

66330-296

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

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

FEB 27 2009

Subject: Label Notification(s) for Pesticide Registration Notices 2007-4 and 98-10

1. Update of company name
2. Added emergency telephone number(s)
3. Updated warranty statement

Dear Mr. Washburn:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notices (PRN) 2007-4 and 98-10 dated January 26, 2009 for:

EPA Registration ~~66330-296~~
EPA Registration ~~66330-298~~
EPA Registration 66330-306

Iprodione 50WP T&O
Iprodione 50WP AG
Iprodione 2FL Turf

The Registration Division (RD) has conducted a review of this request for applicability under PR Notices 2007-4 and 98-10 and finds that the label changes requested falls within the scope of PR Notices 2007-4 and 98-10. The label has been date-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.

If you have any questions, please contact me directly at 703-305-6249 or Nicole Williams of my staff at 703-308-5551.

Sincerely,

A handwritten signature in black ink, appearing to be "Linda", is located below the word "Sincerely,".

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

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 EPA United States Environmental Protection Agency Washington, DC 20460	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other:	OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 66330-296	2. EPA Product Manager MARY WALLER	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) IPRODIONE 50WP T&O	PM# 21	
5. Name and Address of Applicant (Include ZIP Code) Arysta LifeScience North America, LLC 15401 Weston Parkway, Suite 150 Cary, NC 27513 <input type="checkbox"/> Check if this is a new address		6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(I), my product is similar or identical in composition and labeling to: NOTIFICATION EPA Reg. No. _____ Product Name FEB 27 2009

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> 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.

Section - III

1. Material This Product Will Be Packaged In:			
Child-Resistant Packaging <input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes" Unit Packaging wgt. No. per container	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes" Package wgt. No. per container	2. Type of Container <input type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify)
*Certification must be submitted			
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container	4. Size(s) Retail Container 1.0 lb., 3.0 lb., 5 lb., and 10 lb.	5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On labeling accompanying product	
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input checked="" type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled <input type="checkbox"/> Other			

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application)		
Name Bill Washburn	Title Regulatory Manager	Telephone No. (Include Area Code) 901-432-5118
Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.		6. Date Application Received (Stamped)
2. Signature 	3. Title Regulatory Manager	
4. Typed Name Bill Washburn	5. Date 01/26/09	



January 26, 2009

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OK

Ms. Mary Waller, PM 21
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: IPRDIONE 50WP T&O
EPA Reg. No. 66330-296**

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

Dear Ms. Waller:

Please find the following enclosed:

- Application for Pesticide Registration (Other) dated 01/26/09.
- 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.

Please acknowledge acceptance of this notification by stamping the extra copy of this letter and returning in the enclosed self-addressed stamped envelope. 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

Bill Washburn
Regulatory Manager

IPRODIONE 50WP T&O

A Fungicide for the Prevention and Control of Certain Diseases of Turfgrass and Ornamentals.

ACTIVE INGREDIENT:

Iprodione: 3-(3,5-dichlorophenyl)-N-(1-methylethyl)-2,4-dioxo-1-imidazolidinecarboxamide).....	50.0%
INERT INGREDIENT:.....	50.0%
TOTAL	100.0%

KEEP OUT OF REACH OF CHILDREN
CAUTION

NOTIFICATION
FEB 27 2009

FIRST AID

IF ON SKIN OR CLOTHING: Take off contaminated clothing. Rinse skin immediately with plenty of water for 15-20 minutes. Call a poison control center or doctor for treatment advice.

IF INHALED: Move person to fresh air. If person is not breathing, call 911 or ambulance, then give artificial respiration, preferably mouth-to-mouth, if possible. Call a poison control center or doctor for further treatment advice.

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

EPA Reg. No. 66330-296
AD 030502

EPA Est. No. 51036-GA-001

NET CONTENTS: 2 POUNDS

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

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION: Harmful if absorbed through skin or inhaled. Avoid contact with skin, eyes, or clothing. Avoid breathing dust. Prolonged or frequently repeated skin contact may cause allergic reaction in some individuals.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Mixers, loaders, others exposed to the concentrate, cleaners/repairers of equipment, and applicators applying as a dip treatment must wear:

1. Coveralls over long-sleeve shirts and long pants
2. Chemical resistant gloves made of any waterproof material
3. Chemical resistant apron
4. Chemical resistant footwear plus socks

Applicators using hand held equipment must wear:

1. Coveralls over long-sleeve shirts and long pants
2. Chemical resistant gloves made of any waterproof material
3. Chemical resistant footwear plus socks
4. Chemical resistant headgear for overhead exposure
5. A dust/mist filtering respirator (MSHA/NIOSH approval number TC-21C) or a NIOSH approved respirator with any N, R, P or HE filter

Applicators using mechanical ground equipment (groundboom, airblast, etc.) must wear:

1. Long sleeve shirt and long pants
2. Chemical resistant gloves made of any waterproof material
3. Shoes plus socks

Applicators using truck-mounted equipment with a handgun at the end of a hose (i.e., for commercial turfgrass or ornamental applications) and all other handlers not specified above must wear:

1. Long-sleeve shirt and long pants
2. Chemical resistant gloves made of any waterproof material
3. Shoes plus socks

Follow manufacturer's instructions for cleaning/maintaining personal protective equipment (PPE). If no such instructions for

washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

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

ENGINEERING CONTROLS

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) (4-6)], 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 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

This chemical can contaminate surface water through ground spray applications. Under some conditions, it may also have a high potential for runoff into surface water after application. These include poorly draining or wet soils with readily visible slopes toward adjacent surface waters, frequently flooded areas, areas overlaying extremely shallow ground water, areas with in-field canals or ditches that drain to surface water, areas not separated from adjacent surface waters with vegetated filter strips, and areas overlaying tile drainage systems that drain to surface water.

This pesticide is toxic to invertebrates. Do not apply directly to water or to areas where surface water is present or to intertidal areas below the mean high-water mark. Drift and runoff may be hazardous to aquatic organisms in neighboring areas. Do not contaminate water when disposing of equipment washwater or rinsate.

DIRECTIONS FOR USE

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

Read entire label before using this product.

This label must be in possession of the user at the time of pesticide application.

Do not apply this product in a way that will contact workers or other persons, either directly or indirectly 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 part 170. This Standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE) and restricted-entry 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 of 12 hours for ornamental uses.

The restricted entry interval for all other WPS uses is 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:

1. Coveralls
2. Chemical resistant gloves made of any waterproof material
3. Shoes plus socks.

NON-AGRICULTURAL USE REQUIREMENTS

The requirements in this box apply to ornamental and turf uses (golf courses, landscape and institutional areas) of this product that are NOT within the scope of the Worker Protection Standard (WPS) for agricultural pesticides (40 CFR Part 170). The WPS applies when this product is used to produce agricultural plants on farms, forests, nurseries or greenhouses.

Do not enter or allow others to enter the treated area until sprays have dried.

STORAGE AND DISPOSAL

STORAGE: Do not contaminate water, food, or feed by storage or 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. Completely empty bag into application equipment. Offer for recycling, if available, or dispose of empty bag in a sanitary landfill or by incineration, or if allowed by State and local authorities, by burning. If burned, stay out of smoke.

GENERAL PRECAUTIONS AND RESTRICTIONS

Use of this product at residential sites is prohibited.

Do not use this product for aerial and chemigation applications.

Except for use on golf courses, if applying this product adjacent to a water body such as a lake, reservoir, river, permanent stream, marsh or natural pond, estuary, or commercial fish pond, there must be at least a 25-foot vegetative buffer strip between the water body and the point of application.

For golf courses only, do not apply to turf cut higher than 1" on golf holes where water bodies are present.

Do not apply this product when the wind direction is toward aquatic areas.

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TURF
(Golf Courses, Sod Farms and Institutional Areas)

Do not prepare more spray solution than can be used within 12 hours to minimize potential active ingredient degradation. Do not drench.

TURF

Initiate application when presence of disease is detected or if weather conditions are favorable for disease development.

DISEASE	APPLICATION SITE	APPLICATION RATE (ozs./1000 FT ²)	SPRAY INTERVAL (days)
Dollar Spot (<i>Lanzia</i> spp. And <i>Moellerodiscus</i> spp.)	Golf course greens and tee boxes	1.5 - 2.0	14 - 21
	Golf course fairways and other turf Areas	1.0 - 2.0	14 - 28
Brown Patch (<i>Rhizoctonia solanii</i>)			
Leaf Spot such as Helminthosporium Leaf Spot caused by (<i>Drechslera</i> spp.)			
COMMENTS: Continue applications until disease pressure has reached acceptable level. Rates may be reduced to 1 ounce to control Dollar Spot on fairways.			
Large Patch * (<i>Rhizoctonia solanii</i>)	All turf areas (except residential lawns)	2.0	14 - 21
COMMENTS: Initial application should be made in the Fall when conditions become favorable for disease development. Repeat applications in the Spring if disease pressure remains.			
Fusarium Blight (<i>Fusarium</i> spp.)	All turf areas (except residential lawns)	4.0	28
Necrotic Ring Spot* (<i>Leptosphaeria korrae</i>)			
COMMENTS: Apply prior to disease development as a preventative measure when weather conditions favor disease development.			
Fusarium Patch (<i>Microdochium nivalis</i>)	All turf areas (except residential lawns)	2.0 - 4.0	14 - 21
(Pacific Northwest Only - West of the Cascade Mountains]			
COMMENTS: Continue applications until disease pressure has reached acceptable level.			
Gray Snow Mold (<i>Typhula</i> spp.)	All turf areas (except residential lawns)	2.0 - 4.0	Make initial application prior to first

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DISEASE	APPLICATION SITE	APPLICATION RATE (ozs./1000 FT ²)	SPRAY INTERVAL (days)
Pink Snow Mold (<i>Fusarium nivale</i>)			snow cover.
COMMENTS: A follow up application may be applied during a mid-winter thaw.			
Corticum Red Thread (<i>Laetisaria fuciformis</i>)	All turf areas (except residential lawns)	2.0	14
COMMENTS: Make preventative applications until conditions no longer favor disease development.			

Applications of IPRODIONE 50WP T&O must not exceed a maximum of 17.6 oz. product/1000 ft.² a year.

Applications of IPRODIONE 50WP T&O must be limited to no more than six a year.

Application of higher rates and shorter intervals are appropriate for all diseases when conditions are severe. Applications of lower rates and longer intervals are suggested for times when disease pressure is light to moderate.

Areas treated with IPRODIONE 50WP T&O should not be mowed or irrigated until foliage has fully dried. A 24-hour period following application before mowing or irrigating is ideal.

IPRODIONE 50WP T&O should not to be combined with any type of sticker, extender or wetting agents. Do not allow livestock or poultry to graze on treated areas or feed on clippings from these areas.

* Not registered for use in California.

TANK MIXTURES FOR TURF

To control additional diseases in turf such as Summer Stress Complex/Decline and Pythium Blight, IPORDIONE 50WP T&O may be tank mixed with other fungicides.

Gray Snow Mold control will be enhanced by a tank mixture with a properly labeled chlorothalonil product such as Daconil 2787 Flowable or Daconil WG. Initial application of tank mix should be made prior to first snow cover and followed by another application if a mid-winter thaw occurs.

ORNAMENTALS

NOT FOR RESIDENTIAL USE. RECOMMENDED FOR USE BY COMMERCIAL NURSERY
AND LANDSCAPE PERSONNEL.

FIELD, LANDSCAPE AND GREENHOUSE ORNAMENTALS AND CONIFER NURSERIES*

*Conifer Nurseries not registered for use in California.

A collection of 20 small, stylized line drawings of various birds, including sparrows, finches, and songbirds, arranged in a grid-like pattern. The drawings are simple and elegant, capturing the essence of each bird's form and posture. They are arranged in a grid-like pattern, with some birds facing left and others facing right. The birds vary in size and shape, representing a diverse range of avian species. The drawings are arranged in a grid-like pattern, with some birds facing left and others facing right. The birds vary in size and shape, representing a diverse range of avian species. The drawings are arranged in a grid-like pattern, with some birds facing left and others facing right. The birds vary in size and shape, representing a diverse range of avian species.

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ORNAMENTALS

ORNAMENTAL VARIETY		DISEASE
Ageratum	Holly	Aerial Web Blight (<i>Rhizoctonia</i> sp.)
Ajuga	Hoya	Alternaria Leaf Blight (<i>Alternaria euphorbiae</i>)
Almond (ornamental)	Hydrangea	Alternaria Leaf Spot (<i>Alternaria panax</i> , <i>Alternaria tenuissima</i>)
Alyssum	Impatiens*	Botrytis Blight (<i>Botrytis</i> Sp.)
Andromeda	Iris	Fusarium Leaf Spot (<i>Fusarium moniliforme</i>)
Aphelandra	Juniper	Helminthosporium Leaf Spot (<i>Helminthosporium</i> sp.)
Artemisia	Kalanchoe	Rhizoctonia stem and root rot (<i>Rhizoctonia</i> sp.)
Aster	Lillies	
Azalea	Lipstick vine	
Boxwood	(<i>Aeschynanthus</i>)	
Cactus	Marigold	
Calendula	Monarda (Bee Balm)	
Carnation	Pachysandra	
Cherry (ornamental)	Palm	
Chrysanthemum	Pansy	
Cineraria	Peach (ornamental)	
Cistena Plum	Peperomia	
Coleus	Periwinkle	
Columbine	Philodendron	
Coral Bells (Heuchera)	Phlox	
Crape Myrtle	Pilea	
Crassula	Pine	
Croton	Pitosporum	
Cyclamen	Plum (ornamental)	
Daffodils	Poinsettia	
Dahlia	Poppy	
Delphinium	Pothos*	
Deutzia	Primrose	
Dianthus	Privet	
Dieffenbachia	Protea	
Dizygotheca	Pyracantha	
Dogwood	Rhododendron	
Dracena	Rose	
English Ivy	Rose Tree of China	
Episcia	Salvia	
Euonymous	Schefflera	
Ficus	Snapdragon	
Forsythia	Statice	
Gazania	Tree Ivy	
Geranium	Tulip	
Gladiolus	Viburnum	
Gloxinia	Violet	
Gypsophila	Zinnia	
Hawthorn		
Iris		Ink Spot (<i>Drechslera iridis</i>)
Tulip		Tulip Fire (<i>Botrytis tulipae</i>)
Zinnia		Alternaria Leaf Blight (<i>Alternaria zinniae</i>)
Chrysanthemum		Ray Blight (<i>Ascochyta chrysanthami</i>)

Gladiolus	Fusarium Corm rot (<i>Fusarium oxysporum</i>)
Daffodils	Daffodil Leaf Scorch (<i>Stagnospora curtissi</i>)
Cistena Plum Plum (ornamental)	Blossom Blight (<i>Monilinia fructicola</i>)
Rose	Botrytis Storage Rot (<i>Botrytis</i> Sp.)
Azalea Rhododendron	Cylindrocladium Blight and Wilt* (<i>Cylindrocladium scoparium</i>)

NOTE: Do not use IPRODIONE 50WP T&O Fungicide as a soil drench on Impatiens, and Pathos. Do not use IPRODIONE 50WP T&O Fungicide on Spathiphyllum.

*Not registered for use in California.

FOLIAR APPLICATION INSTRUCTIONS

Apply 1 to 2.5 pounds of IPRODIONE 50WP T&O in 100 gallons of water every 7 to 14 days until disease pressure is within acceptable levels. Spray plants to the point of run-off to ensure thorough coverage.

Limit individual applications of IPRODIONE 50WP T&O to a maximum of 2.5 pounds product/acre.

Limit total applications of Iprodione 50WP T&O to a maximum of 4 per year.

Limit total applications to no more than 10 pounds of product/acre/year.

Application of IPRODIONE 50WP T&O at higher rates and shorter intervals are appropriate for all diseases when conditions are severe. Applications of lower rates and longer intervals are suggested for times when disease pressure is light to moderate.

NOTE: A resin based surfactant should be added to foliar sprays for use on iris, lillies, and tulips.

*Not registered for use in California.

DRENCH APPLICATION INSTRUCTIONS

To control Rhizoctonia Stem and Root Rot (*Rhizoctonia* spp.), mix 6.5 ounces in 100 gallons of water. Apply at seeding or transplant time 1 to 2 pints of this dilution per square foot of soil. Repeat application every 14 days as disease pressure warrants.

Limit applications of IPRODIONE 50WP T&O to a maximum of 17.6 ounces product/1000 ft² a year.

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. To the extent consistent with applicable law, 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, EXPRESS 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 27 2009