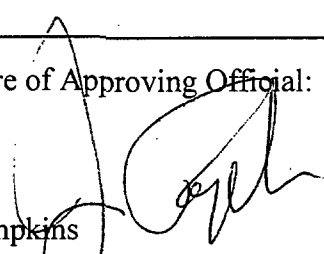
	<b>U.S. ENVIRONMENTAL PROTECTION AGENCY</b> Office of Pesticide Programs Registration Division (7505P) Ariel Rios Building 1200 Pennsylvania Ave., NW Washington, D.C. 20460	EPA Reg. Number: <b>66330-260</b>	Date of Issuance:  <b>APR - 9 2009</b>
		Term of Issuance:	
		Name of Pesticide Product: <b>Flomet 4L</b>	
<b>NOTICE OF PESTICIDE:</b> <input type="checkbox"/> Registration <input checked="" type="checkbox"/> Reregistration (under FIFRA, as amended)			
Name and Address of Registrant (include ZIP Code):  Arysta LifeScience North America Corporation 15401 Weston Parkway, Suite 150 Cary, NC 27513			
Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.			
<p>On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act. Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.</p> <p>This product is reregistered in accordance with FIFRA provided that you:</p> <ol style="list-style-type: none"><li>1) Submit and/or cite all data required for registration/reregistration review of your product when the Agency requires all registrants of similar products to submit data.</li><li>2) The size of the font of CAUTION and KEEP OUT OF REACH OF CHILDREN must be changed to be in compliance with 40 CFR 156.10.</li></ol>			
Signature of Approving Official:    Jim Tompkins Product Manager 25 Herbicide Branch Registration Division (7505P)		Date:  <b>APR - 9 2009</b>	

- 3) Add "exist" after "washables" on page 2 of the label.
- 4) The Storage and Disposal section needs to be revised according to PR Notice 2007-4.
- 5) On page 9, change "Apply Trifluralin 4 EC as recommended" to "Apply Trifluralin 4 EC as directed".
- 6) In the Agricultural Use Requirements Box add "Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR 170. This Standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE), and restricted entry intervals. The requirements in this box apply to uses of this product that are covered by the Worker Protection Standard."
- 7) Revise the Container Disposal Section in accordance with PR Notice 2007-4.
- 8) In application procedures delete the extra "e" in : except in California or Arizona where only mechanical agitators are "e" recommended. Change "Prowl trademark of American Cyanamid for pendimethalin" to "Prowl trademark of BASF Corporation for pendimethalin". Change "Dual trademark of Ciba Geigy for metolachlor" to "Dual trademark of Syngenta Crop Protection for metolachlor."

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA. Your release for shipment of the product constitutes acceptance of these conditions. A stamped copy of the label is enclosed for your records. Submit one copy of the final printed label for the record. If you have any questions please call Erik Kraft at 703-308-9358 or email at [Kraft.Erik@epa.gov](mailto:Kraft.Erik@epa.gov).

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ACCEPTED  
with COMMENTS  
In EPA Letter Dated:  
APR - 9 2009  
Under the Federal Insecticide,  
Fungicide and Rodenticide Act  
as amended, for the pesticide  
registered under EPA Reg. No.

66330-260

# 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.

**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"><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 5 minutes, then continue rinsing eye.</li><li>• Call a poison control center or doctor for treatment advice.</li></ul>
IF ON SKIN OR CLOTHING	<ul style="list-style-type: none"><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 or doctor for treatment advice.</li></ul>
IF SWALLOWED	<ul style="list-style-type: none"><li>• Call a poison control center or doctor immediately for treatment advice.</li><li>• Have person sip a glass of water if able to swallow.</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 INHALED	<ul style="list-style-type: none"><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>

### HOT LINE NUMBER

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 the U.S.

**FOR CHEMICAL EMERGENCY:** Spill, leak, fire, exposure, or accident call CHEMTREC at 1-800-434-9300 or 1-703-527-3887 if calling from outside of the U.S.

### 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  
EPA EST. NO. \_\_\_\_\_  
AD xxxxxx

Manufactured For:  
Arysta LifeScience North America Corporation  
15401 Weston Parkway, Suite 150  
Cary, NC 27513

NET CONTENTS: \_\_\_\_\_

## 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 butyl rubber, natural rubber, neoprene rubber or nitrile rubber. If you want more options, follow the instructions for Category A on an EPA chemical-resistant category selection chart.

Mixers and loaders supporting aerial application must wear:

- coveralls over long-sleeved shirt and long pants,
- chemical resistant gloves,
- chemical-resistant footwear and socks, and
- a chemical-resistant apron.

All other mixers, loaders, applicators, flaggers, and other handlers must wear:

- long-sleeved shirt,
- long pants,
- shoes and socks, and
- chemical-resistant gloves (except applicators and flaggers)

See engineering controls for additional requirements and options.

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.

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

**Engineering Controls:** Pilots must use an enclosed cockpit that meets the requirements listed in the Worker Protection Standard for Agricultural Pesticides [40CFR 170.240(d)(6)].

### USER SAFETY RECOMMENDATIONS

Users should wash hands before eating, drinking, chewing gum, using tobacco or using the toilet. 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

Do not apply directly to water, or to areas where surface water is present, or to inter-tidal areas below the mean high water mark. Do not contaminate water when cleaning equipment or 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 mist 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.

## AGRICULTURAL USE REQUIREMENTS

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, worn over a short-sleeved shirt and short pants,
- Chemical resistant gloves made of any waterproof materials,
- Chemical-resistant footwear plus socks, and
- Protective eyewear.

## 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:** Triple rinse (or equivalent). Then offer for recycling or reconditioning, 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	Ryegrass
Fall panicum	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:

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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.

### **SPRAY DRIFT MANAGEMENT**

A variety of factors including weather conditions (e.g., wind direction, wind speed, temperature, relative humidity) and method of application can influence pesticide drift. The applicator must evaluate all factors and make appropriate adjustments when applying this product.

#### Wind Speed

Do not apply at wind speeds greater than 15 mph.

#### Droplet Size

Apply as a medium or coarser spray (ASAE Standard 572).

#### Temperature Inversions

If applying at wind speeds less than 3 mph, the applicator must determine if a) conditions of temperature inversion exist, or b) stable atmospheric conditions exist at or below nozzle height. Do not make applications into areas of temperature inversions or stable atmospheric conditions.

#### Other State and Local Requirements

Applicators must follow all state and local pesticide drift requirements regarding application of fluometuron. Where states have more stringent regulations, they must be observed.

#### Equipment

All application equipment must be properly maintained and calibrated using appropriate carriers or surrogates.

## Aerial Applications

1. The boom length must not exceed 75% of the wingspan or 90% of the rotor blade diameter.
2. Release spray at the lowest height consistent with efficacy and flight safety. Do not release spray at a height greater than 10 feet above the crop canopy unless a greater height is required for aircraft safety.
3. When applications are made with a crosswind, the swath must be displaced downwind. The applicator must compensate for this displacement at the up and downwind edge of the application area by adjusting the path of the aircraft upwind.

## Ground Applications

1. Do not apply with a nozzle height greater than 4 feet above the crop canopy

### **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.

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.

### **FLO-MET 4L Application Rates**

Soil Type	Maximum Application Rate	Number of Applications per Year*	Maximum Yearly Application rate
Sand, Loamy Sand, Sandy Loam	1 lb. ai/Acre (2 pints product/Acre)	2	2 lb ai/Acre (4 pints product/Acre)
Loam, Silt Loam, Silt, Sandy Clay Loam, Silty Clay Loam, Clay Loam	1.6 lb ai/Acre (3.2 pints product/Acre)	2	3 lb ai/Acre (6 pints product/Acre)
Sandy Clay, Silty Clay, Clay	2 lb ai/Acre (4 pints product/Acre)	2	3 lb ai/Acre (6 pints product/Acre)

\*20 day interval between applications required on all soil types.



## Preemergence Treatment

Apply FLO-MET 4L at a rate of 2 to 4 pints per acre depending on soil type. Consult the FLO-MET 4L Applications Rate chart for soil type limitations.. 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 after the beds for preplant irrigation have been formed. Consult the FLO-MET 4 Applications Rate chart for soil type limitations. 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. Consult the FLO-MET 4 Applications Rate chart for soil type limitations. 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).

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.

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.

### West Texas only:

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.

### Arizona, California, and New Mexico only:

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.

## Plantback Restrictions

The plantback interval for wheat is 3 months. For field corn, sweet corn and peanuts, the plantback interval is 8 months. For rice, grain sorghum and soybeans, the plantback interval is 9 months.

### 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*	Consult the FLO-MET 4 Applications Rate chart for soil type limitations.	1.25 to 1.5 pints
Loam, silt, silt loam		1.5 to 2 pints
Silty clay loam, sandy clay loam, silty clay, sandy clay, clay loam, clay		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	Consult the FLO-MET 4 Applications Rate chart for soil type limitations.	1 pint
Loam, Silty clay loam*, silt loam, silt, sandy clay loam*		1.5 pints
Clay, clay loam, silty clay loam*, silty clay, sandy clay, sandy clay loam*		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.

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

## CONDITIONS OF SALE

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 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.
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.**