

66330-260

2/17/2009

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

FEB 17 2009

Mr. Bill Washburn
Regulatory Manager
Arysta LifeScience North America LLC
15401 Weston Parkway, Suite 150
Cary, NC 27513

Subject: Label Notifications for Pesticide Registration Notices 2007-4; Update Company Name
per Pesticide Registration Notice 98-10

Dear Mr. Washburn,

The Agency is in receipt of your Applications for Pesticide Notification under Pesticide
Registration Notices (PRN) 98-10 and 2007-4 dated February 3, 2009 for the following products:

Flomet 4L	EPA Registration Number 66330-260
Ethephon 3.9% S&O	EPA Registration Number 66330-283
Iprodione 2SE Turf	EPA Registration Number 66330-305
Pix[®] Plant Regulator	EPA Registration Number 66330-345
Pix[®] Ultra Plant Regulator	EPA Registration Number 66330-350
Ethephon 3# Plant Regulator	EPA Registration Number 66330-363

The Registration Division (RD) has conducted its review of these requests for their
applicability under PRNs 98-10 and 2007-4 and finds that the label changes requested fall within
the scope of PRNs 98-10 and 2007-4. The labels submitted with the applications have been
stamped "Notification" and will be placed in our records.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot
number, or other code identifying the batch of the pesticide distributed and sold be placed on
nonrefillable containers. The code may appear either on the label (and can be added by non-
notification/PR Notice 98-10) or durably marked on the container itself.

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If you have any questions, please call me directly at 703-305-6249 or Steve Schaible of my staff at 703-308-9362.

Sincerely,



Linda Arrington
Notifications & Minor Formulations Team Leader
Registration Division (7505P)
Office of Pesticide Programs



☐ Registration
☐ Amendment
☒ Other:

OPP Identifier Number

1. Company/Product Number
66330-260

4. Company/Product (Name)
FLO-MET 4L

Arysta LifeScience North America, LLC
15401 Weston Parkway, Suite 150
Cary, NC 27513

☐ Check if this is a new address

2. EPA Product Manager
LINDA ARRINGTON

PM# 2.5

3. Proposed Classification

☐ None ☐ Restricted

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. _____ EER 17-2000

Product Name

☐ Amendment – Explain below.

☐ Resubmission in response to Agency letter dated _____

☒ Notification - Explain below.

☐ Final printed labels in response to Agency letter dated _____

☐ "Me Too" Application

☐ Other - Explain below _____

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

Notification of label change per PR Notice 2007-4. This notification is consistent with guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the Confidential Statement of Formula for 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 the amendment is not consistent with the requirements of 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

Notification of label change 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.

1. Material This Product Will Be Packaged In:

Child-Resistant Packaging
☐ Yes*
☒ No

Unit Packaging
☐ Yes
☒ No

Water Soluble Packaging
☐ Yes
☒ No

2. Type of Container

☐ Metal
☒ Plastic
☐ Glass
☐ Paper
☐ Other (Specify)

*** Certification must be submitted**

If "Yes"	No. per
Unit Packaging wgt.	container

[illegible]

3. Location of Net Contents Information
☒ Label ☐ Container

4. Size(s) Retail Container

1.0 gal., 2.5 gal, 5.0 gal

5. Location of Label Directions

☒ On Label

☐ On labeling accompanying product

6. Manner in Which Label is Affixed to Product

☐ Lithograph ☐ Other
☒ Paper glued
☐ Stenciled

Section - IV

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

Name **Bill Washburn**

Title
Regulatory Manager

Telephone No. (Include Area Code) **961-432-5118**

Certification

I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete, acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.

2. Signature

Bill Washburn

3. Title
Regulatory Manager

4. Typed Name
Bill Washburn

5. Date
02/03/09

6. Date Application Received (Stamped)



February 3, 2009

Ms. Linda Arrington
Document Processing Desk (NOTIF)
Office of Pesticide Programs – 7504P
U.S. Environmental Protection Agency
One Potomac Yard, Room S-4900
2777 South Crystal Drive
Arlington, VA 22202

**Subject: FLOMET 4L
EPA Reg. No. 66330-260**

***Notification of Label Change per PR Notice 2007-4
and PR Notice 98-10***

Dear Ms. Arrington:

Please find the following enclosed:


- Application for Pesticide Registration (Other) dated 02/03/09.
- One highlighted copy of subject label, showing all changes.
- One clean copy of the subject label.

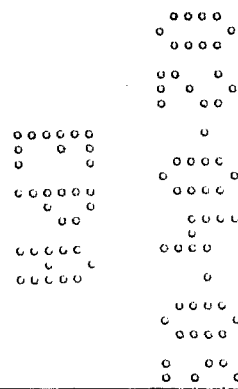
Notification of label change per PR Notice 2007-4. This notification is consistent with guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the Confidential Statement of Formula for 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 the amendment is not consistent with the requirements of 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

Also in this submission, we are using PR Notice 98-10 to update the name of the company, emergency telephone numbers and warranty. Arysta LifeScience North America Corporation was changed to Arysta LifeScience North America, LLC.

Should you have any questions or comments, please do not hesitate to contact me at 901-432-5118 or by e-mail at bill.washburn@arystalifescience.com

Sincerely,


Bill Washburn
Regulatory Manager



FLOMET 4L
For weed control in cotton**ACTIVE INGREDIENT**

Fluometuron: 1,1-dimethyl-3- (α, α,α-trifluoro-m-tolyl) urea]..... 41.7%

INERT INGREDIENTS..... 58.3%**TOTAL**100.0%

Contains 4 lbs. fluometuron per gallon

NOTIFICATION

FEB 17 2009

KEEP OUT OF REACH OF CHILDREN**CAUTION PRECAUCION**

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 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 SWALLOWED	<ul style="list-style-type: none">• Call a poison control center or doctor immediately for treatment advice.• Have person sip a glass of water if able to swallow.• Do not induce vomiting unless told to do so by the poison control center or doctor.• Do not give anything by mouth to an unconscious person.
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 by mouth-to-mouth, if possible.• Call a poison control center or doctor for further treatment advice.
HOT LINE NUMBER	
EMERGENCY TELEPHONE 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: 1-866-303-6952	
FOR CHEMICAL EMERGENCY: Spill, leak, fire, exposure, or accident call CHEMTREC 1-800-424-9300	
NOTE TO PHYSICIAN	
If the patient has ingested fluometuron, induce emesis or lavage stomach. Administer a saline laxative and supportive treatment.	

EPA Reg. No. 66330-260
AD 071504

NET CONTENTS: _____

EPA EST. NO. 51036-GA-01

Manufactured For:
ARYSTA LIFESCIENCE NORTH AMERICA, LLC
15401 Weston Parkway, Suite 150
Cary, NC 27513

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**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS
CAUTION**

Causes moderate eye irritation. Harmful if absorbed through skin, inhaled, or swallowed. Avoid contact with eyes, skin, or clothing. Avoid breathing vapors or spray mist.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Some materials that are chemically resistant to the product are listed below. If you want more options, follow the instructions for Category A on the EPA chemical-resistant category chart.

Applicators and other handlers must wear:

1. Chemical resistant gloves made of any waterproof materials such as butyl rubber ≥ 14 mils, natural rubber ≥ 14 mils, neoprene rubber ≥ 14 mils, or nitrile rubber ≥ 14 mils.
2. Long-sleeved shirt and long pants,
3. Socks and shoes.

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.

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

Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment washwaters or rinsate.

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 through any type of irrigation system.

Spray Drift Control: Do not allow dust to drift from application site and contact people, structures people occupy at any time and the associated property, parks and recreation areas, nontarget crops, aquatic and wetland areas, woodlands, pastures, rangelands, or animals. Apply only when wind speed is not more than 10 mph. For sprays, apply largest size droplets possible.

Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application. For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation.

AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR pat 170. This Standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE), and restricted-entry interval. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

Do not enter or allow worker entry into treated areas during the restricted entry interval (REI) of 24 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

Chemical resistant gloves made of any waterproof materials such as butyl rubber \geq 14 mils, natural rubber \geq 14 mils, neoprene rubber \geq 14 mils, or nitrile rubber \geq 14 mils

Shoes plus socks

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE:

Store in a dry location away from children, animals, foods, feeds, seeds, or other agricultural chemicals. Handle in accordance with information given under PRECAUTIONARY STATEMENTS. In the event of spillage, soak up material with absorbent clay, sand, sawdust, or other absorbent material. Scrape up and dispose of in accordance with information given under DISPOSAL. Repackage and relabel useable product in a sound container. In case of fire or other emergency, report at once by toll-free telephone to 800-424-9300.

DISPOSAL:

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

CONTAINER DISPOSAL: Nonrefillable container. Do not reuse or refill this container. Triple rinse (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container $\frac{1}{4}$ 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. Offer for recycling, if available, or puncture and dispose of in a sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

GENERAL INFORMATION

FLO-MET 4L is effective for annual grass and annual broadleaf weed control in cotton. FLO-MET 4L applied according to label directions will control the following annual weeds in cotton:

Broadleaf Weeds

Buttonweed	Prickly sida (teaweed)
Cocklebur	Purslane
Florida pusley	Ragweed
Groundcherry (Wright)	Sesbania
Jimsonweed	Sicklepod
Lambsquarters	Smartweed
Morningglory	Tumbleweed
Pigweed	

Grass Weeds

Barnyardgrass	Foxtail
Crabgrass	Goosegrass

Crowfootgrass
Fall panicum

Ryegrass
Signalgrass (Brachiaria)

Established perennial weeds such as Johnsongrass from rhizomes is not controlled by a 4 pt./acre rate.

APPLICATION PROCEDURES

Mixing Instructions:

Fill spray tank 1/2 full with water or nitrogen solution. Start agitation. Pour FLO-MET 4L directly from the container into the partially filled spray tank. If FLO-MET 4L is to be tank mixed with another herbicide, add that product after the FLO-MET 4L is thoroughly mixed. Add the rest of the water or nitrogen solution. Agitate during mixing and application to maintain uniform suspension.

To determine compatibility, add two teaspoons of FLO-MET 4L to one pint of nitrogen solution, equivalent to 4 pints in 25 gallons. If using other application rates, adjust compatibility test rates proportionally. Stir or shake thoroughly. Let stand 5 minutes. If it remains mixed or can be remixed readily, the mixture is compatible. If FLO-MET 4L settles out when mixed with a nitrogen solution, a compatibility agent at 1 to 3 pints per 100 gallons fertilizer may improve compatibility. Add 1/8 to 3/8 teaspoon of the compatibility agent to determine effectiveness.

Band Treatment:

For band applications, the following formula may be used to calculate the amount of FLO-MET 4L required:

$$\frac{\text{band width (inches)}}{\text{row width (inches)}} \times \text{broadcast rate per acre} = \text{amount needed per acre of field}$$

Equipment:

Thoroughly clean sprayer prior to use. Do not use a sprayer contaminated with 2,4-D or other materials as crop damage or sprayer clogging may result.

Use properly calibrated conventional spray equipment that will apply spray uniformly and has hydraulic or mechanical agitation, except in California or Arizona where only mechanical agitators are recommended. Screens in nozzles, in suction, and in-line strainers should be no finer than 50-mesh. Use a pump with capacity to maintain 35-40 psi at the nozzles. If hydraulic agitation is used, the pump should also provide sufficient agitation in the tank to keep the mixture in suspension. Avoid leaving spray mixture in tank without constant agitation. If bypass agitation is used, it should terminate at the bottom of the tank to minimize foaming. Wash sprayer thoroughly with clean water immediately after use.

Apply in a minimum of 10 gallons per acre for preplant incorporated or preemergence applications, or apply in a minimum of 20 gallons per acre for postemergence application.

Aerial Application:

Apply FloMet 4L in a minimum of 5 gallons of water per acre. Avoid applications under conditions where uniform coverage cannot be obtained or where extensive spray drift may occur.

COTTON

FLO-MET 4L may be applied as a preemergence treatment to the surface of the soil, or lightly incorporated immediately after planting, or as a directed, semidirected, or over-the-top postemergence application. For preemergence treatment only, FLO-MET 4L may be tank-mixed with most liquid nitrogen fertilizers. It also may be combined with other herbicides in cotton as directed in the section, "Combinations."

FLO-MET 4L is most effective when used as follows:

1st Application: Preemergence broadcast. See "Preemergence Treatment" below.

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2nd Application: Postemergence, directed, semidirected or over-the-top when cotton is 3-6 inches high. See "Postemergence Treatments" below.

3rd Application: If needed, postemergence, directed, or semidirected, at layby (last normal cultivation), using no more than 2 pints per acre.

Preemergence Treatment

Apply FLO-MET 4L at a rate of 2 to 4 pints per acre. On light silt and sandy soils low in organic matter, use the lower rate.

FLO-MET 4L may be applied to the surface of the soil, or lightly incorporated into the soil, after planting cotton.

Preplant Incorporated Use (Arizona, California, and New Mexico)

FLO-MET 4L may be applied preplant as a broadcast spray at 3.2 pints per acre after the beds for preplant irrigation have been formed. Apply before the beds are dragged off (using a bed shaper set to remove 1 to 2 inches from beds) in preparation for planting. Furrow irrigation should precede the application and planting should follow as soon as possible. Plant into untreated soil after drag-off and return treated soil to the beds when furrows are reformed. Do not allow furrow irrigation water to pond over the beds.

Postemergence Treatments

FLO-MET 4L may be applied postemergence to cotton but preemergence to weeds, or postemergence to both cotton and weeds. FLO-MET 4L should be applied at rates of 2 to 4 pints per acre. Apply as a directed, semidirected, or over the top spray. FLO-MET 4L may be applied to cotton plants at any stage of growth from 3 inches high to layby. Use the higher rate when applying postemergence to weeds; weeds should be 2 inches high or less. Use of a surfactant that is approved by FDA for use on food and feed crops and is compatible with FLO-MET 4L when applied to cotton may enhance the postemergence herbicidal activity of FLO-MET 4L. The surfactant rate should not exceed 0.5% of the carrier volume (1 pint per 25 gallons of water). Do not apply within 60 days of harvest.

Rainfall that is sufficient to germinate seeds or for growing crops is adequate to activate the herbicidal activity of FLO-MET 4L. Where dry weather conditions prevail, the herbicidal activity of FLO-MET 4L may be delayed or reduced. Cultivate if necessary.

Do not make more than three applications of FLO-MET 4L to the same crops or field in any one year. Do not plant crops other than cotton within 6 months of the last application of FLO-MET 4L or injury may result.

The use of FLO-MET 4L as a preemergence or early postemergence application, following the use of a systemic insecticide at planting, may result in injury to cotton.

Do not use FLO-MET 4L on sandy, loamy sand, or fine sandy loam soils. Do not use FLO-MET 4L on cotton planted in furrows.

Arkansas, Louisiana, and Mississippi only:

Use 1.6 pints of FLO-MET 4L per acre on sandy loam soils low in organic matter.

Arizona, California, and New Mexico only:

Cotton, corn, and grain sorghum can be planted the next spring. Do not plant treated areas to other crops until one year after last application. Do not use on sandy or coarse-textured soil of less than 1% organic matter.

Do not apply within 60 days of harvest.

Do not feed foliage from cotton plants or gin trash to livestock.

Combinations:

Dual® 8E: Use in tank mixture with FLO-MET 4L preemergence in cotton for control of all weeds on both labels. Apply to the soil surface at planting or after planting, but before weeds or crop emerge, using the appropriate rates below.

FLO-MET 4L + Dual® 8E (AR, LA, MS, Eastern OK, TN, Bootheel of MO, and Gulf Coast, Rio Grande Valley and Eastern TX).

BROADCAST RATES PER ACRE		
Soil texture	FLO-MET 4L	Dual® 8E
Sand, loamy sand	DO NOT USE	
Sandy loam*	2 pints	1.25 to 1.5 pints
Loam, silt, silt loam	2 to 3.2 Pints	1.5 to 2 pints
Silty clay loam, sandy clay loam, silty clay, sandy clay, clay loam, clay	3.2 - 4 pints	2 pints

* Use on sandy loam soils only in eastern OK and Gulf Coast, Rio Grande Valley, and eastern TX.

Do not apply FLO-MET 4L + Dual® 8E in areas where water is likely to "pond over the bed or crop injury may occur. Do not apply broadcast to furrow-planted cotton. The use of FLO-MET 4L following the use of a systemic insecticide at planting may result in crop injury. Do not use on Taloka silt loam or crop injury may occur.

Refer to the Dual® 8E label for further instructions, precautions, and limitations.

Do not feed treated forage or gin trash to livestock, or graze treated areas.

Rotational Crops: Refer to the crop rotation instructions for FLO-MET 4L alone on this label and for Dual® 8E alone on the Dual® 8E label.

Trifluralin 4EC: Use in a tank mixture with FLO-MET 4L (all areas except Arizona and California) or before an overlay with FLO-MET 4L in cotton for control of all weeds listed on both labels.

For the tank mixture, follow soil preparation and incorporation procedures for Trifluralin 4EC. Apply FLO-MET 4L + Trifluralin 4EC tank mix rates specified below in a minimum of 15 gallons of water per acre.

FLO-MET 4L + Trifluralin 4EC Tank Mixture (except Arizona and California)

BROADCAST RATES PER ACRE		
Soil texture	FLO-MET 4L	Trifluralin 4EC
Sand, loamy sand, sandy loam	2 pints	1 pint
Loam, Silty clay loam*, silt loam, silt, sandy clay loam*	3.2 pints	1.5 pints
Clay, clay loam, silty clay loam*, silty clay, sandy clay, sandy clay loam*	4 pints	2 pints

*Silty clay loam and sandy clay loam are transitional soils. If these soils are predominately sand or silt, they are usually classified as medium-textured soils. If predominately clay, they are classified as fine-textured soils.

For the overlay, apply FLO-MET 4L as a preemergence soil surface treatment as recommended on this label at 2 to 4 pints per acre after a preplant soil incorporated treatment of Trifluralin 4EC. Apply Trifluralin 4EC as recommended on its label at 1 to 2.5 pints per acre.

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Do not use the tank mix in Arizona and California. Do not apply the tank mix of FLO-MET 4L + Trifluralin 4EC in liquid fertilizer. Refer to the Trifluralin 4EC label for directions, precautions, and limitations for use of that product, as well as the directions, precautions, and limitations on this FloMet 4L label.

Prowl®: Apply FLO-MET 4L as a preemergence surface treatment as recommended on this label at 2 to 4 pints per acre after a preplant soil-incorporated treatment of Prowl® for control of all weeds listed on both labels. Apply Prowl® as recommended on its label at 1-3 pints per acre. Apply Prowl® as recommended on its label precautions, and limitations for use of that product.

DSMA or MSMA: FLO-MET 4L may be tank mixed with DSMA or MSMA and applied as directed spray to cotton from three inches high to first bloom. Use the broadcast rate of 2 to 4 pints of FLO-MET 4L per acre and the necessary amount of DSMA or MSMA plus 0.5% (1 pint per 25 gallons) of a surfactant that is approved by FDA for use on food and feed crops and is compatible with FLO-MET 4L + DSMA or MSMA or FLO-MET 4L + MSMA when applied to cotton. When using this mixture, do not allow spray to contact cotton foliage. Do not graze treated areas or feed treated forage or gin trash to livestock. Adhere strictly to the dosage, precautions and limitations of the labels of the products.

Dual® trademark of CIBA-GEIGY for metolachlor

Prowl® trademark of American Cyanamid for pendimethalin

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, LLC ("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.

NOTIFICATION

**FEB 17 2009
NOTIFICATION**