



U.S. ENVIRONMENTAL PROTECTION AGENCY
Office of Pesticide Programs
Registration Division (7505C)
1200 Pennsylvania Ave., N.W.
Washington, D.C. 20460

EPA Reg. Number:
66222-57

Date of Issuance:
MAY 21 2004

NOTICE OF PESTICIDE:
 X Registration
 Reregistration

Term of Issuance:
Conditional

Name of Pesticide Product:
Rimon™ 7.5WG Insecticide

(under FIFRA, as amended)

Name and Address of Registrant (include ZIP Code):

Makhteshim-Agan of North America
551 Fifth Avenue, Suite: 1100
New York, N.Y. 10176

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) 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 changes before you release the product for shipment:
 - a. Revise the EPA Registration Number to read, "EPA Reg. No. 66222-57".
 - b. Replace the statements in "IF ON SKIN OR CLOTHING" under FIRST AID section with the following:
 - Take off contaminated clothing
 - Rinse skin immediately with plenty of water for 15-20 minutes
 - Call a poison control center or doctor for treatment advice
 - c. Delete the statement "Have the product container ... going for treatment" inside the FIRST AID box as it is repeated in the next statement starting with "EMERGENCY ASSISTANCE."

Signature of Approving Official:

Daniel C. Kenny, Product Manager (01)
Insecticide-Rodenticide Branch, Registration Division (7505C)

Date:

MAY 21 2004

- d. Add the appropriate Net Contents statement.
- e. Revise the Precautionary Statements to read as follows:

"WARNING. Causes substantial but temporary eye injury. Harmful if absorbed through the skin. Harmful if swallowed. Do not get in eyes or clothing. Avoid contact with skin. Wash thoroughly with soap and water after handling and before eating, drinking or using tobacco. Remove and wash contaminated clothing before reuse."
- f. Revise the Environmental Hazards section (page 2) to read as follows:

"This pesticide is toxic to fish and aquatic invertebrates. Do not apply directly to water, to areas where surface water is present, or to intertidal areas below the mean water mark. Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas. Do not contaminate water when disposing of equipment wash waters or rinsate. A level, well maintained vegetative (grass) buffer strip between treated areas and areas containing surface water such as ponds, streams, and springs will reduce the potential for contamination of water from rainfall-runoff. Runoff of this product will be reduced by avoiding applications when rainfall is forecasted to occur within 48 hours. Sound erosion control practices will reduce this product's contribution to surface water contamination."
- g. Add the following tank mix instructions at the end of 1st paragraph under "GENERAL INFORMATION" (page 3). "Before tank mixing (i) do a tank mixing compatibility test, (ii) consult the tank-mix product label for appropriate application rates and use instructions, (iii) follow the label directions for the most restrictive of label precautions and limitations and (iv) when tank mixing, add other products in the following order: water-soluble bags, wettable powders, dry flowables, liquid flowables, ECs, and soluble materials such as fertilizers."
- h. Replace the "14 to 17 day" interval specified in the paragraph beginning with "Sequential treatments of Rimon to maintain control" before the Orchard Spraying section (page 3) with "10-17 day", as this spray interval is recommended for several pests on page 5.
- i. Replace the statement "• Do not apply more than 12.8 lb per acre per season" appearing on the bottom of page 3 with the statement "• Do not apply more than 12.8 lb of product per acre per season" in order to avoid confusing with active ingredient/acre/season.
- j. Replace the heading "Application Rates in Lbs Per Acre" in column 2 of the table (page 4) with the heading "Application Rates of Product in Lbs Per Acre".

- k. Add the following restrictions under the GENERAL INFORMATION section (appearing on page 3):

"Rotational Crops: Only registered crops may be rotated in a treated field within 30 days of the final application."

"Do not apply this product using aerial equipment."

3. Within two (2) years of registration of this product, submit the following studies to satisfy the data gaps identified in the registration process. Protocols may be submitted for Agency's review and concurrence.

RESIDUE CHEMISTRY

- a. 860.1380 Storage Stability of Plant Commodities: Additional storage stability data are required to demonstrate the stability of residues of novaluron in/on cotton meal, hulls, and refined oil for up to 3.5 months.
- b. 860.1380 Storage Stability of Animal Commodities: Information pertaining to the storage conditions and intervals of samples from the dairy cattle feeding study is required. If sample integrity was maintained by appropriate storage and if samples were stored for less than 30 days, then no storage stability data are required. However, if samples were stored for more than 30 days, then data are required depicting the frozen storage stability of novaluron residues in milk and livestock tissues.
- c. 860.1480 Meat, Milk, Poultry, and Eggs: The dairy cattle feeding study is inadequate but may be upgraded pending recalculation and re-submission by the petitioner of the dosing levels used in the study. The residue intake level should be based on feed consumption and not in terms of mg ai/day. For additional guidance regarding the resolution of this data gap, the petitioner is referred to OPPTS 860.1480(f)(5) which specifies that the level of the test materials in the total diet should be expressed in parts per million (mg/kg feed) (dry weight basis for ruminants).
- d. Poultry Feeding Study: The petitioner has requested a waiver for the conduct of a poultry feeding study. Based on the maximum residues observed in the poultry metabolism study, quantifiable residues would be expected in a feeding study. Therefore a poultry feeding study is required.

ECOLOGICAL EFFECTS

- e. Freshwater Invertebrate Study: To better characterize the risk to freshwater invertebrates, a freshwater invertebrate study is required. It is preferred that the study is conducted using technical novaluron. However, if the formulated product is used as the test material, it is highly recommended that measured concentrations be centrifuged to ensure a more accurate measurement of the active ingredient novaluron rather than the emulsifier(s) added to keep the product in suspension.
- f. Sediment dwelling organisms: Risk to sediment dwelling organisms can not be directly assessed using available screening level assessment techniques at this time because no single-species sediment toxicity data was submitted. Toxicity data that demonstrate the measured toxicity of the sediment and the surrounding interstitial water to invertebrate species would allow for the assessment of sediment invertebrate risks using screening-level techniques. To obtain this data, studies which follow the Agency's protocols resulting from the direct spiking of the sediment, and in which pore (interstitial) water as well as sediment concentrations are measured, are warranted.
- g. Buffer Strip Effectiveness Runoff Study: Runoff studies are needed to further evaluate the impact of spray drift buffers on reducing novaluron loading in runoff waters. The study should (i) be conducted in high use areas, (ii) evaluate the effectiveness of both 15 feet and 60 feet grass buffers, (iii) be conducted on a representative range of slopes in the use areas, (iv) use appropriate runoff area to filter strip area (RA/FS) ratios, (v) be conducted in manner to reduce preferential (bypass) flow in the buffers, (vi) be conducted immediately after application and (vii) follow standard agronomic practices for runoff plot and buffer strip maintenance.

A stamped copy of the draft label is enclosed for your records. Submit two (2) copies of the final printed labeling before you release the product for shipment. Your release of the product for shipment constitutes acceptance of these conditions. If the above conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA sec.6(e). Should you have any questions, do not hesitate to contact the reviewer of this product, Mr. S. Oonnithan at 703-605-0368.

4. Submit one copy of the revised final printed label for the record before you release the product for shipment.

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.

5/12

page 5
EPA Reg. No. 66222-57

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

Daniel C. Kenny
Product Manager (01)
Insecticide-Rodenticide Branch
Registration Division (7505C)

Enclosure

DK: 305-7546: IRB/PM01

CONCURRENCES

SYMBOL ▶	7505C	7505C						
SURNAME ▶	S. Oonnithan	D. Kenny						
DATE ▶	5/21/04	5/21/04						



6/12

ACCEPTED
with **COMMENTS**
In EPA Letter Dated:
MAY 21 2004
Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
as amended, for the pesticide
registered under EPA Reg. No.
66222-57

TM

Rimon 7.5WG Insecticide
For Control of Insect Pests on Apple and Pear

ACTIVE INGREDIENT: novaluron:	% BY WT.
1-[3-chloro-4-(1,1,2-trifluoro-2-trifluoro-methoxyethoxy)phenyl]-	
3-(2,6-difluorobenzoyl)urea.....	7.5%
INERT INGREDIENTS:	<u>92.5%</u>
	Total 100%

KEEP OUT OF REACH OF CHILDREN

WARNING - AVISO

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.)

FIRST AID

- | | |
|--------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| IF IN EYES: | <ul style="list-style-type: none"> • 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. |
| IF SWALLOWED: | <ul style="list-style-type: none"> • Call a poison control center or doctor immediately for treatment advice. • Have person sip a glass of water if able to swallow. • Do not induce vomiting unless told to do so by a poison control center or doctor. • Do not give anything by mouth to an unconscious person. |
| IF ON SKIN OR CLOTHING: | <ul style="list-style-type: none"> • Harmful if absorbed through skin. • Avoid contact with skin. |
| IF INHALED: | <ul style="list-style-type: none"> • Move person to fresh air. • If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible. • Call a poison control center or doctor for further treatment advice. |

Have the product container or label with you when calling a poison control center or doctor or going for treatment.

EMERGENCY ASSISTANCE: Have the product container or label with you when calling a poison control center or doctor or going for treatment.

FOR EMERGENCY MEDICAL HELP, CALL PROSAR AT 1-877-250-9291, 24 HOURS.
Transportation Emergency: (CHEMTREC) 1-800-424-9300

NOTE TO PHYSICIAN: Probable mucosal damage may contraindicate the use of gastric lavage.

7/12

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

WARNING. Causes substantial but temporary eye injury. Avoid contact with skin, eyes, or clothing. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash clothing before reuse.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Some materials that are chemical-resistant to this product are listed below. If you want more options, follow the instructions for category C on an EPA chemical resistance category selection 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, or Viton
- Shoes plus socks
- Protective eyewear

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.

When handler's use closed systems (including water soluble bags), enclosed cabs, or aircraft in a manner that meets the requirements listed in the Worker Protection 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 clothes.

ENVIRONMENTAL HAZARDS

This pesticide is highly toxic to aquatic invertebrates. For terrestrial uses, do not apply directly to water, to areas where surface water is present, or to intertidal areas below the mean high water mark. Runoff from treated areas may be hazardous to aquatic organisms in neighboring areas. Do not contaminate water when cleaning equipment or disposing of equipment washwaters.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. Do not apply this product in a way that it 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 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 long-sleeved shirt and long pants
- Chemical resistant gloves such as barrier laminate, butyl rubber, nitrile rubber, neoprene rubber, or Viton
- Shoes plus socks
- Protective eyewear

8/12

GENERAL INFORMATION

Rimon is an insecticide for control of certain foliar and fruit feeding insect pests on apple and pear. Rimon may be applied alone, as a tankmix, or in rotation with other insecticides. The primary mode of action is by disrupting cuticle formation and deposition occurring when insects molt, resulting in their death. Due to this mode of action, Rimon has no direct effect on adults

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

NOTE: The compatibility of Rimon with concurrent releases of insects for biocontrol of plant pests has not been established. When used as directed, Rimon affects developing immature stages of insects by disrupting the molting process. Consequently, fully developed adult stages of pest and beneficial species are not affected.

Spray Drift: For orchard airblast applications turn off outward pointing nozzles at row ends and outer rows. Apply only when wind speed is ≤ 10 mph at the application site as measured by an anemometer outside of the orchard/vineyard on the upwind side.

The applicator also must use all other measures necessary to control drift.

Mixing Instructions: Prepare solutions in a clean, empty spray tank. Use clean spray filters. Add water to 1/2 level of tank. Add the appropriate amount of Rimon to the tank and agitate to insure proper mixture. Continue filling tank with water until desired dilution is achieved. Re-agitate sprayer before use if application is interrupted; maintain tank agitation during application. Make up only the amount of application volume as required.

Spray Coverage: All parts of the crop must receive uniform spray coverage or else desired result may not occur. Consult your local agricultural specialist for specific information on the best rates, timings, and spray volumes for your region.

Application: Rimon must be ingested by insect larvae or adsorbed into eggs to be fully effective. Proper application techniques help ensure thorough spray coverage and correct dosage necessary to obtain optimum control. Higher water volumes and increased spray pressures generally provide better coverage. Apply at the recommended rates when insect populations reach locally determined economic thresholds. Consult the cooperative extension service, professional consultants or other qualified authorities to determine appropriate threshold levels for treatment in your area.

Sequential treatments of Rimon should be applied as needed, to keep pest population within threshold limits. Depending on target pest, Rimon should be applied at 14 to 17 day intervals to maintain control.

Orchard Spraying: Make applications of Rimon by conventional ground sprayers that are calibrated to deliver no less than 50 gallons per acre on trees less than 10 feet tall, and 75 to 400 gallons per acre on trees greater than 10 feet tall. Maintain the rate per acre regardless of spray volume or tree size.

When using an airblast sprayer, the equipment should be operated at proper ground speeds, adequate spray pressures and spray volumes to assure that the air volume within the tree canopy is completely replaced by the output from the airblast sprayer resulting in proper coverage of the target crop. Alternate row middle application patterns should be avoided since this application method may result in less than satisfactory coverage and poor performance in conditions of high pest infestation levels, extremely large trees and/or dense foliage.

Apple and Pear Restrictions

- Do not apply more than 4 applications per season
- Do not apply more than 12.8 lbs. per acre per season
- Do not apply within 14 days of harvest

9/12

General Precautions and Restrictions

For application to pome fruits: Do not apply with in 75 feet by ground equipment of bodies of water such as lakes, reservoirs, rivers, permanent streams, natural ponds, marshes or estuaries. All applications must include a 25 foot vegetative buffer strip within the buffer zone to decrease runoff.

INSECTS CONTROLLED BY RIMON ON APPLE AND PEAR

Target Pests	Application Rates in Lbs. Per Acre	Application Timing
Leafminers (Spotted tentiform and Western tentiform)	1.1 to 3.3	Application timing for leafminers varies between species and geographic locations. Monitor the moth flights and treat at egg hatch for each generation.
Pear psylla	2.2 to 4.4	<p>Apply a single spray during the Dormant through Pre-bloom period when populations are synchronized. Rimon is most effective against 1st and 2nd instar larvae. Use higher rates for longer residual control, higher pest infestations, or larger trees.</p> <p>Applications of Rimon post-bloom will provide suppression of pear psylla.</p>
Codling moth	<p>1.6 to 3.3 (Eastern USA)</p> <p>2.5 to 4.4 (Western USA)</p>	<p>Application timing is based on Biofix for the pest. The pest Biofix is based on the pest life cycle. Biofix is defined as the first sustained adult catch in pheromone traps – typically five moths in three traps in a seven-day period.</p> <p>For each codling moth generation:</p> <p>The 1st application should be made at 50 – 150 DD₅₀ (50 – 75 DD₅₀ for Western USA) following Biofix with the 2nd application 14 to 17 days later. A 3rd application should be made in 14 to 17 days if sustained moth pressure is high.</p> <p>Best protection is achieved when applications are initiated at the beginning of oviposition. Rimon must be applied prior to egg lay or shortly thereafter to prevent codling moth damage to fruit. Rimon will provide 14 to 17 days of fruit protection depending on the application rate and speed of fruit expansion once applied.</p> <p>Increase the rate and decrease the application interval for heavy infestation or continuous moth flight and egg oviposition.</p> <p>Rimon may be alternated with other insecticides targeted against the same pest as long as the application interval does not exceed the period of effectiveness of the alternate product and as long as Rimon is applied before larvae penetrate into the fruit.</p>

18/12

<p>Obliquebanded leafroller, Pandemis leafroller</p>	<p>1.6 to 4.4</p>	<p>Application timing is based on Biofix for the pest (if information is unavailable, consult your university or extension entomologist for targeting application at the initiation of egg hatch). The pest Biofix is based on the pest life cycle. Biofix is defined as the first sustained adult catch in pheromone traps – typically five moths in three traps in a seven-day period.</p> <p>Apply the Rimon treatments at the following timings:</p> <p>First generation: The 1st application should be made during pink to petal fall period. A 2nd application should be made approximately 10 – 14 days later if needed.</p> <p>Second generation: The 1st application should be made at 100 – 200 DD₄₃ following the 2nd generation Biofix. A 2nd application should be made approximately 7 – 14 days later – usually 400 – 500 DD₄₃ following the 2nd generation Biofix. A 3rd application should be made 10 –14 days later – usually 700 – 800 DD₄₃ following the 2nd generation Biofix.</p> <p>Best protection is achieved when applications are initiated at the beginning of egg oviposition. Rimon will provide 7 to 14 days of protection depending on the application rate.</p> <p>For situations of heavy infestations and continuous moth flight and egg oviposition, and where it is difficult to obtain thorough coverage or quick knockdown, use the highest labeled rate and maintain coverage with timely reapplications at 10 to 14 day intervals.</p>
<p>Redbanded leafroller, Fruittree leafroller, Variegated leafroller,</p>	<p>1.6 to 3.3</p>	<p>For control of the surface or foliar feeding leafroller larval complex, application can be made at any time larvae are feeding. However, most effective crop protection results from application made at the initiation of egg hatch.</p> <p>For situations of heavy infestations and continuous moth flight and egg oviposition, and where it is difficult to obtain thorough coverage or quick knockdown, use the highest labeled rate and maintain coverage with timely reapplications at 10 to 14 day intervals.</p>
<p>Tufted apple budmoth, Eyespotted budmoth</p>	<p>1.6 to 3.3</p>	<p>For each generation, make an application at the beginning of egg hatch. A second application at 10 to 14 days later may be required.</p> <p>For situations of heavy infestations and continuous moth flight and egg oviposition, and where it is difficult to obtain thorough coverage or quick knockdown, use the highest labeled rate and maintain coverage with timely reapplications at 10 to 14 day intervals.</p>
<p>Oriental fruit moth</p>	<p>1.6 to 3.3</p>	<p>Begin applications before egg hatch of each generation to prevent larval penetration of the fruit. Rimon will provide 14 to 17 days of fruit protection depending on the application rate and speed of fruit expansion once applied.</p> <p>For situations of heavy infestations and continuous moth flight and egg oviposition, and where it is difficult to obtain thorough coverage or quick knockdown, use the highest labeled rate and maintain coverage with timely reapplications at 10 to 14 day intervals.</p> <p>Rimom may be alternated with other insecticides targeted against the same pest as long as the application interval does not exceed the</p>

11/12

		period of effectiveness of the alternate product and as long as Rimon is applied before larvae penetrate into the fruit.
Plant bug, White apple leafhopper	1.6 to 4.4 (Suppression)	Populations of immature stages of plant bugs and/or white apple leafhopper may be suppressed with applications of Rimon. Rimon will not control adults of these pests due to its mode of action.

12/12

RESISTANCE MANAGEMENT: Rimon is effective in controlling many insect pests and minimizing the development of resistance when used in rotation with other insecticides in an IPM program. It is recommended that resistance management is observed as follows:

- Rimon should be used in rotation with other classes of insecticides with different modes of action. These other insecticides may include Insect Growth Regulators with dissimilar modes of action.
- Always apply Rimon at the recommended rates and according to label directions. Do not use less than recommended label rates alone or in tank mixtures.
- Use Rimon as part of an insect management program that includes cultural and biological control where possible.
- Scout pest populations and begin Rimon applications before the pest becomes established. Focus treatments on early immature stages for best results.

STORAGE AND DISPOSAL

DO NOT contaminate water, food, or feed by storage or disposal. Open dumping is prohibited.

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.

WARRANTY STATEMENT

MAKHTESHIM-AGAN OF NORTH AMERICA INC. warrants that this product conforms to the chemical description on the label thereof and is reasonably fit for purposes stated on such label only when used in accordance with directions under normal use conditions. It is impossible to eliminate all risks inherently associated with use of this product. Crop injury, ineffectiveness, or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or the manner of use or application, all of which are beyond the control of MAKHTESHIM-AGAN OF NORTH AMERICA INC. In no case shall MAKHTESHIM-AGAN OF NORTH AMERICA INC. be liable for consequential, special, or indirect damages resulting from the use or handling of this product. All such risks shall be assumed by the Buyer. In addition to the foregoing, no purchaser of this product (other than an end user) shall be entitled to any reimbursement for any loss suffered as a result of any suspension or cancellation of the registration for this product by the U.S. Environmental Protection Agency. Except as expressly provided herein, MAKHTESHIM-AGAN OF NORTH AMERICA INC. makes no warranties, guarantees, or representations of any kind, either expressed or implied, or by usage of trade, statutory or otherwise, with regard to the product sold, including, but not limited to merchantability, fitness for a particular purpose, use or eligibility of the product for any particular trade usage. The exclusive remedy of any buyer or user of this product for any and all losses, injuries, or damages resulting from or in any way arising from the use, handling, or application of this product, whether in contract, warranty, tort, negligence, strict liability, or otherwise, shall be damages not exceeding the purchase price paid for this product or, at MAKHTESHIM-AGAN OF NORTH AMERICA INC's election, the replacement of this product.

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