

66330-56

4/17/2012

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON D C 20460

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

April 17, 2012

Arysta Life Science North America, LLC
15401 Weston Parkway, Suite 150
Cary, North Carolina 27513
Attn Gary R Orr

Subject Notification- Alternate Brand Name - **PhD Fungicide** per PR Notice 98-10
Product Name Endorse Water Dispersible Granules
EPA Reg No 66330-56
Your Submission dated April 11, 2012

Dear Mr Orr

The Biopesticides and Pollution Prevention Division is in receipt of your application for Notification under Pesticide Registration Notice (PRN) 98-10 dated above. A screen of this request has been conducted for its applicability under PRN 98-10, and it has been determined that the action(s) requested falls within the scope of this Notice. Our records have been duly noted, and the label submitted with this application has been stamped "Notification Accepted" and will be placed accordingly in our records.

Three (3) copies of final printed labeling must be submitted to the Agency before your product as modified, may be sold or distributed [PR Notice 82-2 and 40 CFR 156.10(a)(6)].

If you have any questions regarding this action, you may contact Mr Sylvester George at (703) 603-0688 or via e-mail at george.sylvester@epa.gov

Sincerely,

Linda A Hollis

Linda A Hollis, Chief
Biochemical Pesticide Branch
Biopesticides and Pollution
Prevention Division (7511P)

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Please read instructions on reverse before completing form

Form Approved OMB No 2070 0060 Approval expires 05 31 98



EPA

United States
Environmental Protection Agency
Washington DC 20460

- Registration
- Amendment
- Other Notification

OPP Identifier Number

Application for Pesticide - Section I

1 Company/Product Number 66330-56	2 EPA Product Manager Linda Hollis	3 Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4 Company/Product (Name) Endorse Water Dispersible Granules	PM# Branch Chief Biochemical Pesticides	
5 Name and Address of Applicant (Include ZIP Code) Arysta LifeScience North America Corporation 15401 Weston Parkway Suite 150 Cary NC 27513 <input type="checkbox"/> Check if this is a new address	6 Expedited Review In accordance with FIFRA Section 3(c)(3) (b)(I) my product is similar or identical in composition and labeling to EPA Reg No _____ Notification Accepted Product Name _____ Date <u>4/11/2012</u> Reviewer <u>Sylvester George</u>	

Section - II

Amendment – Explain below Final printed labels in response to Agency letter dated _____

Resubmission in response to Agency letter dated _____ Me Too Application

Notification Explain below Other Explain below

Explanation Use additional page(s) if necessary (For Section I and Section II)

Notification of Alternate Brand Name – **PhD Fungicide** per PR Notice 98-10 This notification is consistent with the provisions of PR Notice 98 10 and EPA regulations at 40 CFR 152 46 and no other changes have been made to the labeling or the confidential statement of formula of this product I understand that it is a violation of 18 USC Sec 1001 to willfully make any false statement to EPA I further understand that if this notification is not consistent with the terms of PR Notice 98 10 and 40 CFR 152 46 this may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA

Contact gary.orr@arystalifescience.com

Section - III

1 Material This Product Will Be Packaged In				2 Type of Container	
Child Resistant Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Metal	<input type="checkbox"/> Plastic
*Certification must be submitted		If Yes Unit Packaging wgt	No per container	If Yes Package wgt	No per container
3 Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4 Size(s) Retail Container		5 Location of Label Directions <input type="checkbox"/> On Label <input type="checkbox"/> On labeling accompanying product	
6 Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled <input type="checkbox"/> Other _____					

Section - IV

1 Contact Point (Complete items directly below for identification of individual to be contacted if necessary to process this application)

Name Gary R Orr PhD	Title Regulatory Manager	Telephone No (Include Area Code) 919 578 4879
Certification I certify that the statements I have made on this form and all attachments thereto are true accurate and complete I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law		6 Date Application Received (Stamped)
2 Signature 		
3 Title Regulatory Manager		
4 Typed Name Gary R Orr PhD		5 Date April 11 2012



VIA FEDEX

Ms Linda Hollis
Branch Chief, Biochemical Pesticides Branch
Document Processing Desk 7504P (NOTIF)
U S Environmental Protection Agency
Office of Pesticide Programs
2777 South Crystal Drive
Arlington, VA 22202-4501

April 11, 2012

**Subject Endorse Water Dispersible Granules (Reg No 66330-56)
Notification of Alternate Brand Name – PhD FUNGICIDE**

Dear Ms Hollis

By means of this letter and attached Form (8570-1) Arysta LifeScience North America LLC (Arysta) is providing notification of alternate brand name, **PhD Fungicide**, for the registered product **Endorse Water Dispersible Granules (Reg No 66330-56)** In keeping with PR Notice 98-10 please find enclosed one copy of the subject label with changes due to the use of the alternate brand name clearly marked

This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 USC Sec 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, this may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

Should you require additional information, or have questions concerning this notification, please contact me by telephone at 919-678-4879, or by email at gary.orr@arystalifescience.com. We further request that you will communicate acceptance of this notification to me using my email address above.

Sincerely,

Gary R. Orr, PhD
Regulatory Manager, Fungicides

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4/13

Notification Accepted

Date 4/11/2012

Reviewer Sylvester George

Ph-D® Fungicide

GROUP 15 FUNGICIDE

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Water Dispersible Granules

For control or suppression of certain diseases on almonds cucurbit vegetables fruiting vegetables ginseng grapes pome fruits and strawberries including those grown in field nursery and container planting greenhouses lath and shadehouses and other enclosed structures

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[Redacted]

Moved up [1] GROUP

ACTIVE INGREDIENT
Polyoxin D zinc salt
OTHER INGREDIENTS
TOTAL

11.3%
88.7%
100.0%

KEEP OUT OF REACH OF CHILDREN

CAUTION

SEE SIDE OR BACK PANEL FOR ADDITIONAL PRECAUTIONARY STATEMENTS

FIRST AID	
If on skin or clothing	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 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
If swallowed	Call 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 the poison control center or doctor Do not give anything by mouth to an unconscious person
If inhaled	Move person to fresh air If person is not breathing call 911 or an ambulance then give artificial respiration preferably by mouth to mouth if possible Call a poison control center or doctor for further treatment advice
HOTLINE NUMBERS	
Have the product container or label with you when calling a poison control center or doctor or going for treatment	
FOR 24 HOUR EMERGENCY MEDICAL ASSISTANCE	
Call PROSAR at 1 866 303 6952 or 1 651 632 8946 if calling from outside of the U.S.	

EPA Reg No 66330 56
AD092611N2
Produced for
Arysta LifeScience North America LLC
15401 Weston Parkway Suite 150
Cary NC 27513

EPA Est No _____
Net Content 1 lb 2 lbs 6 4 oz (2 4 lb)

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For Product Information Call 1 866 761 9397

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION Harmful if absorbed through the skin swallowed or inhaled Causes moderate eye irritation Avoid contact with skin eyes or clothing Avoid breathing dust or spray mist Wash thoroughly with soap and water after handling and before eating drinking chewing gum using tobacco or using the toilet Remove and wash contaminated clothing before reuse

PERSONAL PROTECTIVE EQUIPMENT (PPE)

All mixers loaders applicators and other handlers must wear

- Long sleeved shirt and long pants
- Socks
- Shoes
- Chemical Resistant gloves

User Safety Requirements

Follow the manufacturers instructions for cleaning/maintaining PPE If no such instructions for washables are available use detergent and hot water Keep and wash PPE separately from other laundry

USER SAFETY RECOMMENDATIONS

- Users should remove clothing/PPE immediately if pesticide gets inside Then wash thoroughly and put on clean clothing
- Users should 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 moderately toxic to aquatic invertebrates and fish 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 washwater or rinsate Do not allow runoff into lakes streams ponds or public waterways Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas

Granules exposed on soil surface may be hazardous to fish and aquatic invertebrates Collect granules spilled during loading

Observe the most restrictive of the labeling limitations and precautions of all products used in mixtures

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling

For any requirements specific to your State or Tribe consult the State or Tribal agency responsible for pesticide regulation

AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and 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 statements on this label about personal protective equipment (PPE)

notification to workers 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 4 hours

PPE required for early entry into 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 socks shoes chemical resistant gloves

NON AGRICULTURAL USE REQUIREMENTS

The requirements in the 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 children and pets out of treated area until sprays have dried

GENERAL INFORMATION

Ph D Fungicides not for homeowner use to treat food crops

Ph D Fungicides for use in controlling or suppressing certain diseases on almonds cucurbit vegetables fruiting vegetables ginseng grapes pome fruits potatoes strawberries including those grown in field nursery and container planting greenhouses lath and shadehouses and other enclosed structures

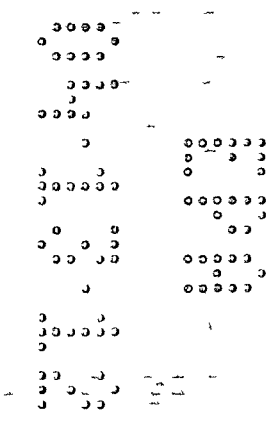
Apply Ph D Fungicides as a preventative or curative treatment in conjunction with good management practices

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RESISTANCE MANAGEMENT RECOMMENDATIONS

Ph D Fungicide contains a Group 19 fungicide. Fungal isolates with acquired resistance to Group 19 may eventually dominate the fungal population if Group 19 fungicides are used repeatedly in the same field or in successive years as the primary method of control for targeted species. This may result in partial or total loss of control of those species by Ph D Fungicide or other Group 19 Fungicides.

To delay fungicide resistance, consider:

- Avoiding the consecutive use of Ph D Fungicide or other target site of action Group 19 fungicides that have a similar target site of action on the same pathogens
- Using tank mixtures or premixes with fungicides from different target site of action Groups as long as the involved products are all registered for the same use and are both effective at the tank mix or prepack rate on the pathogen(s) of concern
- Basing fungicide use on a comprehensive IPM program
Monitoring treated fungal populations for loss of field efficacy
- Contacting your local extension specialist, certified crop advisors, and/or manufacturer for fungicide resistance management and/or IPM recommendations for specific crops and resistant pathogens

MIXING AND APPLICATION

When diseases not specified on this label are present or expected, it is appropriate to mix Ph D Fungicide with appropriately labeled fungicides. When tank mixing Ph D Fungicide with other products, observe all precautions and limitations on each separate product label. It is always advisable to conduct a tank mix compatibility test when you plan to mix this product with other products. To determine the physical compatibility of this product with other products, use a jar test. Using a quart jar, add the proportionate amounts of the products to approximately one quart of water with agitation. Add dry formulations first, then flowables, then emulsifiable concentrates last. After thorough mixing, allow this mixture to stand for 5 minutes. If the combination remains mixed or can be readily remixed, it is physically compatible. Once compatibility has been proven, use the same procedure for adding required ingredients to the spray tank. To assess the potential for phytotoxicity, test tank mixtures on a small number of plants prior to more widespread application.

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

Mixing instructions for Ph D Fungicide

Fill spray tank with water to 1/2 of the intended final volume.
Start spray tank agitation.

- Add the appropriate amount of product to the tank according to the rates in the following tables. Follow the directions above for mixing other products in the spray tank.
- Agitate to ensure thorough mixing while adding the remaining required water.
- DO NOT allow the spray mixture to stand without agitation.

Mix only the amount of spray solution needed to treat the desired area.

For optimum control of labeled diseases, apply Ph D Fungicide with sufficient water to provide a thorough coverage.

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ALMONDS		
Disease Control	Rate	Application Notes
<p>Alternaria (<i>Alternaria alternata</i>)</p>	<p>6.2 oz/A (0.7 oz ai/A)</p>	<ul style="list-style-type: none"> Mix in appropriate spray volume appropriate for sufficient coverage (Spray every row to ensure coverage [avoid every other row applications]) Begin sprays preventatively and repeat on a 10–14 day interval 0 day Preharvest Interval May be applied by air or ground Use of an adjuvant may enhance coverage
<p>Notes</p> <ul style="list-style-type: none"> Use in alternation with fungicides that have different modes of action Do not apply more than 3 applications of Ph D Fungicide (2.1 oz ai/A) per season 		

CUCURBIT VEGETABLES		
<p>[Chayote (fruit) Chinese waxgourd (Chinese preserving melon) Citron melon Cucumber Gherkin Gourd edible (includes hyotan cucuzza hechima Chinese okra) <i>Momordica</i> spp (includes balsam apple balsam pear bitter melon Chinese cucumber) Muskmelon (includes true cantaloupe cantaloupe casaba crenshaw melon golden pershaw melon honeydew melon honey balls mango melon Persian melon pineapple melon Santa Claus melon and snake melon) Pumpkin Summer Squash (includes crookneck squash scallop squash straightneck squash vegetable marrow zucchini) Winter Squash (includes butternut squash calabaza hubbard squash acorn squash spaghetti squash) Watermelon]</p>		
Disease Control	Rate	Application Notes
<p>Powdery Mildew (<i>Sphaerotheca</i> sp)</p> <p>Gummy Stem Blight (<i>Didymella bryoniae</i>)</p> <p>Gray Mold (<i>Botrytis</i> sp)</p> <p>Corynespora leaf spot (<i>Corynespora cassicola</i>)</p> <p>Scab (<i>Cladosporium</i> sp)</p> <p>Early Blight (<i>Alternaria</i> sp)</p>	<p>6.2 oz/A (0.7 oz ai/A)</p>	<ul style="list-style-type: none"> Mix in appropriate spray volume appropriate for sufficient coverage For all diseases spray product preventatively and continue as needed on a 10–14 day interval 0 day Preharvest Interval
<p>Notes</p> <ul style="list-style-type: none"> Use in alternation with fungicides that have different modes of action Do not apply more than 5 applications of Ph D Fungicide (3.5 oz ai/A) per season <p>Not for use in California</p>		

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FRUITING VEGETABLES (Except Cucurbits)* [Eggplant Groundcherry Pepino Pepper (includes bell pepper chili pepper cooking pepper pimento sweet pepper) Tomatillo Tomato]		
Disease Control	Rate	Application Notes
Powdery Mildew (<i>Leveillula taurica</i> <i>Oidiopsis sipula</i>)	6.2 oz/A (0.7 oz ai/A)	Mix in appropriate spray volume appropriate for sufficient coverage • For all diseases spray product preventatively and continue as needed on a 10-14 day interval 0 day Preharvest Interval
Botrytis Rot (<i>Botrytis</i> sp.)		
Early Blight (<i>Alternaria solani</i>)		
Disease Suppression		
Anthracnose (<i>Colletotricum coccodes</i>)		
Notes Use in alternation with fungicides that have different modes of action Do not apply more than 5 applications of Ph D Fungicide (3.5 oz ai/A) per season Not for use in California		

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GINSENG*		
Foliar Disease Control	Rate	Application Notes
Alternaria blight (<i>Alternaria panax</i>)	6.2 oz/A (0.7 oz ai/A)	• Apply as a foliar spray every 7-10 days • Apply prior to disease development and when conditions are conducive for disease ¹
Botrytis blight (<i>Botrytis cinerea</i>)		
Root and Crown Disease Control		
Cylindrocarpon root rot (<i>Cylindrocarpon destructans</i>)	6.2 oz/A (0.7 oz ai/A)	• Apply as a drench every 14 days
Rhizoctonia root and crown rot (<i>Rhizoctonia solani</i>)		• Apply as a drench every 14-28 days
Notes • Apply within 2 weeks following plant emergence and continue throughout the season • ¹ Consult your local extension agent or local recommendations for information relating to proper timing for control of these diseases • Use in alternation with fungicides that have different modes of action • Do not apply more than 3 applications of Ph D Fungicide (2.1 oz ai/A) per season • Not for use in California		

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GRAPES		
Disease Control	Rate	Application Notes
Botrytis Bunch Rot (<i>Botrytis cinerea</i>)	6.2 oz/A (0.7 oz ai/A)	<ul style="list-style-type: none"> Mix in appropriate spray volume appropriate for sufficient coverage For Botrytis Bunch Rot control spray product at veraison and 7 days prior to harvest. 0 day Preharvest Interval Do not apply by air
Disease Suppression	Rate	Application Notes
Powdery Mildew (<i>Uncinula necator</i>)	6.2 oz/A (0.7 oz ai/A)	<ul style="list-style-type: none"> For Powdery Mildew suppression begin sprays preventatively and continue as needed on a 14 day interval
Notes <ul style="list-style-type: none"> Use in alternation with fungicides that have different modes of action Do not apply more than 3 applications of Ph D Fungicide (2.1 oz ai/A) per season 		

PISTACHIOS		
Disease Control	Rate	Application Notes
Alternaria (<i>Alternaria sp</i>)	6.2 oz/A (0.7 oz ai/A)	<ul style="list-style-type: none"> Mix in appropriate spray volume appropriate for sufficient coverage (Spray every row to ensure coverage (avoid every other row applications)) For both diseases begin sprays preventatively and continue as needed on a 10-14 day interval 0 day Preharvest Interval Do not apply by air Use of an adjuvant may enhance coverage
Disease Suppression		
Botryosphaeria blight (<i>Botryosphaeria sp</i>)		
Notes <ul style="list-style-type: none"> Use in alternation with fungicides that have different modes of action Do not apply more than 3 applications of Ph D Fungicide (2.1 oz ai/A) per season 		

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POME FRUITS*		
[Apple Crabapple Loquat Mayhaw Pear Oriental Pear Quince]		
Disease Control	Rate	Application Notes
Powdery Mildew <i>(Apple Podosphaera leucotricha Pear Phyllactinia mali)</i> Alternaria Leaf Spot <i>(Alternaria mali)</i> Blotch <i>(Diplocarpon mali)</i>	6.2 oz/A (0.7 oz ai/A)	<ul style="list-style-type: none"> Mix in appropriate spray volume appropriate for sufficient coverage Start sprays for scab control at green tip and continue as needed on a 7-10 day interval For Powdery Mildew control begin preventatively and repeat as necessary on a 10-14 day interval. Use of an alternation program with a sterol inhibiting fungicide is recommended 0 day Preharvest Interval
Disease Suppression		
Scab <i>(Venturia sp.)</i>		
Notes <ul style="list-style-type: none"> Use in alternation with fungicides that have different modes of action Do not apply more than 6 applications of Ph D Fungicide (4.2 oz ai/A) per season Not for use in California		

POTATOES*		
Disease Control	Rate	Application Notes
Early Blight <i>(Alternaria solani)</i>	6.2 oz/A (0.7 oz ai/A)	<ul style="list-style-type: none"> Mix in appropriate spray volume appropriate for sufficient coverage For all diseases spray product preventatively and continue as needed on a 10-14 day interval <ul style="list-style-type: none"> 0 day Preharvest Interval
Notes <ul style="list-style-type: none"> Use in alternation with fungicides that have different modes of action Do not apply more than 5 applications of Ph D Fungicide (3.5 oz ai/A) per season Not for use in California		

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STRAWBERRIES*		
Disease Control	Rate	Application Notes
Anthracnose Leaf and Fruit Rot <i>(Colletotricum sp)</i> Botrytis Fruit Rot <i>(Botrytis cinerea)</i> Powdery Mildew <i>(Sphaerotheca macularis)</i>	6.2 oz/A (0.7 oz ai/A)	Mix in appropriate spray volume appropriate for sufficient coverage <ul style="list-style-type: none"> • Begin applications preventatively and continue as needed on a 7-10 day interval • 0 day Preharvest Interval • Do not apply by air • Use of adjuvant may enhance coverage
Notes <ul style="list-style-type: none"> • Use in alternation with fungicides that have different modes of action • Do not apply more than 3 applications of Ph D Fungicide (2.1 oz ai/A) per season Not for use in California		

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STORAGE AND DISPOSAL
 Do not contaminate water, food or feed by storage or disposal
PESTICIDE STORAGE Store in dry place away from food or feed
PESTICIDE DISPOSAL Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility
CONTAINER HANDLING Nonrefillable container. Do not reuse or refill this container. 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. Offer for recycling if available.

**FOR 24 HOUR CHEMICAL EMERGENCY (Spill, Leak, Fire or Accident) ASSISTANCE
 CALL CHEMTREC 1 800 424-9300**

Warranty and Disclaimer Statement

- 1 The directions for use of this product are believed to be adequate and must be followed carefully. However, it is impossible to eliminate all risks associated with the use of this product. Such risks may arise from weather conditions, soil factors, off target movement, unconventional farming techniques, the presence of other materials, the manner of use or application, or other unknown factors, all of which are beyond the control of Arysta LifeScience North America, LLC (Arysta) and can cause crop injury, injury to non target crops or plants, ineffectiveness of the product, or other unintended consequences. To the extent consistent with applicable law, all such risks shall be assumed by the user or buyer.
- 2 Arysta warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated in the Directions for Use, subject to the inherent risks described above, when used in accordance with the Directions for Use under normal conditions.
- 3 This warranty does not extend to the use of this product contrary to label instructions or under conditions not reasonably foreseeable to Arysta, and is subject to the inherent risks described above. **TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, ARYSTA DISCLAIMS ALL OTHER WARRANTIES, EXPRESSED OR IMPLIED, INCLUDING ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, ARYSTA, MANUFACTURER AND SELLER DISCLAIM AND SHALL NOT BE LIABLE FOR ANY SPECIAL, INCIDENTAL, INDIRECT OR CONSEQUENTIAL DAMAGES RESULTING FROM THE USE, HANDLING, APPLICATION, STORAGE OR DISPOSAL OF THIS PRODUCT OR FOR DAMAGES IN THE NATURE OF PENALTIES. AND THE USER AND BUYER WAIVE ANY RIGHT THAT THEY MAY HAVE TO SUCH DAMAGES. NO AGENT, REPRESENTATIVE OR EMPLOYEE OF ARYSTA IS AUTHORIZED TO MAKE ANY WARRANTY, GUARANTEE OR REPRESENTATION BEYOND THOSE CONTAINED HEREIN OR TO MODIFY THE WARRANTIES CONTAINED HEREIN.**
- 4 **TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE EXCLUSIVE REMEDY OF THE USER OR BUYER AND THE TOTAL LIABILITY OF ARYSTA, MANUFACTURER AND SELLER, SHALL BE LIMITED TO THE PURCHASE PRICE PAID OR AT ARYSTA'S ELECTION, THE REPLACEMENT OF THE PRODUCT.**

Ph D® is a registered trademark of Arysta LifeScience North America, LLC