

# UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, D.C. 20460

OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

Bill Washburn Arysta LifeScience North America Corp. 15401 Weston Parkway, Suite 150 Cary, NC 27513

JUL 1 4 2008

Dear Mr. Washburn:

Subject:

Labeling Amendment; Corrected Wheat PHI

CYMATE 267

EPA Registration No. 66330-245 Submission Date: July 11, 2008

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, is acceptable. Further label amendments may be required once the product specific data have been reviewed. A stamped copy is enclosed for your records. Please submit one (1) final printed copy for the above mentioned label before releasing the product for shipment. If you have any questions regarding this label, please contact me at (703) 306-0415.

Sincerely yours,

Kable Bo Davis Entomologist

Insecticide-Rodenticide Branch Registration Division (7505P)

Enclosure

# CYMATE 267

# **ORGANOPHOSPHATE**

ACTIVE INGREDIENT:	Dimethoate (0,0-dimethyl S-(N-methyl-	
carbamoylmethyl) ph	nosphorodithioate)	. 30.5%
INERT INGREDIENTS:		. 69.5%
	TOTAL	. 100.0%

Contains xylene-range aromatic solvent. Contains 2.67 lbs. Dimethoate per gallon.

# KEEP OUT OF REACH OF CHILDREN

# WARNING

## **AVISO**

See Additional Precautionary Statements on Label

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle. (If you do not understand this label, find someone to explain it to you in detail.)

FIRST AID				
If swallowed	<ul> <li>Call a poison control center or doctor immediately for treatment advice.</li> <li>Do not give any liquid to the person.</li> <li>Do not induce vomiting unless told to do so by the poison control center or doctor.</li> <li>Do not give anything by mouth to an unconscious person.</li> </ul>			
If in eyes	<ul> <li>Hold eye open and rinse slowly and gently with water for 15-20 minutes.</li> <li>Remove contact lenses, if present, after the first 5minutes, then continue rinsing eye.</li> <li>Call a poison control center or doctor for treatment advice.</li> </ul>			
If on skin or clothing	<ul> <li>Take off contaminated clothing.</li> <li>Rinse skin immediately with plenty of water for 15 -20 minutes.</li> <li>Call a poison control center of doctor for treatment advice.</li> </ul>			
If inhaled	<ul> <li>Move person to fresh air</li> <li>If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth to mouth, if possible.</li> <li>Call a poison control center or doctor for further treatment advice.</li> </ul>			

# ACCEPTED

JUL 1 4 2008

Thater the Federal Insections, Fundfolds, and Rodenticide Act, as americal, for the posticide registered under RPA Dec. Fr. 66330-245

# HOTLINE NUMBER ORGANOPHOSPHATE

Have the product container or label with you when calling a poison control center or doctor, or going in for treatment. You may also contact 1-866-303-6952 for emergency medical treatment.

**NOTE TO PHYSICIAN:** Contains petroleum distillate. Vomiting may cause aspiration pneumonia. This product may cause cholinesterase inhibition. Antidote is atropine.

NET CONTENTS:	NET	CONTENTS:	
---------------	-----	-----------	--

EPA Reg. No. 66330-245 AD 090105 EPA Est. No. 51036-GA-1

Manufactured for:
ARYSTA LIFESCIENCE NORTH AMERICA CORPORATION
15401 Weston Parkway, Suite 150
Cary, NC 27513

# PRECAUTIONARY STATEMENTS Hazards to Humans and Domestic Animals

## WARNING

May be fatal if swallowed. May cause eye injury. Harmful if absorbed through skin. Harmful if inhaled. May cause irritation of the nose and throat. Do not get into eyes. Avoid breathing the vapor or spray mist. Keep away from domestic animals and foodstuffs. Do not contaminate or apply onto feed or foodstuffs.

**EMERGENCY TELEPHONE NUMBERS:** Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact:

(800) 424-9300 CHEMTREC (transportation and spills)

(866) 303-6952 PROSAR (human health) (800) 345-4735 ASPCA (animal health)

# PERSONAL PROTECTIVE EQUIPMENT (PPE)

Some materials that are chemical-resistant to this product are barrier laminate, butyl rubber, nitrile rubber, or viton. If you want more options, follow the instructions for category G on an EPA chemical resistance category selection chart.

# Mixers, loaders, applicators, flaggers, and other handlers must wear:

- 1. Long-sleeved shirt and long pants
- 2. Shoes plus socks
- 3. Chemical-resistant gloves
- 4. A NIOSH-approved dust mist filtering respirator with MSHA/NIOSH Approval number prefix TC-21C or a NIOSH-approved respirator with an R,P, or HE filter, and
- 5. Chemical-resistant apron when mixing, loading, cleaning up spills, or

equipment.

See Engineering Controls for additional requirements and exceptions.

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry.

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

# Engineering Controls:

Mixers and loaders supporting aerial application to alfalfa, cotton, soybeans, corn, safflower, sorghum, and wheat must use a closed system that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.240(d)(4)]. The system must be capable of removing the pesticide from the shipping container and transferring it into mixing tanks and/or application equipment. At any disconnect point, the system must be equipped with a dry disconnect or dry couple shut-off device that is warranted by the manufacturer to minimize drippage to no more than 2 ml per disconnect. In addition, mixers and loaders must:

- Wear the Personal Protective Equipment required on this labeling for mixers/loaders, except no respirator is required;
- Wear protective eyewear, if the system operates under pressure; and
- Be provided and have immediately available for use in an emergency, such as a broken package, spill, or equipment breakdown, chemicalresistant footwear and a respirator of the type specified in the PPE section of this labeling.

Pilots must use an enclosed cockpit that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.240(d)(6)]. Pilots need not wear the PPE required in this labeling for applicators, but must wear at least a long-sleeved shirt, long pants, shoes, and socks.

When handlers use closed systems, or enclosed cabs in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides (40 CFR 170.240(d) (4-5), the handler PPE requirements may be reduced or modified as specified in the WPS.

### USER SAFETY RECOMMENDATIONS

Users should:

- 1. Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.
- 2. Remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- 3. 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**

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.

Dimethoate is known to leach through soil into ground water under certain conditions as a result of label use. Use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in ground-water contamination.

This product may contaminate water through drift of spray in wind. This product has a high potential for runoff for several days after application. Poorly draining soils and soils with shallow water tables are more prone to produce runoff that contains this product.

A level, well maintained vegetative buffer strip between areas to which this product is applied and surface water features 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.

A vegetative filter strip constructed and maintained in accordance with the 2000 Natural Resources Conservation Service publication "Conservation Buffers to Reduce Pesticide Losses" (<a href="http://www.nrcs.usda.gov/feature/buffers/">http://www.nrcs.usda.gov/feature/buffers/</a>) will significantly reduce the potential for contamination of water from rainfall-runoff.

This pesticide is toxic to wildlife and aquatic invertebrates. This product is highly toxic to bees exposed to direct treatment or residues on blooming crops or weeds. Do not apply this product or allow it to drift to blooming crops or weeds if bees are visiting the treatment area.

## PHYSICAL OR CHEMICAL HAZARDS

Do not use or store near heat or flame.

## 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.

This product is for use in commercial setting only. Use in residential settings is prohibited.

# Requirements for Reducing Spray Drift

Do not apply under circumstances where possible drift to unprotected persons or to food, forage, or other plantings that might be damaged or crops thereof rendered unfit for sale, use, or consumption can occur.

1. Use the largest droplet size consistent with acceptable efficacy. Formation of very small droplets may be minimized by appropriate nozzle selection, by orienting nozzles away from the air stream as much as possible, and by avoiding excessive spray boom pressure. For ground boom and aerial applications, use medium or coarser spray nozzles according to ASAE 572 definition for standard nozzles or a volume mean diameter (VMD) of 300 microns or greater for spinning atomizer nozzles.

Make a aerial or ground applications when the wind velocity favors on-target product deposition. Apply only when the wind speed is less than or equal to 10 mph. For all non-aerial applications, wind speed must be measured adjacent to the application site on the upwind side, immediately prior to application.

3. Do not make aerial or ground applications into areas of temperature inversions. Inversions are characterized by stable air and increasing temperatures with increasing distance above the ground. Mist or fog may indicate the presence of an inversion in humid areas. Where permissible by local regulations, the applicator may detect the presence of an inversion by producing smoke and observing a smoke layer near the ground surface.

4. Low humidity and high temperatures increase the evaporation rate of spray droplets and therefore the likelihood of increased spray drift. Avoid spraying during conditions of low humidity and/or high temperatures.

5. All aerial and ground application equipment must be properly maintained and calibrated using appropriate carriers.

6. For groundboom applications, apply with nozzle height no more than 4 feet above the ground or crop canopy.

7. For airblast applications, turn off outward pointing nozzles at row ends and when spraying the outer two rows. To minimize spray loss over the top in orchard applications, spray must be directed into the canopy.

8. For aerial applications, release spray at the lowest height consistent with efficacy and flight safety. If the application includes an aquatic buffer zone, do not release spray at height greater than 10 feet above the ground or crop canopy.

9. For aerial applications, the spray boom should be mounted on the

aircraft so as to minimize drift caused by wing tip vortices. The minimum practical boom length should be used and must not exceed 75% of the wingspan of 90% of rotor blade diameter. Use upwind swath displacement.

# 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 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).

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:

- 1. Coveralls worn over long-sleeve shirt and long pants,
- 2. Chemical-resistant gloves made of any waterproof material
- 3. Chemical-resistant footwear plus socks
  Chemical-resistant headgear (if overhead exposure)

Notify workers of the application by warning them orally and by posting warning signs at entrances to treated area.

# DIRECTIONS

Do not use this product for any other uses than those specified on this label. This product is intended for use by the commercial grower or commercial applicator in conventional hydraulic sprayers, ground applicators, airplane sprayers, or by chemigation.

**GROUND APPLICATION:** Use recommended amount in sufficient water for thorough coverage.

**AIR APPLICATION:** Use recommended amount in 2 to 10 gallons of water, unless otherwise specified. Repeat applications as necessary unless otherwise specified.

Consult your State Experiment Station or State Extension Service for proper timing of applications.

**High Pressure Handward Equipment:** When applications are made by high pressure handward equipment, the maximum application rate for all crops and use-patterns is 0.0025 pounds active ingredient per gallon.

## CHEMIGATION INSTRUCTIONS

Apply this product only through one or more of the following types of systems: sprinkler including center pivot, lateral move, end tow, side (wheel) roll, traveler, big gun, solid set, or hand move; flood (basin); furrow; border; or drip (trickle) irrigation system(s). Do not apply this product through any other type of irrigation system.

Crop injury or lack of effectiveness can result from non-uniform distribution of treated water. If you have questions about calibration, you should contact State Extension Service specialists, equipment manufacturers or other experts. Do not connect an irrigation system (including greenhouse systems) used for pesticide application to a public water system unless the pesticide label-prescribed safety devices for public water systems are in place. A person knowledgeable of the chemigation system and responsible for its operation or under the supervision of the responsible person, shall shut the system down and make necessary adjustments should the need arise.

- Α. Center Pivot, Traveler, Big Gun, Motorized Lateral Move, End Tow, and Side (Wheel) Roll Irrigation Equipment: Operate system and injection equipment at normal pressures recommended by the manufacturer of injection equipment used. Fill tank or injection equipment with water. system for one complete circle for center pivot or one complete run for the other recommended equipment, measuring time required, amount of water injected, and acreage contained in circle or run. Mix recommended amount of product for acreage to be covered into same amount of water used during calibration and inject into system continuously for one revolution or run, but continue to operate irrigation system until the product has been Spray mixture in the chemical supply cleared from last sprinkler head. tank must be agitated at all times, otherwise settling and uneven application may occur.
- B. Solid Set and Hand Move Irrigation Equipment: Determine acreage covered by sprinkler. Fill tank of injection equipment with water and adjust flow to use contents over a thirty to forty-five minute period. Mix desired amount of product for acreage to be covered into quantity of water used during calibration and operate entire system at normal pressures recommended by the manufacturer of injection equipment used for amount of time established during calibration. Provide constant mechanical agitation in the mix tank to insure that the product will remain in suspension during the injection cycle. This product can be injected at the beginning or end of the irrigation cycle or as a separate application. Stop injection equipment after treatment is completed and continue to operate irrigation system until pesticide is cleared from last sprinkler head.
- C. Flood (Basin), Furrow and Border Chemigation (Soil Drench Uses): Operate system and injection equipment at normal pressures recommended by the manufacturer of injection equipment used. Fill tank or injection equipment with water and adjust flow to use contents over a thirty to forty-five minute period. Mix desired amount of product for acreage to be covered into quantity of water used during calibration and operate entire system at normal pressures recommended by the manufacturer of injection

-

equipment used for amount of time established during calibration. Provide constant mechanical agitation in the mix tank to insure that the product will remain in suspension during the injection cycle. This product can be injected at the beginning or end of the irrigation cycle or as a separate application. Systems using a gravity flow pesticide dispensing system must meter the pesticide into the water at the head of the field and downstream of a hydraulic discontinuity such as a drop structure or weir box to decrease potential for water source contamination from backflow if water flow stops. Systems utilizing a pressurized water and pesticide injection system must meet the requirements listed in the section titled "Safety Devices" below.

Drip (Trickle) Chemigation (Soil Drench Uses): Operate system and injection equipment at normal pressures recommended by the manufacturer of injection equipment used. Fill tank or injection equipment with water and adjust flow to use contents over a thirty to forty-five minute period. Mix desired amount of product for acreage to be covered into quantity of water used during calibration and operate entire system at normal pressures recommended by the manufacturer of injection equipment used for established during calibration. of time Provide mechanical agitation in the mix tank to insure that the product will remain in suspension during the injection cycle. This product can be injected at the beginning or end of the irrigation cycle or as a separate Systems must meet the requirements listed in the section application. titled "Safety Devices" below.

## SAFETY DEVICES

(1) The systems designated above must contain a functional check valve, vacuum relief valve, and low pressure drain appropriately located on the irrigation pipeline to prevent water source contamination from backflow. All pesticide injection pipelines must contain a automatic, quick-closing check valve to prevent the flow of fluid back toward the injection pump. (3) The pesticide injection pipeline must also contain a functional, normally closed, solenoid-operated valve located on the intake side of the injection pump and connected to the system interlock to prevent fluid from being withdrawn from the supply tank when the irrigation system is either automatically or manually shut down. The system must contain functional interlocking controls to automatically shut off the pesticide injection pump when the water pump motor stops. (5) The irrigation line or water pump must include a functional pressure switch which will stop the water pump motor when the water pressure decreases to the point where pesticide distribution is adversely affected.

(6) Systems must use a metering pump, such as a positive displacement injection pump (e.g., diaphragm pump) effectively designed and constructed of materials that are compatible with pesticides and capable of being fitted with a system interlock. (7) Do not apply when wind speed favors drift beyond the area intended for treatment.

## SYSTEMS CONNECTED TO PUBLIC WATER SYSTEMS

Public water systems means a system for the provision to the public of piped water for human consumption if such system has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days out of the year.

Chemigation systems connected to public water systems must contain a functional, reduced-pressure zone, backflow preventer (RPZ) functional equivalent in the water supply line upstream from the point of As an option to the RPZ, the water from the pesticide introduction. public water system should be discharged into a reservoir tank prior to pesticide introduction. There shall be a complete physical break (air gap) between the outlet end of the fill pipe and the top or overflow rim of the reservoir tank of at least twice the inside diameter of the fill The system must contain functional interlocking controls to automatically shut off the pesticide injection pump when the water pump motor stops or, in cases where there is no water pump, when the water pressure decreases to the point where pesticide distribution is adversely affected.

For additional instructions on safety precautions refer to statements (2), (3), (4), (6), and (7) in the section on SAFETY DEVICES.

## FRUIT

# CHERRIES, Preharvest (Idaho, Oregon, Utah, Washington, and Montana only):

Aphids, Cherry Fruit Flies, Mites - Dilute Application: Use 3/4 to 1 1/2 pts./100 gals. water. Concentrate Application: Use 3 to 4 1/8 pints per acre. Apply a minimum spray volume of 50 gallons per acre. Maximum application rate: 1.33 lbs a.i./A (4 1/8 pints (66 oz) of formulation) Maximum total rate per year: 1.33 lbs. a.i./A

The REI is 10 days; however, the REI is increased to 14 days in outdoor areas where the average annual rainfall is less than 25 inches per year. Make a single application within 7 days of adult fly emergence in the area. This single application should be made in late May or early June when the fruit are small in size.

NOTE: Concentrate sprays should be used with caution to avoid fruit marking and injury on sensitive varieties (such as Ranier species). Do not apply within 21 days of harvest. Do not apply when trees or substantial numbers of weeds in the treatment area are in bloom. Do not graze livestock in treated orchards. Only a single application may be made.

CHERRIES, Postharvest (Idaho, Oregon, Utah, Washington, and Montana only):

Aphids, Cherry Fruit Flies, Mites - Dilute Application: Use 3/4 to 1 1/2 pts./100 gals. water. Concentrate Application: Use 3 to 4 1/8 pints per Apply a minimum spray volume of 50 gallons per acre. Maximum 1.33 lbs a.i./A (4 1/8 pints (66 oz) of formulation) application rate: The REI is 10. days; Maximum total rate per year: 1.33 lbs. a.i./A however, the REI is increased to 14 days in outdoor areas where the average annual rainfall is less than 25 inches per year. Make a single application a minimum of 7 days after final harvest or apply in cases where a decision is made not to harvest due to poor fruit quality, a light crop, or unfavorable market conditions. Do not apply when trees or substantial numbers of weeds in the treatment area are in bloom. graze livestock in treated orchards. Only a single application may be made.

# GRAPEFRUIT, KUMQUATS, LEMONS, LIMES, ORANGES, PUMMELOS, TANGELOS, TANGERINES:

Aphids, Mites (except Rust Mites), Thrips, Whiteflies - ground application - 3/4 to 1 1/2 pints per 100 gallons of water. Maximum application rate: 1 lb a.i./A (3 1/8 pints (50 oz) of formulation) Maximum total rate per year: 1 lb a.i./A

Apply as a thorough coverage spray. For concentrate (mist) application, apply 3 1/8 pints per acre in sufficient water to provide full coverage of foliage.

Scales (except black or snow) - Ground application - 3/4 to 2 1/4 pints per 100 gallons of water. Maximum application rate: 1 lb a.i./A (3 1/8 pints (50 oz) of formulation) Maximum total rate per year: 1 lb a.i./A Apply as a thorough distribution coverage spray. For concentrate (mist) application, apply 3 1/8 pints per acre in sufficient water to provide full coverage of foliage.

**NOTE:** When applying higher rates for scale control, the pre-harvest interval is 45 days.

Do not apply to citrus in Florida. Aerial application to citrus is prohibited. Do not use on citrus seedlings. Make no more than 2 applications to mature fruit. Do not apply to citrus within 15 days of harvest. Do not apply when trees or substantial numbers of weeds in the orchard are in bloom. Do not graze livestock in treated areas. The REI is 10 days; however, the REI is increased to 14 days in outdoor areas where the average annual rainfall is less than 25 inches per year.

# CITRUS (California & Arizona: Nonbearing and nursery stock):

Aphids, Thrips - Foliar Spray: 1 1/2 pts./100 gals. water. Maximum application rate: 1 lb a.i./A (3 1/8 pints (50 oz) of formulation) Maximum total rate per year: 1 lb a.i./A May be applied in the year trees begin to bear fruit. Soil Drench (trees 1 to 3 years old): 3 1/8 pts./acre. Apply in the furrow or basin around the base of the tree. Apply when insect injury to new growth appears. Do not apply to trees that will bear fruit within one year. The REI is 10 days; however, the REI is increased to 14 days in outdoor areas where the average annual rainfall is less than 25 inches per year.

PEARS: Aphids, Leafhoppers, Pear Psylla, Mites (except Rust Mites) - 3/4 to 1 1/2 pints per 100 gallons of water. Maximum application rate: 1 lb. a.i./A (3 1/8 pints (50 oz.) of formulation) Maximum total application rate per year: 1 lb a.i./A The REI is 10 days, however, the REI is increased to 14 days in outdoor areas where the average annual rainfall is less than 25 inches per year. For concentrate (mist) application, apply 3 1/8 pints per acre in sufficient water to provide full coverage of foliage. For aerial application, apply 3 1/8 pints per acre in 5 to 10 gallons of water. Do not apply within 28 days of harvest.

Do not apply when trees or substantial numbers of weeds in the orchard are in bloom. Do not graze livestock in treated areas.

## NUTS

## PECANS:

Aphids, Mites, Leafhoppers - 1 pint per acre by ground equipment or by aerial equipment. Maximum application rate: 0.33 lb a.i./A (1 pint of formulation) Maximum total rate per year: 0.33 lb a.i./A The REI is 48 hours. If applied by air, a minimum of 5 gallons of finished spray must be used. Do not apply within 21 days of harvest. Do not graze livestock in treated groves.

## VEGETABLE CROPS

# ASPARAGUS (EXCEPT ARIZONA AND CALIFORNIA):

Aphids, Asparagus beetles - 1 1/2 pts./acre. Maximum single application rate: 0.5 lb a.i./A (1 ½ pints of formulation) 14 day retreatment interval. Maximum total rate per season: 1 lb a.i./A The REI is 48 hours. Do not apply within 180 days of harvest.

BEANS including fresh, snap, lima, and dry beans and excluding cowpeas: Aphids, Leafhoppers, Leaf Miners, Mites, Lygus Bugs, Bean Leaf Beetle, Mexican Bean Beetle, Grasshoppers: - 3/4 to 1 1/2 pints per acre. Maximum single application rate: 0.5 lb a.i./A (1½ pints of formulation) 14 day retreatment interval. Maximum total rate per season: 1 lb a.i./A The REI us 48 hours. May be applied up to 2 days prior to harvest. Do not feed treated vines. This pesticide is highly toxic to bees; do not apply if bees are visiting the areas to be treated when crop or weeds are in bloom.

**BROCCOLI and CAULIFLOWER:** Aphids -3/4 to 11/2 pints per acre. Maximum application rate: 0.5 lb a.i./A (1½ pints of formulation) 7 day retreatment interval. Maximum total rate per year: 1.5 lbs a.i./A The REI is 48 hours; however, the REI is increased to 72 hours in outdoor areas where the average annual rainfall is less than 25 inches per year. Do not apply within 7 days of harvest.

## BRUSSELS SPROUTS (FOR USE IN CALIFORNIA ONLY):

Aphids- 1 1/2 pts./acre in a minimum of 100 gallons of water using ground equipment. Maximum application rate: 0.5 lb a.i./A (1 ½ pints of formulation) 7 day retreatment interval. Maximum total rate per year. 1.5 lbs a.i./A The REI is 48 hours; however, the REI is increased to 72 hours in outdoor areas where the average annual rainfall is less than 25 inches per year. Apply when insects first appear. Do not feed or graze livestock in treated fields. Do not apply by air. Do not exceed 3 applications per growing season. Do not apply within 10 days of harvest.

## **CELERY:**

Leaf miners, Carmine mite, Two-spotted spider mite - 1 1/2 pts./acre. Maximum application rate: 0.5 lb a.i./A (1 ½ pints of formulation) 7 day retreatment interval. Maximum total rate per year: 1.5 lbs a.i./A The REI is 48 hours. Do not apply within 7 days of harvest.

# GARBANZO BEANS (Chickpea):

Aphids, Leafhoppers, Leaf Miners, Mites, Lygus Bugs, Bean Leaf Beetle, Mexican Bean Beetle, Grasshoppers: - 3/4 to 1 1/2 pints per acre. Maximum single application rate: 0.5 lb a.i./A (1 ½ pints of formulation) 14 day retreatment interval. Maximum total rate per season: 1 lb a.i./A The REI us 48 hours. May be applied up to 2 days prior to harvest. Do not feed treated vines. This pesticide is highly toxic to bees; do not apply if bees are visiting the areas to be treated when crop or weeds are in bloom.

LEAF LETTUCE, SWISS CHARD, ENDIVE (escarole): Aphids, Leafhopper, Leaf Miners - 3/4 pint per acre. Maximum application rate: 0.25 lb a.i./A (12 oz. of formulation) 7 day reapplication interval. Maximum total rate per year: 0.75 lb a.i./A The REI is 48 hours. Do not apply within 14 days of harvest, except head lettuce, do not apply within 7 days of harvest.

#### KALE:

Aphids, Leafhopper, Leaf Miners - 3/4 pints per acre. Maximum application rate: 0.25 lb a.i./A (12 oz of formulation) 15 day reapplication interval. Maximum total rate per year: 0.5 lb a.i./A The REI is 48 hours. The PHI is 14 days.

# TURNIP (greens and roots):

Aphids, Leafhopper, Leaf Miners - 3/4 pints per acre. Maximum application rate: 0.25 lb a.i./A (12 oz of formulation) 3 day reapplication interval. Maximum total rate per year: 1.75 lbs a.i./A The REI is 48 hours.

## MUSTARD GREENS:

Aphids, Leafhopper, Leaf Miners -3/4 pints per acre. Maximum application rate: 0.25 lb a.i./A (12 oz of formulation) 9 day reapplication interval. Maximum total rate per year: 0.5 lb a.i./A The REI is 48 hours. The PHI is 14 days.

# MELONS (except Watermelons):

Aphids, Leafhoppers, Leaf Miners, Thrips - 1 1/2 pints per acre.

Maximum application rate: 0.5 lb a.i./A (1 ½ pints of formulation) 7 day reapplication interval Maximum total rate per year: 1 lb a.i./A The REI is 48 hours. Do not apply within 3 days of harvest.

## WATERMELONS:

Aphids, Leaf Miners, Leafhoppers - 3/4 to 1 1/2 pints per acre. Maximum application rate: 0.5 lb a.i./A (1 ½ pints of formulation) 7 day reapplication interval. Maximum total rate per year: 1 lb a.i./A The REI is 48 hours. Do not apply to melons within 3 days of harvest.

## LUPINE

Aphids, Leafhoppers, Leaf Miners, Mites, Lygus Bugs, Bean Leaf Beetle, Mexican Bean Beetle, Grasshoppers: - 3/4 to 1 1/2 pints per acre. Maximum single application rate: 0.5 lb a.i./A (1½ pints of formulation) 14 day retreatment interval. Maximum total rate per season: 1 lb a.i./A The REI us 48 hours. May be applied up to 2 days prior to harvest. Do not feed treated vines. This pesticide is highly toxic to bees; do not apply if bees are visiting the areas to be treated when crop or weeds are in bloom.

#### PEAS:

Aphids, Lygus Bugs - 1/2 pints per acre.

Maximum application rate: 0.16 lb a.i./A (1/2 pint (8 oz) of formulation) Maximum total rate per year: 0.16 lb a.i./A The REI is 48 hours. Peas may be harvested within two days of application. Do not feed or graze hay within 21 days after last application when a stationary viner is being used. Do not feed or graze when a mobile viner is used. Make only one application per season. This pesticide is highly toxic to bees; do not apply if bees are visiting the areas to be treated when crop or weeds are in bloom. Not for use on field peas.

LENTILS: Aphids - 1/2 to 1 1/2 pts./acre.

Lyqus Bugs - 1 1/2 pts./acre

Maximum application rate: 0.5 lb a.i./A (1 ½ pints of formulation) 7 day reapplication interval. Maximum total rate per year: 1 lb a.i./A The REI is 48 hours. Do not apply within 14 days of harvest. Do not make more than 2 applications per season.

Do not feed or graze treated plants.

This pesticide is highly toxic to bees; do not apply if bees are visiting the areas to be treated when crop or weeds are in bloom.

### PEPPERS:

Aphids, Leaf Miners, Maggots - 3/4 to 1 pint per acre. Maximum application rate: 0.33 lb a.i./A (1 pint of formulation) 7 day reapplication interval. Maximum total rate per year: 1.65 lbs a.i./A The REI is 48 hours. May be applied up to two days prior to harvest.

## POTATOES:

Aphids, Grasshoppers, Leaf Miners, Leafhoppers - 3/4 to 1 1/2 pints per acre. Maximum application rate: 0.5 lb a.i./A (1 ½ pints of formulation) 7 day reapplication interval. Maximum total rate per year: 1 lb a.i./A The REI is 48 hours. May be applied up to two days prior to harvest.

# TOMATOES:

Aphids, Grasshoppers, Leaf Miners, Leafhoppers - 3/4 to 1 1/2 pints per acre. Maximum application rate: 0.5 lb a.i./A (1 ½ pints of formulation) 6 day reapplication interval. Maximum total rate per year: 1.0 lb a.i./A The REI is 48 hours. Do not apply to tomatoes within 7 days of harvest.

## FIELD CROPS

# ALFALFA, SAINFOIN:

Aphids, Leafhoppers, Lygus Bugs, Grasshoppers, Plant Bugs, Reduction of Alfalfa Weevil larvae - 3/4 to 1 1/2 pints per acre. Maximum single application rate: 0.5 lb a.i./A (1½ pints of formulation) Maximum total rate per crop cycle or cutting: 0.5 lb a.i./A The REI is 48 hours Do not apply to alfalfa during bloom period. Do not apply within 10 days of harvest or pasturing. Make only one application per cutting. Effective only on cutting to which applied. This pesticide is highly toxic to bees; do not apply if bees are visiting the areas to be treated when crop or weeds are in bloom.

## FIELD CORN:

Banks Grass Mites (excluding Trans Pecos area of Texas), Aphids, Bean Beetles, Corn Rootworm Adult, Mites (including Two-spotted Spider Mite), Thrips, Fleahoppers - 1 to 1 1/2 pints per acre. Grasshoppers: 1 1/2 pints per acre. Maximum application rate: 0.5 lb a.i./A (1 ½ pints of formulation) Maximum total rate per year: 0.5 lb a.i./A The REI is 48 hours. PROHIBITION: Workers are prohibited from entering the treated area to perform detasseling tasks for 4 days in nonarid areas and for 15 days in outdoor areas where the average annual rainfall is less than 25 inches per year.

Ground Application: Apply above rate in 20 to 40 gals. of water per acre. Aerial Application: Apply above rate in 1 or more gals. of water per acre.

Do not apply within 14 days for forage and 28 days for grain. Do not feed or graze within 14 days of last application. Do not apply to corn during the pollen-shed period.

#### COTTON:

Aphids, Fleahoppers, Mites, Thrips, Plant Bugs - 1/3 to 1 1/2 pints per acre.

Lygus bugs - 3/4 to 1 1/2 pints per acre. Lygus bugs, Leafhoppers and Black Fleahoppers in California and Arizona - 3/4 to 1 1/2 pints per acre. Make only two applications per season at the higher rate.

Fleahoppers in Oklahoma and Texas - 1/3 to 2/3 pint per acre.

Maximum single application rate: 0.5 lb a.i./A (1  $\frac{1}{2}$  pints of formulation) 14 day retreatment interval. Maximum total rate per season: 1 lb a.i./A The REI is 48 hours.

Do not apply to cotton within 14 days of harvest. Do not repeat applications within 14 days. Do not feed treated forage or graze livestock on treated fields.

# SAFFLOWER (grown in California and Arizona):

Aphids, Leafhoppers, Lygus bugs, Thrips, Plant Bugs - 3/4 to 1 1/2 pints per acre. Maximum single application rate: 0.5 lb a.i./A (1 ½ pints of formulation) Maximum total rate per crop cycle or cutting: 0.5 lb a.i./A The REI is 48 hours. Do not apply within 14 days of harvest. Do not repeat applications within 14 days. Make only 2 applications per season at the lower rate.

## SORGHUM (milo):

Aphids, Mites (including Spider Mites) - Moderate to heavy infestations - 3/4 to  $1\ 1/2$  pints per acre. Light infestations on young sorghum prior to head formation -1/3 to 2/3 pints per acre. Banks Grass Mites (excluding Trans-Pecos area of Texas) -  $1\ 1/2$  pints per acre. Grasshoppers -  $1\ 1/2$  pints per acre.

Sorghum midge -1/3 to 3/4 pint per acre.

Maximum application rate: 0.5 lb a.i./A (1  $\frac{1}{2}$  pints of formulation) 7 day reapplication interval. Maximum total application rate per year: 1 lb a.i./A The REI is 48 hours.

Aerial application: Apply above rates in 1 or more gals. of water per acre.

Do not feed or graze within 28 days of last application. Do not apply after head formation. The PHI is 28 days.

## SOYBEANS:

Mexican Bean Beetle, Spider Mites, Bean Leaf Beetle, Grasshoppers, Leafhoppers, Three-cornered Alfalfa Hopper, Alfalfa Loopers: Apply 1 1/2 pints per acre. Maximum application rate: 0.5 lb a.i./A (1 ½ pints of formulation) 7 day reapplication interval. Maximum total application rate per year: 1 lb a.i./A The REI is 48 hours. Ground application: Apply above rate in 25 to 40 gals. of water per acre.

Aerial Application: Apply above rate in 1 or more gals. of water per

Do not apply within 21 days of harvest. Do not feed or graze within 5 days of last application.

# WHEAT, TRITICALE:

Aphids (Greenbugs), Wheat Midge - 3/4 to 1 1/8 pints per acre. Brown Wheat Mite - 1/2 to 3/4 pint per acre.

Grasshoppers - 1 1/8 pints per acre.

Maximum single application rate: 0.5 lb a.i./A (1 ½ pints of formulation) Maximum total rate per crop cycle or cutting: 0.5 lb a.i./A The REI is 48 hours.

Do not apply to wheat or triticale within 14 days of grazing immature plant. Do not harvest grain within 35 days of last application.

## SEED CROPS

## ALFALFA:

Aphids, leafhoppers, lygus bugs, grasshoppers, reduction of alfalfa weevil larvae - 3/4 to 1 1/2 pts./acre. Maximum single application rate: 0.5 lb a.i./A (1 ½ pints of formulation) Maximum total rate per crop cycle or cutting: 0.5 lb a.i./A The REI is 48 hours.

Do not feed or graze livestock in treated crops, hay, threshings or stubble within 10 days of application.

This pesticide is highly toxic to bees; do not apply if bees are visiting the areas to be treated when crop or weeds are in bloom.

# GRASSES GROWN FOR SEED (Idaho, Oregon and Washington only) (14) -PHI

Winter Grain Mites, Aphids, Thrips and Plant Bugs - 3/4 to 1 pt. per acre. Maximum application rate: 0.5 lb a.i./A (1 ½ pints of formulation) 90 day retreatment interval. Maximum total rate per year: 1 lb a.i./A The REI is 48 hours. May be applied through ground or aerial application equipment. Apply in minimum of 2 gallons of water per acre. Do not graze or use seed or seed screenings for feed purposes.

ATTENTION: DO NOT USE ON SEED ONIONS, SEED CARROTS, OR SEED BERMUDA GRASS

# OUTDOOR ORNAMENTAL PLANTS GROWN IN NURSERIES (GROUND APPLICATION ONLY)

Cymate 267 is generally effective in controlling aphids, thrips, leaf miners, scales, leafhoppers and mites. Make adequate spray when pests appear or when damage is first observed. Do not overdose or overspray. For proper timing of treatments for the control of specific pests on ornamental plants, consult your state agricultural experiment station or state agricultural extension service.

Do not use on ornamental plants not listed. Do not use on any ornamental stock plants grown as a source of propagation material, such as cuttings, layers, root stocks or scions for grafting or budding. Do not use in spray mixtures containing oil. Do not use on plants growing in greenhouses.

Do not use on ornamental plants growing in greenhouses, Christmas tree and conifer plantations, landscapes, interiorscapes and residential, public, recreational, commercial, industrial and institutional establishments.

## Herbaceous Ornamentals:

- Maximum application rate: 0.25 lb. a.i./A.
- The maximum total rate per year: 0.25 lb a.i./A
- The REI is 48 hours.

# Woody Ornamentals and Christmas Tree Nurseries:

- Maximum application rate: 1.0 lb a.i./A, 14 day reapplication interval.
- Maximum total rate per year: 3.0 lbs a.i./A.
- The REI is 10 days; however, the REI is increased to 14 days in outdoor areas where the average annual rainfall is less than 25 inches per year.
- **High Pressure Handward Equipment:** When applications are made by high pressure handward equipment, the maximum application rate for all crops and use patterns is 0.0025 pounds active ingredient per gallon.

For ornamental shade and nursery trees to control aphids and elm leaf beetle, apply as a soil injection at the rate of 3/4 teaspoonful of product per inch of tree circumference measured at approximately 4 1/2 to 5 feet above ground level. Apply using a low-pressure injector to a 4 to 6 inch level below ground surface within the dripline of the tree. Water heavily after application.

Application should be made once per growing season (twice per season for elm leaf beetles; once shortly after trees leaf out, and once 6 to 8 weeks later). Some species such as River Birch, Prunus, Ornamental Cherry, Hawthorne, Japanese Lace Maple and Aspens may show phytotoxic effects at label rates.

DO NOT USE ON BEARING FRUIT TREES. IMPORTANT: When making soil injections, use a low pressure soil injection device. Always wear a full face shield, rubber gloves, long-sleeved shirt and rubber apron. DO NOT inject into soil areas where children or pets may dig or exhume treated soil.

## ARBORVITAE:

Aphids, Bagworm, Mites - 3/4 Teaspoonful (.12 oz of formulation) per gallon of water

## AZALEAS:

Lace Bugs, Leaf Miners, Mites, Tea Scale and White Flies - 3/4 Teaspoonful (.12 oz of formulation) per gallon of water.

## BIRCH:

Aphids and Leafminers -3/4 Teaspoonful (.12 oz of formulation) per gallon of water. For leafminers, apply when leaves are expanded and repeat in 6 weeks.

## BOXWOOD:

Leafminers, Mealy Bugs and Mites - 3/4 Teaspoonful (.12 oz of formulation) per gallon of water. For leafminers, apply in spring when leaf miner flies first appear or in early summer for control of larvae.

## CAMELLIAS:

Aphids, Camellia Scale and Tea Scale - 3/4 Teaspoonful (.12 oz of formulation) per gallon of water.

## CARNATIONS:

Aphids, Thrips and Mites - 3/4 Teaspoonful (.12 oz of formulation) per gallon of water.
Soil Drench: 3 fl.oz. per 500 sq.ft. of bed or bench.

## CEDAR:

Mites - 3/4 Teaspoonful (.12 oz of formulation) per gallon of water.

## CHRISTMAS TREES:

Balsam Twig Aphid, Blue Aphid, Bagworms, European Pine Shoot Moth, Mites, Nantucket Pine Tip Moth, Zimmerman Pine Moths - 3/4 Teaspoonful per gallon of water. (.12 oz of formulation) The REI is 10 days; however, the REI is increased to 14 days in outdoor areas where the average annual rainfall is less than 25 inches per year.

NOTE: DO NOT USE ON JAPANESE MAPLES OR RED LEAF ORNAMENTAL SPP.

## CYPRESS:

Bactra Moth Larvae - 3/4 Teaspoonful(.12 oz of formulation) per gallon of water. Apply as a drenching spray.

## DAYLILLIES:

Aphids, Thrips - 3/4 Teaspoonful (.12 oz of formulation) per gallon of water.

## DOUGLAS FIR:

Fir Cone Midge - 3/4 Teaspoonful (.12 oz of formulation) per gallon of water. Make thorough coverage application when cones are closed and pendant. Use hydraulic or backpack sprayer.

## FRASER FIR:

Rosette Bud Mite -3/4 Teaspoonful (.12 oz of formulation) per gallon of water. Use a high pressure hydraulic sprayer with a handheld spray gun to thoroughly wet trunk and limbs on front and back of tree.

## **EUONYMUS:**

Aphids and Scales - 3/4 Teaspoonful (.12 oz of formulation) per gallon of water.

## FICUS NITIDA:

Thrips - 3/4 Teaspoonful(.12 oz of formulation) per gallon of water.

## GARDENIAS:

Tea Scale and Whitefly - 3/4 Teaspoonful (.12 oz of formulation) per gallon of water.

## **GERBERAS:**

Thrips - 3/4 Teaspoonful (.12 oz of formulation) per gallon of water.

### GLADIOLUS:

Aphids and Thrips -3/4 Teaspoonful (.12 oz of formulation) per gallon of water.

## HACKBERRY:

Hackberry Nipplegall Psyllid, Hackberry Budgall Pysllid - 3/4 Teaspoonful (.12 oz of formulation) per gallon of water.

Soil Injection: Use a 1:2 dilution (1 part Cymate 267 to 2 parts water). Apply using a low-pressure injector. Inject 1 fl.oz. of dilution 6 inches below ground for each 1/2 inch of trunk diameter. Make insertions within dripline of tree. Apply prior to bud break. Do not apply to plants that have not been established for at least 3 years.

## **HEMLOCKS:**

Mites and Scales -3/4 Teaspoonful (.12 oz of formulation) per gallon of water.

# HOLLY (English & American, not Burford variety):

Leafminers, Mites and Soft Scale - 3/4 Teaspoonful (.12 oz of formulation) per gallon of water. For leafminers, apply in spring when leafminer flies first appear, or in early summer, for control of larvae in infested leaves.

## HONEYSUCKLE:

Honeysuckle Aphid -3/4 Teaspoonful (.12 oz of formulation) per gallon of water.

Soil Injection: Use a 1:2 dilution (1 part Cymate 267 to 2 parts water). Apply using a low-pressure injector. Inject 1 1/4 fl.oz. of dilution 6 inches below ground for each 1/2 inch of trunk diameter. Do not apply to plants that have not been established for at least 3 years.

## IRIS:

Aphids, Iris Borer, Thrips - 3/4 Teaspoonful (.12 oz of formulation) per gallon of water. For borer control, spray when new leaves are 5 to 6 inches tall.

#### OAK:

Golden Oak Scale - 3/4 Teaspoonful (.12 oz of formulation) per gallon of water.

## PINE AND JUNIPER:

Mites, Aphids, Bagworms, European Pine Shoot Moth, Zimmerman Pine Moth, and Midges - 3/4 Teaspoonful (.12 oz of formulation) per gallon of water.

Nantucket Pine Tip Moth and Loblolly Pine Sawfly -3/4 Teaspoonful (.12 oz of formulation) per gallon of water.

## PINYON PINE:

Pinyon Needle Scale - 3/4 Teaspoonful (.12 oz of formulation) per gallon of water. Apply spray to egg masses at the base of the trees and to all rough bark and crotches that can be reached from the ground. Make this bark application when crawlers start to emerge from the eggs. Use hydraulic or backpack sprayer. Do not spray leaves or needles since phytotoxicity may result.

Pinyon "Pitch Mass" Borer, Pinyon Spindle Gall Midge, Tip Moth - Soil Injection: Use a 1:2 dilution (1 part Cymate 267 to 2 parts water). Apply using a low-pressure injector. Inject 1 1/2 fl.oz. of dilution 6 inches below ground surface for each 1 inch of trunk diameter. Make insertions within dripline of tree. For Spindle Gall Midge and Tip Moth apply in mid to late spring. For Pinyon Borer make application in early summer.

#### POINSETTIA:

Mites, Whitefly, Mealybug and Aphids - 3/4 Teaspoonful (.12 oz of formulation) per gallon of water.

## ROSES:

Leafhoppers, Thrips, Aphids, Mites - 3/4 Teaspoonful (.12 oz of formulation) per gallon of water. Foliar spray: Apply 2 sprays 6 weeks apart the first year followed by annual applications soon after the first growth begins in the spring. Soil Drench: Apply as a soil drench around the base of plants in early spring at the rate of 4 Tablespoonful (2 oz of formulation) per gallon of water per plant.

# TAXUS (upright or spreading Yew):

Fletcher Scale, Mealybug and Mites -3/4 Teaspoonful (.12 oz of formulation) per gallon of water.

## STORAGE AND DISPOSAL

Non-refillable container. Offer for recycling, if available. Do not contaminate water, food or feed by storage or disposal. Do not store under conditions which might adversely affect the container or its ability to function properly.

**STORAGE:** Do not store below temperature of 32° F., as it may tend to crystallize. Avoid storage above 90° F., as prolonged storage above 90° F. may cause some loss in grade. Store in safe manner. Store in original container only. Keep container tightly closed when not in use. Reduce stacking height where local conditions can affect package strength.

**PESTICIDE DISPOSAL:** Pesticide wastes are acutely hazardous. 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 quidance.

container disposal: Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container 4 full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill or incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

# **Warranty and Disclaimer Statement**

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 Corporation ("Arysta"), and can cause crop injury, injury to non-target crops or plants, ineffectiveness of the product, or other unintended consequences. All such risks shall be assumed by the user or buyer.

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. 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.

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.