf
 Rhamphiolepis, Springtime-Monme
 Rose Of Sharon, Red Bird
 Rose Of Sharon, Red Heart
 Rose Of Sharon, Woodbridge
 Rose, Ramanas
 Rosemary
 Shrimp Plant
 Snowdrift
 Sotol, Desert Spoon
 Spiraea, False
 Spruce, Repens-Spreading Norway
 Spruce, Repens-Weeping Norway
 Spurge, Japanese
 St. Johnswort
 Sumac, African
 Viburnum
 Viburnum, Compactum-Spring Bouquet
 Viburnum, David
 Viburnum, Doublefile
 Viburnum, Eastern Snowball

Viburnum, Laurustinus,
 Viburnum, Sandankwa
 Viburnum, Tea
 Weigela, Bristol Ruby
 Weigela, Java Red
 Weigela, Minuet
 Wintercreeper
 Woadwaxen
 Woodbine, Flowering
 Woodbine, Serotina
 Xylosma
 Yew
 Yew, Japanese
 Yewpine
 Yucca, Pendulous
 Yucca, Soap tree,

Established Ground Covers

Bellflower
 Blue fescue
 Cape weed
 Carpet bugle
 Daisy, Trailing African
 Gazania
 Grass, Mondo
 Grass, Pampas
 Honeysuckle, Japanese
 Ice plant
 Ice plant, largeleaf
 Iceplant, Red Trailing
 Iceplant, Trailing rosea
 Iceplant, White
 Ivy, Algerian
 Ivy, English
 Jasmine, Chinese Star Periwinkle,
 Bigleaf
 Lily Turf, Big blue
 Lily Turf, Lilac Beauty
 Lily Turf, Majestic
 Lily Turf, Monroe white
 Lily Turf, Silvery Sunproof
 Lily Turf, Variegated liriop
 Lily Turf, White
 Lily, Day
 Lily, plantain
 Lily-of-the-Nile
 Periwinkle, Bigleaf

Periwinkle, Dwarf
 St. Johnswort
 Stonecrop
 Trumpet Vine, Violet

Established Trees

Ash
 Birch, Paper
 Birch, River
 Birch, White
 Blue Palo Verde
 California Pepper Tree
 Carob
 Carrotwood,
 Cherry, Mahaleb
 Cherry, Yoshino Flowering
 Cottonwood
 Crabapple
 Cryptomeria, Japanese
 Cypress, Arizona
 Cypress, Filicoides-femspray
 Cypress, Gracilis-slender Hinoki
 Cypress, Italian
 Cypress, Lawson false
 Cypress, Sawara-false
 Cypress, Squarrosa-moss
 Dogwood, flowering
 Elm, Chinese
 Eucalyptus, Mealy
 Eucalyptus, Narrow-leaved
 Eucalyptus, Red gum
 Eucalyptus, Red ironbark
 Eucalyptus, Silver Dollar
 Ficus
 Fir, Alpine
 Fir, Balsam
 Fir, Fraser
 Fir, Grand
 Fir, Veitch
 Fir, White
 Goldenrain tree
 Gum, American sweet
 Laurel, California
 Laurelcherry, Carolina
 Laurelcherry, English
 Linden, Littleleaf

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Locust, Honey
 Magnolia, Southern
 Mahogany
 Maidenhair tree
 Maple, Albus Flowering
 Maple, Luteus flowering
 Maple, Roseus flowering
 Maple, Tangerine flowering
 Vesuvius red flowering
 Maple
 Mountain Laurel
 Mulberry, White
 Oak
 Olive, Black
 Olive, Russian
 Olive
 Palm, Queen
 Palm, Cat
 Palm
 Palm, Parlor
 Palm, Mexican fan
 Pine
 Podocarpus
 Redbud
 Redcedar, Eastern
 Redcedar, Western
 Redwood, Coast
 Sequoia, Giant
 Spruce, Norway
 Spruce, Englemann

Spruce, Conica-dwarf Alberta
 Spruce, White
 Spruce, Black
 Spruce, Glaucia-Colorado blue
 Spruce, Hoopsii-Hoop's blue
 Spruce, Koster-Koster Blue
 Sycamore, American
 Sycamore, California
 Toyon
 Willow, Babylon weeping
 Willow, Corkscrew
 Yellow tab

Established Ornamental Bulbs

bulbous iris
 narcissus
 gladiolus
 daffodils
 tulips

Established Warm-Season

Turfgrasses

tall fescue
 centipedegrass
 bahiagrass
 bermudagrass
 buffalograss
 St Augustinegrass
 zoysiagrass

Precautionary Statements

Hazards to Humans and Domestic Animals

Keep Out of Reach of Children

CAUTION

Causes Moderate Eye Irritation • Prolonged or frequently repeated contact may cause allergic reactions in some individuals

Avoid contact with eyes or clothing. Wash thoroughly with soap and water after handling.

First Aid

If on skin or clothing: Take off contaminated clothing. Rinse skin immediately with plenty of water for 15-20 minutes. Call poison control center or doctor for treatment advice.

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If in eyes: Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. Call a poison control center or doctor for treatment advice.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-800-992-5994 for emergency medical treatment information.

Environmental Hazards

This product is toxic to fish. Do not apply directly to water. Do not contaminate water when disposing of equipment washwaters or rinsate.

Storage And Disposal

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

Storage: Store in original container out of the reach of children and pets. In case of leak or spill, contain material and dispose of 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: Completely empty bag into application equipment. Then dispose of empty bag in a sanitary landfill or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

Terms and Conditions of Use

If terms of the following Warranty Disclaimer, Inherent Risks of Use, and Limitation of Remedies are not acceptable, return unopened package at once to the seller for a full refund of purchase price paid. Otherwise, use by the buyer or any other user constitutes acceptance of the terms under Warranty Disclaimer, Inherent Risks of Use and Limitations of Remedies.

Warranty Disclaimer

Seller 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. SELLER 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 Seller. All such risks shall be assumed by Buyer.

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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 Seller'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.

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

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

*Trademark of Dow AgroSciences LLC
EPA-accepted ___/___/___