

6/2/97

PM 13

62719-291

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U.S. ENVIRONMENTAL PROTECTION AGENCY  
Office of Pesticide Programs  
Registration Division (H7505C)  
401 "M" St., S.W.  
Washington, D.C. 20460

EPA Reg. Number:

62719-291

Date of Issuance:

June 2, 1997

## NOTICE OF PESTICIDE:

☒ Registration  
☐ Reregistration

Term of Issuance: Conditional

(under FIFRA, as amended)

Name of Pesticide Product:

CONSERVE SC TURF AND ORNAMENTAL

Name and Address of Registrant (include ZIP Code):

DOWELANCO  
9330 Zionsville Road  
Indianapolis, IN 46268-1054

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act.

Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

This product is conditionally registered in accordance with FIFRA sec. 3(c)(7)(C) and (B) since you have agreed in your letter dated May 15, 1997 to submit certain data by the date specified and label conditions.

## 1. Make the following label changes:

a. Revise the EPA Registration Number to read, "EPA Reg. No. 62719-291."

b. Since Spinosad is not an acceptable common name, the ingredient statement must contain the complete chemical name. Once the common Spinosad has been accepted by IUPAC, the common name in conjunction with the chemical name will be permitted in the ingredient statement.

c. The "Keep Out of Reach of Children and Signal Word" must be separate from the Precautionary Statement heading and paragraph.

d. The Precautionary Statement heading must be revised to read as follows:

PRECAUTIONARY STATEMENT  
HAZARDS TO HUMANS AND DOMESTIC ANIMALS  
CAUTION

Signature of Approving Official:

*Adam H. Gwonec*  
George T. LaRocca, Product Manager (13)

Date: June 2, 1997

e. With respect to application techniques (e.g. define suitable application equipment), you must specify the type of equipments to be used with product.

f. Please explain why reapplication intervals are specified in the label footnote for certain pests, but not for others.

g. In the table for ornamental, regarding application rate, add a footnote providing for a minimal reapplication interval of 7-days. Data reviewed was based on 5 applications at 0.66 lb ai/A with reapplication interval of 7-days.

h. You may delete the statement "Causes Eye Irritation and First Aid Statement" since the data indicates Tox Category IV for this route of exposure. However, if you select to keep the First Aid statement, the statement should be revised to read as follows:

"If On Skin: Wash with plenty of soap and water. Get medical attention if irritation persists."

NOTE: The first aid statement should follow the precautionary statement.

i. Revise the precautionary statement to read as follows: "Harmful if absorbed through skin. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling."

j. Add a referral statement to the basic label if there is more than one label panel.

k. Under the PPE statement, add "Waterproof gloves" similar to that on the TRACER label.

1. Delete the first sentence in the second paragraph under General Information and replace with the following, "Conserve SC Turf and Ornamental Insect Control is fermentation-derived insect control agent for insect control and management on turfgrass and ornamental."

2. In regards to product chemistry data, submit the results of the corrosion characteristics (GRN 63-20).

3. Submit three (3) copies of the revised final printed label for the record.

4. The acute toxicity data for TRACER (EPA Reg. NO. 62719-267) can be used in support of Conserve SC Turf & Ornamental product.

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

A stamped copy of the label is enclosed for your records.

George T. LaRocca  
Product Manager 13  
Insecticide-Rodenticide Branch  
Registration Division (7505C)

Enclosure:

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# Conserve\* SC Turf and Ornamental

EPA Reg. No. 62719-XXX

## Registration Notes:

Proposed Labeling for Section 3 Registration.

\*Trademark of DowElanco

ACCEPTED  
with COMMENTS  
in EPA Letter Dated

JUN - 2 1997

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

62719-291

96 DEC -3 AMO:21

REC'D LIA/OPP/DPD1

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(Base Label)

(Logo) DowElanco

## Conserve\* SC Turf and Ornamental

For control of lepidopterous larvae (such as: cutworm, sod webworm, armyworm, Eastern tent caterpillar, gypsy moth larvae, bagworm, fall webworm, and others), sawflies, Chrysomelid leaf feeding beetles such as elm and willow leaf beetles, Dipterous gall midges, thrips, and Dipterous leafminers infesting turfgrass and ornamentals.

|   |        |
|---|--------|
| Active Ingredients: spinosad (a mixture of spinosyn A and spinosyn D) ..... | 11.6%  |
| Inert Ingredients .....   | 88.4%  |
| Total .....   | 100.0% |

Contains 1 pound of active ingredient per gallon.

U.S. Patent No. 5,362,634

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### Precautionary Statements

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#### Hazards to Humans and Domestic Animals

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).

Causes eye irritation

Avoid contact with eyes or clothing.

#### Personal Protective Equipment (PPE)

Non-WPS Uses [Any use NOT covered by the Worker Protection Standard (40 CFR Part 170)]:  
There are no specific PPE requirements for applicators and other handlers; however, the following is recommended as a minimum:

- Short-sleeved shirt and long pants
- Shoes plus socks

ACCEPTED  
with COMMENTS  
in EPA Letter Dated

JUN - 2 1997

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

62-719-291

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**WPS Uses:** Applicators and other handlers who handle this product for any use covered by the Worker Protection Standard (40 CFR Part 170) -- such as agricultural plants grown for sale or research purposes in nurseries and sod and seed farms -- must wear:

- Long-sleeved shirt and long pants
- Shoes plus socks

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.

### **First Aid**

**If in eyes:** Flush eyes with plenty of water. Call a physician if irritation persists.

### **Environmental Hazards**

This product is highly toxic to bees exposed to direct spray on blooming crops or other vegetation. Avoid use when bees are actively foraging. Bee foraging and protective information may be obtained from your Cooperative Agricultural Extension Service. This product is highly toxic to aquatic invertebrates. Do not apply directly to water, 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.

### **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 before using. Use only according to label directions.

In case of emergency endangering health or the environment involving this product, call collect 517-636-4400.

EPA Reg. No. 62719-XXX

\*Trademark of DowElanco

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

EPA Est. 00000-XX-00

## **Insect Control**

Net Contents XXX

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(Label Booklet cover)

(Logo) DowElanco

## Conserve\* SC Turf and Ornamental

For control of lepidopterous larvae (such as: cutworm, sod webworm, armyworm, Eastern tent caterpillar, gypsy moth larvae, bagworm, fall webworm, and others), sawflies, Chrysomelid leaf feeding beetles such as elm and willow leaf beetles, Dipterous gall midges, thrips, and Dipterous leafminers infesting turfgrass and ornamentals.

|   |        |
|---|--------|
| Active Ingredients: spinosad (a mixture of spinosyn A and spinosyn D) ..... | 11.4%  |
| Inert Ingredients .....   | 88.6%  |
| Total .....   | 100.0% |

Contains 1 pound of active ingredient per gallon.

U.S. Patent No. 5,362,634

**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 the 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) and User Safety Recommendations, and Directions for Use including Storage and Disposal.

**Notice:** Read the entire label before using. Use only according to label directions.

In case of emergency endangering health or the environment involving this product, call collect 517-636-4400.

EPA Reg. No. 62719-XXX

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EPA Est. 00000-XX-00

## Insect Control

Net Contents XXX

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(page 1 through end)

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**Precautionary Statements**

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**Hazards to Humans and Domestic Animals****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.)

**Causes eye irritation**

**Avoid contact with eyes or clothing.**

**• Personal Protective Equipment (PPE)**

**Non-WPS Uses [Any use NOT covered by the Worker Protection Standard (40 CFR Part 170)]:**

**There are no specific PPE requirements for applicators and other handlers; however, the following is recommended as a minimum:**

- Short-sleeved shirt and long pants
- Shoes plus socks

**WPS Uses: Applicators and other handlers who handle this product for any use covered by the Worker Protection Standard (40 CFR Part 170) -- such as agricultural plants grown for sale or research purposes in nurseries and sod and seed farms -- must wear:**

- Long-sleeved shirt and long pants
- Shoes plus socks

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.

**First Aid**

**If in eyes:** Flush eyes with plenty of water. Call a physician if irritation persists.

**Environmental Hazards**

This product is highly toxic to bees exposed to direct spray on blooming crops or other vegetation. Avoid use when bees are actively foraging. Bee foraging and protective information may be obtained from your Cooperative Agricultural Extension Service. This product is highly toxic to aquatic invertebrates. Do not apply directly to water, 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.

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**Directions for Use**

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It is a violation of Federal law to use this product in a manner inconsistent with its labeling.  
Read all Directions for Use before applying.

**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 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.

Do not enter or allow worker entry into treated areas during the restricted entry interval (REI) of 4 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
- Waterproof gloves
- Shoes plus socks

**Non-Agricultural Use Requirements**

The requirements in this box apply to uses of this product that are NOT within the scope of the Worker Protection Standard for agricultural pesticides (40 CFR Part 170). The WPS applies when this product is used to produce agricultural plants in nurseries and on sod and seed farms.

- Adults, children, and pets should not contact treated surfaces until the spray has dried.

**Storage and Disposal**

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

**Storage:** Store in original container only. Avoid freezing. In case of leak or spill, contain material with absorbent materials and dispose as waste.

**Disposal:** Wastes resulting from the use of this product may be disposed of on site according to label use directions 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 by incineration, or, if allowed by state and local authorities, by burning. If burning, stay out of smoke.

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## General Information

Conserve\* SC Turf and Ornamental insect control is recommended for control of lepidopterous larvae (such as: cutworm, sod webworm, armyworm, Eastern tent caterpillar, gypsy moth larvae, bagworm, fall webworm, and others), sawflies, Chrysomelid leaf feeding beetles such as elm and willow leaf beetles, Dipterous gall midges, thrips, and Dipterous leafminers infesting turfgrass and ornamentals. Conserve SC should be mixed with water and applied with suitable hand or power-operated application equipment in a manner to provide complete and uniform plant coverage.

Conserve contains the insect control agent spinosad which is derived from a naturally occurring organism. Due to its unique mode of action, Conserve can be used in resistance management programs in rotation with any other class of products.

## Integrated Pest Management (IPM) Programs

Conserve is recommended for IPM programs including insect control on turfgrass and ornamentals. Other than reducing the target pest species as a food source, Conserve does not significantly impact the natural predaceous arthropod complexes including ladybird beetles, lacewings, minute pirate bugs, and predatory mites. The feeding activities of these predatory beneficials will aid in extending natural control of other insect pests and reduce the likelihood of secondary pest outbreaks. Conserve will not flare aphids or mites. If Conserve is tank mixed with any insect control product that reduces its selectivity in preserving predatory beneficials, then the full benefit of Conserve to the IPM program may not be realized.

## Mixing

**Mixing Conserve SC (Suspension Concentrate) Alone:** Fill the spray tank with water to about 1/2 of the total spray volume required. Start agitation and add the required amount of Conserve SC. Continue mixing and agitation while filling the spray tank to the required spray volume. Maintain sufficient agitation during application to ensure uniformity of the spray mix. Do not allow water or spray mixture to back-siphon into the water source.

**Tank Mixing:** When tank mixing Conserve SC with other materials, a compatibility test (jar test) using relative proportions of tank mix ingredients should be conducted prior to mixing ingredients in the spray tank. Vigorous, continuous agitation during mixing and filling, and throughout application is needed for all tank mixes. Sparger pipe or mechanical agitators generally provide the most effective agitation in spray tanks. To prevent foaming in the spray tank, avoid stirring or splashing air into the spray mixture.

**Mixing Order for Tank Mixes:** Fill the spray tank with water to 1/4 to 1/3 of the total spray volume required. Start agitation. Add different formulation types in the order indicated below, allowing time for complete mixing and dispersion after addition of each product. Allow extra mixing and dispersion time for water dispersible granules and dry flowable products. Dry and flowable formulations may be premixed with water (slurried) and added to the spray tank through a 20-35 mesh screen. This procedure assures good initial dispersion of these formulation types.

Add different formulation types in the following order:

1. Water dispersible granules and dry flowables;
2. Wettable powders;
3. Conserve SC and other suspension concentrates.

Maintain agitation and fill spray tank to 3/4 of total spray volume. Then add:

4. Emulsifiable concentrates and water-based solutions;
5. Spray adjuvants.

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Finish filling the spray tank. Maintain continuous agitation during mixing and final filling, and throughout application. If spraying and agitation must be stopped before the spray tank is empty, the materials may settle to the bottom. Settled materials must be resuspended before spraying is resumed. A sparger pipe or mechanical agitator is particularly useful for this purpose.

### General Use Precautions

Adults, children, and pets should not contact treated surfaces until the spray has dried.

Do not treat pets.

Do not treat vegetable gardens.

Do not treat vegetables or fruit trees (transplants, seedlings, or mature plants).

Do not use in greenhouses or enclosed structures. Use of Conserve in lath and shadehouses is permitted.

Do not graze livestock in treated areas.

Do not feed treated grass cuttings (hay) or seed screenings to livestock or use hay for livestock bedding.

Keep out of fish pools and other bodies of water.

### Approved Uses

#### Turfgrass

Use Conserve to control insect pests listed in the following table. Dilute Conserve in water and apply using suitable hand or power-operated application equipment. Conserve may be used up to a maximum labeled rate of 1.25 fl oz/1000 sq. ft. (52 fl oz/acre) per application on turfgrass as a general treatment regardless of the target insect pest. Use recommended pest specific rates when a single insect pest or group of insect pests within a rate category is the only intended target.

Conserve may be tank mixed with other insect control products if broader spectrum insect control is required. When using tank mixtures, also follow all label directions of the mixing partner(s).

| Turfgrass Pests †                            | Conserve SC<br>fl oz/1000 sq. ft.<br>(ml/1000 sq. ft.) †† | Conserve SC<br>fl oz/acre<br>(ml/acre) †† |
|--|---|---|
| Armyworms-small larvae (Such as: Fall) (1)   | 0.25 fl oz/1000 sq. ft.                                   | 10 fl oz/acre                             |
| Sod webworms (including Tropical) (2)        | (7 ml/1000 sq. ft.)                                       | (296 ml/acre)                             |
| Cutworms-small larvae (Such as: Black) (1,2) | 0.8 fl oz/1000 sq. ft.                                    | 35 fl oz/acre                             |
|  | (24 ml/1000 sq. ft.)                                      | (1035 ml/acre)                            |
| Armyworms-large larvae (Such as: Fall) (1)   | 1.25 fl oz/1000 sq. ft.                                   | 52 fl oz/acre                             |
| Cutworms-large larvae (Such as: Black) (1,2) | (37 ml/1000 sq. ft.)                                      | (1538 ml/acre)                            |
| Fleas (Such as: Cat) (3)                     |   |   |

† Numbers in parentheses refer to "Specific Directions"

†† ml=milliliters, 1ml=1cc (cubic centimeter)

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**Specific Directions:**

1. **Fall armyworm** and **Black cutworm** larvae: The lower rate may be used for control of light infestations of small larvae; the higher rate should be used for control of heavy infestations and large larvae. Applications for **Fall armyworms** during the early morning or late afternoon can maximize control. Watering or mowing of the treated area should be delayed for 12 to 24 hours after treatment.
2. **Black cutworm**, **Sod webworm**, and **Tropical sod webworm** larvae: Applications during the late afternoon or early evening can maximize control. Watering or mowing of the treated area should be delayed for 12 to 24 hours after treatment.
3. Control of **Cat fleas** may be provided by direct contact of adults and larvae with the dilute spray prior to drying. A second application after 7-14 days is recommended to control adults that have emerged from pupae that may have been present during the initial treatment. Thorough spray coverage is necessary for outside areas frequented by pets. **Do not treat pets with Conserve.**

**Ornamentals (Herbaceous and Woody) Growing  
Outdoors or in Nurseries**

Use Conserve to control insect pests listed in the following table. Dilute Conserve in water and apply using suitable hand or power-operated application equipment in a manner to provide complete and uniform plant coverage. Attempt to penetrate dense foliage, but avoid over-spraying to the point of excessive runoff. Uniform coverage is critical for effective insect control.

Conserve may be used up to a maximum labeled rate of 0.2 fl oz/gallon (22 fl oz/100 gallons) per application on ornamentals as a general treatment regardless of the target insect pest. Use recommended pest specific rates when a single insect pest or group of insect pests within a rate category is the only intended target.

Conserve may be tank mixed with other insect control products if broader spectrum insect control is required. When using tank mixtures, also follow all label directions of the mixing partner(s).

**Phytotoxicity:** Conserve has been tested on a wide variety of herbaceous and woody ornamental plants without phytotoxic symptoms. However, because it is not possible to test all ornamental plant species, varieties, and cultivars and because environmental factors and varietal and plant stage of growth may affect phytotoxic expression, it is recommended that a small group of test plants be treated at the anticipated use rate and observed for at least 5 to 7 days to determine phytotoxicity before treating large numbers of those plants. **Note:** The professional user assumes responsibility for determining if Conserve is safe to treated plants under commercial growing conditions.

**Use Precaution:** Do not use Conserve in greenhouses or enclosed structures. Use of Conserve in lath and shadehouses is permitted.

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| Ornamental Pests †  | Conserve SC<br>fl oz/gallon<br>(ml/gallon) †† | Conserve SC<br>fl oz/100 gallons<br>(ml/100 gallons) †† |
|---|---|---|
| Chrysomelid leaf feeding beetles (Such as:<br>Elm leaf, Willow leaf) (1)  | 0.06 fl oz/gallon<br>(2 ml/gallon)            | 6 fl oz/100 gallons<br>(177 ml/100 gallons)             |
| Lepidopterous larvae (Such as: Bagworm,<br>Beet armyworm, E. tent caterpillar, Fall<br>webworm, Gypsy moth, Hickory tussock<br>moth, Spruce budworm, Yellownecked<br>caterpillar) (2) |   |   |
| Sawfly larvae (Such as: European pine)  |   |   |
| Thrips (exposed) (Such as: Cuban laurel,<br>Western flower) (3)   |   |   |
| Dipterous gall midges (Such as: Honeylocust<br>pod gall) (4)  | 0.1 fl oz/gallon<br>(3 ml/gallon)             | 11 fl oz/100 gallons<br>(325 ml/100 gallons)            |
| Dipterous leafminers (Such as: Serpentine) (5)  | 0.2 fl oz/gallon<br>(6 ml/gallon)             | 22 fl oz/100 gallons<br>(651 ml/100 gallons)            |
| Spider mites (Such as: Spruce, Two-spotted) (6)<br>(See no. 6 below for mite suppression/control<br>expectations)   |   |   |

† Numbers in parentheses refer to "Specific Directions"

†† ml=milliliters, 1ml=1cc (cubic centimeter)

**Specific Directions:**

- For effective control of **Elm leaf beetle** and **Willow leaf beetle** adults and larvae, applications should be made in the spring or early summer when feeding is observed.
- Lepidopterous larvae:**
  - For effective control of **Bagworms**, applications should be made when bags are small and larvae are actively feeding.
  - For effective control of **Beet armyworms**, applications should be made when larvae are small.
  - For effective control of **E. tent caterpillar** and **Fall webworms**, applications should be made early when webs are first observed and the spray should be directed into the web and surrounding foliage within at least three feet of the nest.
  - For effective control of **Gypsy moth** larvae, applications should be made when larvae are small and all eggs have hatched.
  - For effective control of **Spruce budworms**, applications should be made when larvae are exposed and actively feeding.
- For effective control of exposed **Cuban laurel thrips** and **Western flower thrips**, it is recommended to treat early at first signs of infestation and repeat until infestation is controlled.
- For effective control of **Honeylocust pod gall midges**, growing tips of plants should be treated as growth starts in the spring with retreatments at 7-10 day intervals until infestation is controlled.
- For effective control of **Serpentine leafminers**, it is recommended to treat early when stippling or mining of leaves is first observed and repeat until infestation is controlled.
- Spruce spider mites** and **Two-spotted spider mites**: It is recommended to begin treatment when spider mites are first observed prior to webbing and before mite populations have become severe. Reapply after 3-5 days in the south and 7-10 days in the north to contact newly hatched nymphs and repeat until infestation is managed. Uniform coverage of both upper and lower leaf surfaces is critical.

**Note:** Control of spider mites with Conserve in certain university, contract research, and EUP evaluations has been variable. The variability between these evaluations is not well understood but may be due to late application timing when mite populations and webbing were severe, poor spray coverage of both the upper and lower leaf surfaces, or interaction of the leaf surface with Conserve residues.

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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 Risks of Use**

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It is impossible to eliminate all risks associated with use of this product. Crop 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.

\*Trademark of DowElanco

EPA-accepted   /  /