

62719-573

11/20/2006

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U.S. ENVIRONMENTAL PROTECTION AGENCY

Office of Pesticide Programs
Registration Division (7505P)
Ariel Rios Building
1200 Pennsylvania Ave., NW
Washington, D.C. 20460

EPA Reg. Number:

62719-573

Date of Issuance:

NOV 20 2006

NOTICE OF PESTICIDE:

Registration
 Reregistration
(under FIFRA, as amended)

Term of Issuance: **Conditional**

Name of Pesticide Product:

MCP Ester Herbicide

Name and Address of Registrant (include ZIP Code):

**Dow AgroScience LLC
9330 Zionsville Road
Indianapolis, IN 46268**

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)(A) and (B) provided that you:

1. Submit and/or cite all data required for registration/reregistration of your product when the Agency requires all registrants of similar products to submit such data.
2. Make the following label change:
 - a. Revise the EPA Registration Number to read, EPA Reg. No. **62719-573**.
3. Submit one copy of the revised final printed label for the record before you release the product for shipment.

Signature of Approving Official:

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

Date:

NOV 20 2006

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.

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

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(Base label):

(logo) Dow AgroSciences

MCP Ester Herbicide

For selective control of many broadleaf weeds in wheat, barley, oats, rye, flax, peas, sod farms, grasses grown for seed, pasture and rangeland, and non-cropland areas.

Active Ingredient:

2-methyl-4-chlorophenoxyacetic acid, 2-ethylhexyl ester	68.7%
Other Ingredients	31.3%
Total	100.0%

Acid equivalent: 44.1% - 3.7 lb per gallon.
Contains petroleum distillates

Keep Out of Reach of Children

WARNING **AVISO**

**ACCEPTED
with COMMENTS
In EPA Letter Dated:**

NOV 20 2006
Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.

62719-573

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 Moderate Eye Irritation • Causes Skin Irritation • Harmful If Swallowed Or Absorbed Through The Skin • Prolonged or frequently repeated skin contact may cause allergic skin reaction

Do not get on skin or on clothing. Avoid contact with eyes.

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 E on an EPA chemical resistance category selections chart.

Applicators and other handlers must wear:

- Coveralls over short-sleeved shirt and short pants
- Chemical-resistant gloves such as Barrier Laminate, Nitrile Rubber, Neoprene Rubber, or Viton
- Chemical-resistant footwear plus socks
- Chemical-resistant headgear for overhead exposure
- Chemical-resistant apron when cleaning equipment, mixing, or loading

Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them. 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.

Engineering Controls Statements

When handlers use enclosed cabs, or aircraft in a manner that meets the requirements listed in the Worker Protections Standard (WPS) for agricultural pesticides [40 CFR 170.240 (d) (4-6)], the handler PPE requirements may be reduced or modified as specified in the WPS.

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 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.

If swallowed: Immediately call a poison control center or doctor. Do not induce vomiting unless told to do so by a poison control center or doctor. Do not give **any** liquid to the person. Do not give anything by mouth to an unconscious person.

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

Drift or runoff may adversely affect nontarget plants. For terrestrial uses, 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 or rinsate.

Mixing and Loading: Most cases of groundwater contamination involving phenoxy herbicides such as MCP Ester have been associated with mixing/loading and disposal sites. Caution should be exercised when handling MCP Ester pesticides at such sites to prevent contamination of groundwater supplies. Use of closed systems for mixing and transferring this pesticide will reduce the probability of spills. Placement of the mixing/loading equipment on an impervious pad to contain spills will help prevent groundwater contamination.

Cleaning of Equipment: When cleaning equipment, do not pour washwaters on the ground. Spray or drain over a large area away from wells and other water sources.

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 using this product, read Warranty Disclaimer, Inherent Risks of Use, and Limitation of Remedies at end of label booklet. If terms are unacceptable, return at once unopened.**

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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.

EPA Reg. No. 62719-XXX

EPA Est. _____

Dow AgroSciences LLC • Indianapolis, IN 46268 U.S.A.

Net Contents __ gal

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(cover):

(logo) Dow AgroSciences

MCP Ester Herbicide

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

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(Page 1 through end):

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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 E on an EPA chemical resistance category selections chart.

Applicators and other handlers must wear:

- Coveralls over short-sleeved shirt and short pants
- Chemical-resistant gloves such as Barrier Laminate, Nitrile Rubber, Neoprene Rubber, or Viton
- Chemical-resistant footwear plus socks
- Chemical-resistant headgear for overhead exposure
- Chemical-resistant apron when cleaning equipment, mixing, or loading

Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them. 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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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.
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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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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

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.

Mixing and Loading: Most cases of groundwater contamination involving phenoxy herbicides such as MCP Ester have been associated with mixing/loading and disposal sites. Caution should be exercised when handling MCP Ester pesticides at such sites to prevent contamination of groundwater supplies. Use of closed systems for mixing and transferring this pesticide will reduce the probability of spills. Placement of the mixing/loading equipment on an impervious pad to contain spills will help prevent groundwater contamination.

Cleaning of Equipment: When cleaning equipment, do not pour washwaters on the ground: Spray or drain over a large area away from wells and other water sources.

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 over short-sleeved shirt and short pants
- Chemical-resistant gloves such as Barrier Laminate, Nitrile Rubber, Neoprene Rubber, or Viton
- Chemical-resistant footwear plus socks
- Chemical-resistant headgear for overhead exposure

Storage and Disposal

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

Pesticide Storage: Do NOT store in freezing temperatures. If allowed to freeze, remix before using. Do not transport with or store near fertilizers, seeds, insecticides, or fungicides.

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

Plastic Container Disposal: Triple rinse (or equivalent). Then dispose of in a sanitary landfill, or by incineration, or, if allowed by local authorities, by burning. If burned, stay out of smoke.

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

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General Information

MCP Ester herbicide is an emulsifiable concentrate for selective control of many broadleaf weeds in wheat, barley, oats, rye, flax, peas, sod farms, grasses grown for seed, pasture, rangeland, and non-cropland areas.

General Use Precautions

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

Avoiding Injury to Non-target Plants

Avoid contact with susceptible crops and other desirable broadleaf plants. This product is injurious to most broadleaf plants. Therefore, do not apply directly to or otherwise permit even minute amounts (as in spray mist) to contact cotton, grapes, tobacco, fruit trees, vegetables, flowers, ornamentals or other desirable plants. Do not use in or near a greenhouse.

Do not apply this product in the vicinity of cotton, grapes, tobacco, tomatoes, or other desirable susceptible crops or ornamental plants.

Do not spray when wind is blowing toward susceptible crops or ornamental plants.

Spray Drift Precautions

Avoiding spray drift is the responsibility of the applicator. The interaction of many equipment-and-weather-related factors determine the potential for spray drift. The applicator and grower are responsible for considering all of these factors when making decision to apply this product.

Applications should be made only when there is little no hazard from spray drift since very small quantities of the spray, which may not be visible, may severely injure susceptible crops during both growing and dormant periods. Use coarse sprays to minimize drift since, under certain weather conditions, fine spray droplets may drift a mile or more. A spray thickening agent may be used with this product to aid in reducing spray drift. If used, follow all use recommendations and precautions on the product label.

Aerial Application: The following drift management requirements must be followed to avoid off-target drift movement from aerial applications.

1. The distance between the outer most nozzles on the boom must not exceed 3/4 the length of the wingspan or rotor.
2. Nozzles must always point backward parallel to the air stream and never downward more than 45 degrees.

Where states have more stringent regulations, they should be observed.

The applicator should be familiar with and take into account the information covered in the Aerial Drift Reduction Advisory.

Ground Application: With ground equipment, spray drift can be lessened by keeping the spray boom as low as possible; by applying 10 or more gallons of spray per acre; by using no more than 20 psi spraying pressure with large-droplet producing nozzle tips; by spraying when wind velocity is low; and by stopping all spraying when wind exceeds 8 miles per hour. Do not apply with hollow cone-type insecticide or other nozzles that produce hazardous amounts of fine spray droplets.

Determine Air Movement and Direction Before Application: Use a smoke generator or other means at or near the application site to detect air movement, air stability, or temperature inversion. A temperature inversion is indicated when smoke does not rise in a column, but layers above the ground,

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and is most likely to occur in early morning or evening under calm or nearly calm conditions. Do not apply when there is a temperature inversion. Use appropriate drift control measures or avoid application when smoke indicates wind direction is toward desirable susceptible plants or sensitive areas.

Mixing and Loading

Most cases of groundwater contamination involving phenoxy herbicides such as MCP Ester have been associated with mixing/loading and disposal sites. Caution should be exercised when handling MCP pesticides at such sites to prevent contamination of groundwater supplies. Use of closed systems for mixing and transferring this pesticide will reduce the probability of spills. Placement of the mixing/loading equipment on an impervious pad to contain spills will help prevent groundwater contamination.

Cleaning of Equipment

To avoid injury to desirable plants, do not handle or apply other agricultural chemicals with the same containers used for this product. Do not apply other agricultural chemicals or pesticides with equipment used to apply this product unless equipment has been thoroughly cleaned to remove all traces of this product. Local regulations may affect the use of herbicides. Consult your state agricultural experiment station or extension service weed specialist for cleaning methods which are in compliance with local regulations.

Disposal of Washwaters or Rinsate: When cleaning equipment, do not pour washwater on the ground; spray or drain over a large area or treatment site away from wells and other water sources.

Weeds Controlled

Susceptible (Most Areas)	Less Susceptible
beggarticks	buttercup
cocklebur	chervil
goatsbeard	dandelion
hemlock, poison	kochia
hempenettle	lettuce, miner's
lambsquarters	nettle, stinging
marshelder	pigweed, Russian
mint, dragonhead	plantains
mustards, annual	purslane
pepperweed, field	sowthistle, perennial
puncturevine	sunflower
radish, wild	thistle, Canada
ragweed	vetch
shepherdspurse	whitetop (hoary cress)
sowthistle, annual	
stinkweed	
yellow rocket	
many others	

Local conditions may affect the use of this product. Consult your state agricultural experiment station or extension service weed specialist in selecting treatments from this label to best fit local conditions.

Mixing

Mix MCP Ester only with water. Fill the mixing tank or spray tank about 3/4 full, then add the required amount of MCP Ester with agitation, and then add the rest of the water with continuing agitation. **Note:** Adding oil, wetting agent or other surfactant to the spray mixture may reduce selectivity to crops, possibly resulting in crop injury.

Application

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Apply MCP Ester when weeds are young and actively growing. Where a rate range is given, use lower rates for young, succulent growth of sensitive weed species and higher rates for less sensitive species and when growing conditions are less favorable. Uniform spray coverage is necessary. Use moderate spray pressure (20 psi) and enough spray volume for good coverage, 5 or more gallons per acre for ground application and at 3 or more gallons per acre for aerial application. Increase spray volume to improve coverage of dense foliage. To avoid increasing spray drift, always use larger nozzle tips to increase spray volume rather than increasing spray pressure.

Spot Spraying: Hand-held sprayers may be used for spot applications. Care should be taken to apply the spray uniformly and at a rate equivalent to a broadcast application. Application rates in the table (fl oz/ml) are equivalent to the indicated broadcast application rate (pt/acre) when mixed with 1 to 3 gallons of water and applied to an area of 1,000 sq ft. To calculate the amount of product required for areas larger than 1,000 sq ft, multiply the table value (fl oz/ml) by the "thousands" of sq ft to be treated (e.g., 3,500 sq ft + 1,000 = 3.5 thousands).

Table values are the amount of product to be mixed with 1 to 3 gallons of spray and applied to 1,000 sq ft.			
Equivalent Broadcast Rate (pt/acre)			
1/2 pt/acre	1 pt/acre	2 pt/acre	3 pt/acre
1/5 fl oz (5.4 ml)	3/8 fl oz (11 ml)	3/4 fl oz (22 ml)	1.1 fl oz (33 ml)

[†]1 fl oz = 29.6 (30) ml

Weed Control in Crops

Agricultural Use Requirements for Crops: For the following crop uses, follow PPE and Reentry instructions in the "Agricultural Use Requirements" section of this label.

Flax

For control of susceptible weeds, apply MCP Ester at a rate of 1/4 to 1/2 pint per acre using ground or aerial equipment. Apply when weeds have emerged and flax is 4 to 8 inches tall, but **before** buds have formed. Treatment after bud stage may result in severe crop injury. If Canada thistle is present, up to 3/4 pint per acre may be required to prevent seedhead production, but some injury to flax may result.

Restriction:

- Do not forage or graze meat animals on treated areas within seven days of slaughter.
- Do not graze dairy animals on treated areas until seven days after treatment.

Small Grains (Wheat, Oats, Barley, and Rye)

Restrictions (Small Grains):

- Do not graze dairy animals on treated areas until seven days after treatment.
- Do not forage or graze meat animals on treated areas within seven days of slaughter.

Wheat, Barley, Oats or Rye Not Underseeded to Legumes

Apply as a broadcast spray using aircraft or ground equipment. Use a spray volume of 3 or more gallons per acre by air and 10 or more gallons per acre by ground. Apply MCP Ester at a rate of 1/2 to 1 pint per acre for the more susceptible weeds after crop has reached the 3 to 4 leaf stage up to boot stage. Do not apply during the boot to dough stage of crop growth. Do not apply if crop is underseeded with a legume.

Emergency Treatment for Perennial Broadleaf Weeds: Apply after crop is tillered and at least 8 to 10 inches tall up to early boot stage. Apply MCP Ester at 1 1/2 to 3 pints per acre for perennial and less

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susceptible weeds. Perennial weeds are most susceptible when approaching the bud stage of growth. Do not apply during boot to dough stage of crop growth. These higher rates can produce crop injury and should be used only where the severity of the weed infestation justifies the risk of potential crop damage. Where weeds are scattered, consider spot application.

Peas (For Use in the Pacific Northwest Only)

Use only where recommended by local agricultural extension service or experiment station specialists. For control susceptible weeds apply MCP Ester at a rate of 1/4 to 1/3 pint per acre. Use a spray volume of 15 or more gallons per acre for ground application or 5 or more gallons per acre if applied by aircraft. Apply before first flowering when peas are 3 to 7 inches tall and when weeds are small. Higher rates of 1/2 to 3/4 pint per acre may be used to improve control of difficult weeds but crop injury is more likely to occur. Do not apply if peas are taller than 7 inches or when peas are stressed for lack of soil moisture. Do not apply when air temperature is over 90 F. **Note: This product can cause injury and delayed maturity in the pea crop.**

Restrictions:

- Do not allow livestock to forage or graze treated fields or feed treated vines to livestock.
- Do not treat bean-type peas such as Crowder, Blackjack, etc.

Grasses Grown for Seed

Apply MCP Ester as a broadcast spray at 1 to 2 pints per acre using ground equipment or aircraft. Use a spray volume of 10 or more gallons per acre by ground or 3 or more gallons per acre by air. Use a higher rate in rate range for heavy infestations or less susceptible weed species. In established grasses apply in spring before head comes into boot. On newly seeded areas, do not apply until grass is well established as indicated by development of tillering and a secondary root system. Where grass seed production is desired, do not apply from early boot to milk stage of crop development.

Note: Repeat applications may be required for less susceptible weeds. In some areas, bent, buffalo grasses may be injured.

Weed Control In Rangeland, Pasture, Ornamental Turf, and Non-Cropland Areas

Use Requirements for Rangeland, Pasture, Turf, and Non-Cropland Areas: No Worker Protection Standard worker entry restrictions or worker notification requirements apply when this product is applied to rangeland, pasture, ornamental turf, or non-cropland areas.

Established Pastures and Rangeland

Apply MCP Ester as a broadcast spray at a rate of 1 to 4 pints per acre using ground equipment or aircraft. Use sufficient spray volume for thorough coverage; 10 or more gallons per acre by ground or 3 or more by aircraft. For best results, apply when weeds are small and actively growing. Use higher rate dense weed infestations and for whitetop, Canada thistle, buttercup, and other less susceptible weeds. Spray perennials in early-bud to full bloom stage and regrowth in the fall. Treat other weeds in spring or fall. Legumes may be injured or killed. Do not use this treatment where legumes, especially alfalfa, are present and desirable. Do not use on newly seeded areas until grass is well established.

Restrictions:

- Do not forage or graze livestock on treated areas within seven days of treatment.
- Do not graze dairy animals on treated areas until seven days after treatment.

Ornamental Turf

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(Golf courses, cemeteries, parks, and similar established grass areas)

For broadcast application, apply MCP Ester at a rate of 1 to 3 pints per acre in a spray volume of 10 or more gallons of water. Use a higher rate in rate range for heavy infestations or less susceptible weed species. For best results, apply in spring or fall when weeds are rapidly growing and do not mow for 2 days before or after application. For spot treatment or treatment of small areas, use 1 fluid ounce per 1000 sq ft in 1 to 3 gallons of spray and apply uniformly.

Note: Repeat applications may be required for less susceptible weeds. In some areas, bent, buffalo, carpet, and St. Augustine grasses may also be injured.

Do not apply MCP Ester around houses, recreation sites, or similar areas.

Non-Cropland Areas

For control of weeds such as Canada thistle, whitetop, meadow buttercup, field bindweed (morningglory) and Texas blueweed in non-crop areas such as fence rows, farm yards, shelter-belts and roadsides: For spot treatment, use 2.2 fl oz of MCP Ester in 1 to 3 gallons of water per 1000 sq ft, or 6 pt per acre in a spray volume of 15 to more gallons to control weeds such as Canada thistle, whitetop, meadow buttercup and Texas blueweed. Apply when weeds are in bud to early bloom and growing vigorously. Treat fall regrowth if necessary.

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.

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.

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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.

EPA-Accepted: __/__/__