

66222-95

4-27-2005

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Dicofol 50WSB

MITICIDE

Intended for crop use on cucurbits, grapes, pomefruits, stonefruits (CA only), and strawberries for outdoor, plantscapes, nursery or greenhouses use on turfgrasses, ornamental flowers, shade trees, shrubs and foliage plants.

ACCEPTED
 APR 27 2005
 Under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, for the pesticide Dicofol 50WSB, EPA Reg. No. 66222-95

ACTIVE INGREDIENT:

Dicofol: 1,1-Bis (chlorophenyl)-2,2,2-trichloroethanol.....

% BY WT.

50.0%

INERT INGREDIENTS:.....

50.0%

TOTAL 100.0%

KEEP OUT OF REACH OF CHILDREN DANGER - PELIGRO

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 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"> 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.
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.

NOTE TO PHYSICIAN: Because this product is a chlorinated miticide, vomiting is recommended. The administration of milk or other fat-based demulcents which might enhance absorption is to be avoided. Probable mucosal damage may contraindicate the use of gastric lavage. Epinephrin or other adrenergic amines can cause myocardial irritability in person poisoned with chlorinated hydrocarbons. Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact PROSAR at 1-877-250-9291 for emergency medical treatment information.

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS DANGER

Corrosive. Causes irreversible eye damage. Wear appropriate protective eyewear such as goggles, face shield, or safety glasses. Harmful if swallowed or inhaled. Harmful if absorbed through the skin. Do not get in eyes or on clothing. Avoid breathing dust or spray mist. Avoid contact with skin. Wash thoroughly with soap and water after handling. Avoid breathing vapor or spray mist. Remove contaminated clothing and wash clothing before reuse.

**NET CONTENTS: 5 LBS.
5 x 1 lb. water soluble packages**

EPA Reg. No. 66222-95
EPA Est. No. 67545-AZ-1, 11603-IS-001



Makhteshim Agan of North America, Inc.
4515 Falls of Neuse Road, Suite 300
Raleigh, NC 27609

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PERSONAL PROTECTIVE EQUIPMENT (PPE)

Applicators and other handlers must wear:

- Chemical resistant gloves
- Chemical resistant footwear plus socks
- Coveralls over long-sleeve shirt and long pants
- Protective eyewear
- Chemical-resistant headgear for overhead exposure
- Chemical-resistant apron when cleaning equipment, mixing or loading, or applying as a dip
- For exposure in enclosed areas, a NIOSH approved respirator with an organic vapor (OV) cartridge or canister with any R,P, or HE prefilter
- For exposure outdoors, a NIOSH approved respirator with any R,P, or HE filter

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

Applicators using aircraft must be located in enclosed cockpits and applicators using mechanical ground equipment and all flaggers must be located in enclosed cabs that meet the specifications provided in the Worker Protection Standard (WPS) for agricultural pesticides (40 CFR 170.240(d)(5-6). While in enclosed cabs or cockpits, handlers are permitted to wear reduced personal protective equipment as specified in the WPS.

When handlers use closed systems in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides (40 CFR 170.240(d)(4), the handler PPE requirements may be reduced or modified as specified in the WPS.

Water soluble packets when used correctly qualify as a closed loading system under the WPS. Handlers handling this product while it is enclosed in intact water-soluble packets are permitted to wear long-sleeved shirt, long pants, shoes and socks, chemical-resistant gloves, and chemical-resistant apron, provided the other required PPE is immediately available in case the bag is opened.

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.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish and wildlife. Drift and runoff from treated areas may be hazardous to aquatic organisms in neighboring areas. 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 or washwaters.

This chemical can contaminate surface water through drift from spray application. Under some conditions, dicofol may runoff into surface water for several weeks after application. These conditions include poorly draining or wet soils with readily visible slopes toward adjacent surface waters, frequently flooded areas, areas overlaying extremely shallow ground water, areas with in-field canals or ditches that drain to surface water, areas not separated from adjacent surface waters with vegetated filter strips, and highly erodible soils cultivated using poor agricultural practices such as conventional tillage and down the slope plowing.

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 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.

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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 intervals. 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 48 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-sleeve shirt and long pants
- Chemical resistant gloves
- Chemical resistant footwear plus socks
- Protective eyewear
- Chemical-resistant headgear for overhead exposure
- Chemical-resistant apron when cleaning equipment, mixing or loading, or applying as a dip

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 on farms, forests, nurseries, or greenhouses.

Keep unprotected persons out of treated areas until sprays have dried.

CHEMIGATION STATEMENT

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

GENERAL INFORMATION

Dicofol 50WSB is a wettable powder formulation that gives high initial kill against most species of agricultural mites.

Dicofol 50WSB is a specific miticide and will not kill bees and beneficial insect predators when used as recommended.

Dicofol 50WSB is supplied in individual water-soluble pouches containing wettable powder.

Dicofol 50WSB may be applied in dilute or concentrate sprays. The amount of product used per acre is the same regardless of spray volume. Dicofol is a contact miticide, not a systemic pesticide. Mites must come in contact with dicofol as it is sprayed or be exposed to dicofol residues on the leaf and/or fruit surface. Since mites often infest the undersurfaces of leaves and fruits, effective control requires an application that thoroughly and uniformly coats all aerial plant surfaces. For maximum effectiveness, Dicofol 50WSB should be applied to low mite populations.

GENERAL PRECAUTIONS AND RESTRICTIONS

Do not apply this product by any method not specified on this label.

Applications of dicofol will be limited to no more than one per year on any one field.

Do not apply to residential sites.

Do not apply by ground equipment within 25 feet, or by air within 150 feet of lakes, reservoirs, rivers, permanent streams, marshes, natural ponds, estuaries, or commercial fish farm ponds. Increase the buffer zone to 450 feet when ultra low volume (ULV) application is made.

Do not cultivate within 10 feet of the aquatic area so as to allow growth of a vegetative buffer strip.

APPLICATION INFORMATION

HANDLING: The enclosed pouches of Dicofol 50WSB are water-soluble. Do not allow pouches to become wet prior to adding to the spray tank. Do not handle the pouches with wet hands or wet gloves. Always reseal overwrap bag to protect remaining unused pouches. Do not remove water-soluble pouches from overwrap except to add directly to the spray tank.

MIXING: Always place Dicofol 50WSB into solution prior to adding co-applied materials to the spray tank. Add the required number of unopened pouches as determined by the dosage recommendations into the spray tank with agitation. Maintain agitation throughout the mixing and spraying process to ensure uniform mixing. The number of pouches to be added per spray tank load is the pounds per acre specified by the dosage recommendations, multiplied by the number of acres to be sprayed. Depending on the water temperature and the degree of agitation, the pouches should dissolve completely within approximately five minutes from the time they are added to the water.

COMPATIBILITY: Dicofol 50WSB is compatible with most other commonly used insecticides and fungicides. However, compatibility with all products, formulations, and additives cannot be guaranteed. A compatibility agent such as Latron AG 44-M[®] may improve compatibility with some nutritionals, fertilizers, etc. Maintain agitation in the spray tank during mixing (loading) and application. Consult State Agricultural Experiment Station spray schedules or State Extension Service Specialists for additional information.

NOTE: Dicofol 50WSB is compatible with boron and spray oils; however, the water-soluble pouches must be completely dissolved before adding spray oils or products containing boron to spray mixtures.

WATER pH: Do not put Dicofol 50WSB in alkaline solutions or mix with lime or lime-containing products. Adjust the pH of the diluent (spray) water to the slightly acidic range (pH 5 to 7) with a pH modifier such as Latron AG-44M spray adjuvant after adding Dicofol 50WSB to the tank.

ADJUVANTS: Dicofol 50WSB may be used either with or without any additional adjuvants. Many times, it is beneficial to improve the spray coverage on difficult-to-wet foliage and to smooth out spray deposits by the addition of a spreader-sticker such as Latron B-1956. Dicofol 50WSB should only be combined with a spreader-sticker that has been proven safe to crops and turf grass and ornamental species.

The following spray adjuvants have been especially formulated to optimize the performance of foliar-applied agricultural chemicals:

- Latron B-1956[®] A water-dispersible, resin-based nonionic surfactant that resists rewetting and removal by rain. Effective with dilute sprays applied by ground equipment.
- Latron CS-7[®] A spreader-binder designed specifically for use in concentrate and low-volume spray.

Other suitable pesticide spreader-stickers may also be used except in situations where Latron B-1956 is recommended as the only acceptable spreader-sticker.

GROUND APPLICATION: Apply Dicofol 50WSB as a dilute or concentrate spray with a properly calibrated and maintained sprayer in sufficient water to assure thorough and uniform coverage of foliage and fruit surfaces. The amount of spray applied must be adjusted to the size and density of the trees or plants treated to provide adequate coverage. All use rates given in pounds Dicofol 50WSB per acre are based on a broadcast acre. If applications are banded, the application rates should be adjusted accordingly.

AERIAL APPLICATION: Dicofol 50WSB may be applied by air in properly calibrated and maintained equipment. For row crops, use a minimum of 5 gallons per acre. For applications in perennial tree crops and vines, use a minimum of 10 gallons per acre. Include a suitable spreader-sticker such as Latron B-1956 or Latron CS-7.

SPRAY DRIFT LABELING: Avoiding spray drift at the application site is the responsibility of the applicator. The interaction of many equipment and weather related factors determine the potential for spray drift. The applicator and the grower are responsible for considering all these factors when making decisions.

The following drift management requirements must be followed to avoid off-target movement from aerial applications to agricultural field crops. These requirements do not apply to forestry applications, public health uses or to applications using dry formulations.

1. The distance of the outer-most nozzles on the boom must not exceed ¾ the length of the wingspan or rotor.
2. Nozzles must always point backward parallel with the air stream and never be pointed downwards 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 Information](#).

Aerial Drift Advisory: This section is advisory in nature and does not supercede the mandatory label requirements.

Information on Droplet Size: The most effective way to reduce drift potential is to apply large droplets. The best drift management strategy is to apply the largest droplets that provide sufficient coverage and control. Applying larger droplets reduces drift potential, but will not prevent drift if applications are made improperly, or under unfavorable environmental conditions (see Wind, Temperature and Humidity, and Temperature Inversions).

Controlling Droplet Size:

- Volume - Use high flow rate nozzles to apply the highest practical spray volume. Nozzles with higher-rated flows produce larger droplets.
- Pressure - Do not exceed the nozzle manufacturer's recommended pressures. For many nozzle types lower pressure produces larger droplets. When higher flow rates are needed, use higher flow rate nozzles instead of increasing pressure.
- Number of nozzles - Use the minimum number of nozzles that provide uniform coverage.
- Nozzle Orientation - Orienting nozzles so that the spray is released parallel to the airstream produces larger droplets than other orientations and is the recommended practice. Significant deflection from horizontal will reduce

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droplet size and increase drift potential.

- **Nozzle Type** - Use a nozzle type that is designed for the intended application. With most nozzle types, narrower spray angles produce larger droplets. Consider using low-drift nozzles. Solid stream nozzles oriented straight back produce the largest droplets and the lowest drift.

Boom Length: For some use patterns, reducing the effective boom length to less than ¾ of the wingspan or rotor length may further reduce drift without reducing swath width.

Application Height: Applications should not be made at a height greater than 10 feet above the top of the largest plants unless a greater height is required for aircraft safety. Making applications at the lowest height that is safe reduces exposure of droplets to evaporation and wind.

Swath Adjustment: When applications are made with a crosswind, the swath will be displaced downward. Therefore, on the up and downwind edges of the field, the applicator must compensate for this displacement by adjusting the path of the aircraft upwind. Swath adjustment distance should increase, with increasing drift potential (higher wind, smaller drops, etc.).

Wind: Drift potential is lowest between wind speeds of 2 to 10 mph. However, many factors, including droplet size and equipment type determine drift potential at any given speed. Application should be avoided below 2 mph due to variable wind direction and high inversion potential. **NOTE:** Local terrain can influence wind patterns. Every applicator should be familiar with local wind patterns and how they affect spray drift.

Temperature and Humidity: When making applications in low relative humidity, set up equipment to produce larger droplets to compensate for evaporation. Droplet evaporation is most severe when conditions are both hot and dry.

Temperature Inversions: Applications should not occur during a temperature inversion because drift potential is high. Temperature inversions restrict vertical air mixing, which causes small suspended droplets to remain in a concentrated cloud. This cloud can move in unpredictable directions due to the light variable winds common during inversions. Temperature inversions are characterized by increasing temperatures with altitude and are common on nights with limited cloud cover and light to no wind. They begin to form as the sun sets and often continue into the morning. Their presence can be indicated by ground fog; however, if fog is not present, inversions can also be identified by the movement of smoke from a ground source or an aircraft smoke generator. Smoke that layers and moves laterally in a concentrated cloud (under low wind conditions) indicates an inversion, while smoke that moves upward and rapidly dissipates indicates good vertical air mixing.

Sensitive Areas: The pesticide should only be applied when the potential for drift to adjacent sensitive areas (e.g. residential areas, bodies of water, known habitat for threatened or endangered species, non-target crops) is minimal (e.g. when wind is blowing away from the sensitive areas)

MITE RESISTANCE MANAGEMENT: Resistance to miticides is common and has been confirmed for virtually all commercial miticides. While resistance to Dicofol 50WSB has been confirmed in some mite species, it has also been conclusively demonstrated that resistance of mites to Dicofol 50WSB is unstable. That is, susceptibility to Dicofol 50WSB returns if Dicofol 50WSB use is discontinued for a short time, usually 1 to 2 years. As a general rule, the utility of Dicofol 50WSB can be maintained indefinitely by rotating use of Dicofol 50WSB with miticides with different modes of action and by limiting the number of applications of Dicofol 50WSB to an average of one per season.

Resistance management strategies vary from crop to crop and state to state. For additional information, contact your State Extension Service Specialists or your local Makhteshim-Agan Representative.

MITES CONTROLLED:

Apple rust mite	Cyclamen mite	Schoene spider mite
Atlantic spider mite	Desert spider mite	Six-spotted mite
Banks grass mite	European red mite	Spruce spider mite
Bermudagrass mite (couch grass bud mite)	McDaniel spider mite	Strawberry spider mite
	Pacific spider mite	Tomato russet mite
Broad mite	Pear rust mite	Tropical mite
Brown mite	Plum nursery mite	Two-spotted spider mite
Carpini spider mite	Plum rust mite	Willamette mite
Clover mite	Privet mite	Yellow spider mite
Conifer spider mite	Raspberry red mite	Yuma spider mite

CROP AND DOSAGE REQUIREMENTS

The required days between last application and harvest are given in () after each crop name.

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CROP	APPLICATION RATE	COMMENTS
Agricultural Uses:		
CUCURBITS (Cantaloupe, Cucumber, Melon, Pumpkin, Watermelon, Winter and Summer Squash) (2)	1 ¼ lbs. per acre	Apply Dicofol 50WSB at the first signs of mite buildup. Because foliage of cucurbit crops is hard to wet, use sufficient carrier (water) volume to provide thorough coverage and use 2 quarts of Latron B-1956 per 100 gallons of spray mix.
	<ul style="list-style-type: none"> Do not make more than 1 application per season. Applications of Dicofol 50WSB on cucurbits may not exceed 1 ¼ lbs. of product per acre per application. 	
GRAPES (7)	2 ½ lbs. per acre	Apply just after bloom or whenever mites appear.
	<ul style="list-style-type: none"> Do not make more than 1 application per season. 	
POMEFRUITS (Apple, Crabapple, Pears, Quince) (7)	Trellised trees or trees 10 ft. tall or less: 3 to 4 lbs. per acre; Trees greater than 10 ft. tall: 4 to 6 lbs. per acre	Use the higher rate in each range for high mite infestation levels, larger trees, or more dense foliage. Make application when mite populations reach threshold levels as specified by Agricultural Experiment Station or State Extension Service Specialists.
	<ul style="list-style-type: none"> Do not make more than 1 application per season. Applications of this Dicofol 50WSB on pomefruits may not exceed 6 lbs. of product per acre per application. 	
STONE FRUITS (Apricots, Cherries-sweet and sour, Nectarines, Peaches, Plums, and Prunes) (California only) (7)	2 to 3 lbs. per acre	Make applications when mites reach threshold levels as specified by Agricultural Experiment Station or State Extension Service Specialists.
	<ul style="list-style-type: none"> Do not make more than 1 application prior to fruit harvest. One additional postharvest application may be made per season. The use of this product on stone fruits is restricted to the state of California only. 	
STRAWBERRIES (3)	1 to 2 lbs. per acre. For cyclamen mites only: 3 to 4 lbs. per acre	Apply to low populations when mites first infest the crop. For cyclamen mite, apply a high-pressure drenching spray when new growth starts in spring, or use as a spot treatment during production season.
	<ul style="list-style-type: none"> Do not make more than 1 application per season. Applications of Dicofol 50WSB on strawberries may not exceed 4 lbs. of product per acre per application. 	
Turf and Ornamental Uses:		
POMEFRUITS (Apple, Crabapple, Pears, Quince) (7)	High volume sprayers: 1 ¼ lb. per 100 gallons ⁽¹⁾ Low volume sprayers: 3 ¼ lb/acre ⁽³⁾	Make application when mite populations reach threshold levels as specified by Agricultural Experiment Station or State Extension Service Specialists.
	<ul style="list-style-type: none"> Do not use on residential pomefruits. Do not make more than 1 application per season. Applications of Dicofol 50WSB on strawberries may not exceed 4 lbs. of product per acre per application. 	
NON-RESIDENTIAL (Turf Grasses, Nurseries, Ornamentals, Flowers, Shade Trees)	High volume sprayers: ½ to 1 lb. per 100 gallons ⁽²⁾ Low volume sprayers: ½ to 1 lb. per acre ⁽³⁾	Spray in a manner which ensures penetration of dense foliage and gives uniform and thorough coverage of upper and lower leaf surfaces. Avoid excessive runoff. Make application when mites first appear. Dicofol 50WSB is generally not phytotoxic to greenhouse-grown plants. However, applications should be made to a small representative group of plants to ensure that a particular variety grown under current conditions is not unusually sensitive to Dicofol 50WSB.
	<ul style="list-style-type: none"> Do not use on residential home lawns or residential ornamentals. Do not make more than 1 application per crop or season. Applications of Dicofol 50WSB on nonresidential turf grasses and ornamentals may not exceed 1 lb. of product per acre per application. 	
OUTSIDE SURFACES OF BUILDINGS	High Volume sprayers: ½ to 1 lb. per 100 gallons ⁽²⁾ Low volume sprayers: ½ to 1 lb. per acre ⁽³⁾	For control of clover mites, thoroughly spray outside walls, foundations, and windowsills and plants and lawn at the base of infested buildings.

¹ Assumes application volume of 300 gallons per acre.

² Assumes application volume of 100 gallons per acre.

³ Assumes application volume of 20 gallons per acre.

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STORAGE AND DISPOSAL

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

STORAGE: Store in a cool dry place. The water-soluble pouch may become brittle at storage temperatures below 32°F but the miticide is not affected. Do not remove the water-soluble pouches from the container except for immediate use.

PESTICIDE DISPOSAL: Do not contaminate water, food, or feed by storage or disposal. Open dumping is prohibited. Pesticide wastes are toxic. Improper disposal of excess pesticide, spray mixture or rinsate is a violation of Federal law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

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.

STEPS TO BE TAKEN IN CASE MATERIAL IS RELEASED OR SPILLED: Sweep or shovel solid material into a suitable container for recovery or disposal. Keep spills out of all sewers and open bodies of water.

Contact INFOTRAC: (800) 535-5053, 24 hours.

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. To the extent allowed by law, MAKHTESHIM AGAN OF NORTH AMERICA, Inc. shall 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.