

66330-331

02-21-2009

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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 21 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:

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The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notices (PRN) 2007-4 and 98-10 dated February 11, 2009 for:

**EPA Registration 66330-331**

**Bifenthrin 13% MUP**

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 Arrington".

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

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Please read instructions on reverse before completing form.

Form Approved, OMB No. 2070-0060, Approval expires 05-31-98

 <b>EPA</b>	United States <b>Environmental Protection Agency</b> Washington, DC 20460	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other:	OPP Identifier Number
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**Application for Pesticide - Section I**

1. Company/Product Number <b>66330-331</b>	2. EPA Product Manager <b>George LaRocca</b>	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) <b>BIFENTHRIN 13% MUP</b>	PM#	
5. Name and Address of Applicant (Include ZIP Code)  <b>Arysta LifeScience North America, LLC</b> <b>15401 Weston Parkway, Suite 150</b> <b>Cary, NC 27513</b>  <input type="checkbox"/> Check if this is a new address		6. <b>Expedited Review.</b> In accordance with FIFRA Section 3(c)(3) (b)(I), my product is similar or identical in composition and labeling to: <div style="text-align: right; font-weight: bold; font-size: 1.2em;">NOTIFICATION</div> EPA Reg. No. _____ <span style="float: right;">FEB 21 2009</span>  Product Name _____

**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  <p style="text-align: center;">55.0 gal.</p>	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 type="checkbox"/> Other _____ <input checked="" type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled			

**Section - IV**

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application)		
Name <p style="text-align: center;"><b>Bill Washburn</b></p>	Title <p style="text-align: center;"><b>Regulatory Manager</b></p>	Telephone No. (Include Area Code) <p style="text-align: center;"><b>901-432-5118</b></p>
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 <b>(Stamped)</b>
2. Signature  	3. Title <p style="text-align: center;"><b>Regulatory Manager</b></p>	
4. Typed Name <p style="text-align: center;"><b>Bill Washburn</b></p>	5. Date <p style="text-align: center;">February 11, 2009</p>	



January 19, 2009

Mr. George Larocca  
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: BIFENTHRIN 13% MUP  
EPA Reg. No. 66330-331**

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

Dear Mr. Larocca:

Please find the following enclosed:

- Application for Pesticide Registration (Other) dated 01/19/09.
- 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](mailto:bill.washburn@arystalifescience.com)

Sincerely,

Bill Washburn  
Regulatory Manager

11/4

# BIFENTHRIN 13% MUP

**ACTIVE INGREDIENT:**

Bifenthrin:(2-methyl[1,1'-biphenyl]-3-yl)methyl 3-(2-chloro-3,3,3-trifluoro-1-propenyl)-2,2-dimethyl-cyclopropanecarboxylate\* . . . . . 13.0%

**OTHER INGREDIENTS:** . . . . . 87.0%

**TOTAL:** . . . . . 100.0%

Cis isomers 97% minimum, trans isomers 3% maximum  
BIFENTHRIN 13% MUP contains 1.11 pounds bifenthrin per gallon.

**NOTIFICATION**

FEB 21 2009

**WARNING**

**KEEP OUT OF REACH OF CHILDREN**

**FIRST AID**

**IF SWALLOWED:**

- 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:**

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

**IF ON SKIN:**

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

**IF IN EYES:**

- Hold eye open and rinse slowly and gently with water for 15-20 minutes.
- Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.
- Call a poison control center or doctor for treatment advice.

**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. 66330-331

EPA Est. No. XXX-XX-XXX

NET CONTENTS: 55 gallons

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

## PRECAUTIONARY STATEMENTS

### Hazards to Humans and Domestic Animals

**WARNING.** May be fatal if swallowed. Causes substantial eye but temporary eye injury. Avoid contact with skin and clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum or using tobacco. Do not get in eyes or on clothing. Wear protective eyewear (goggles, face shield, or safety glasses). Remove and wash contaminated clothing before reuse.

**NOTE TO PHYSICIAN:** This product is a pyrethroid. If large amounts have been ingested, the stomach and intestine should be evacuated. Treatment is symptomatic and supportive. Digestible fats, oils, or alcohol may increase absorption and should be avoided.

### ENVIRONMENTAL HAZARDS

Do not discharge effluent containing this product in to lakes, streams, ponds, estuaries, or oceans other waters unless in accordance the National Pollutant Elimination System (NPDES) permit and permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product in to sewer systems without previously notifying the local sewage plant authority. For guidance contact your State Water Board of Regional Office of the EPA.

### DIRECTIONS FOR USE

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

### STORAGE AND DISPOSAL

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

**PESTICIDE STORAGE:** Store in original containers only. Store in a dry place and avoid excess heat. Carefully open the container. After partial use, replace lid and close tightly. Do not put concentrate or dilute material in to food or drink containers. Do not contaminate other pesticides, fertilizers, water, food, or feed by storage or disposal.

In case of spill avoid contact, isolate area, and keep out animals and unprotected persons.

**To confine spill:** dike around area or absorb with sand, cat litter, or commercial clay. If dry material, cover to prevent dispersal. Place damaged packet in a holding container. Identify contents.

**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 Environment Control Agency or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

**CONTAINER DISPOSAL:** Nonrefillable containers greater than 5 gallons: Non refillable container. Do not reuse or refill this

container. **Triple** rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container  $\frac{1}{4}$  full with water. Replace and tighten closures. Tip container on its side and roll back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times. Offer for recycling if available, or puncture and dispose of in a sanitary landfill, or by other procedures approved by the State and local authorities. Do not cut or weld metal containers.

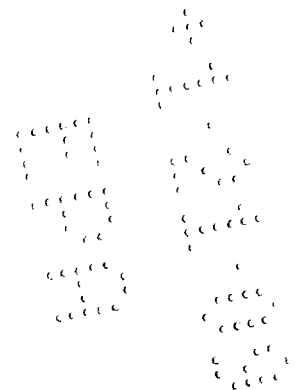
**Returnable/Refillable Containers:** Refillable container. Refill this container with this pesticide only. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To clean the container before final disposal, empty the remaining contents from this container into application equipment or mix tank. Fill the container about 10 percent full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times. Do not break seals. Return intact to point of purchase.

#### FOR USE IN MANUFACTURING ONLY

This material requires further mixing before use.

For Formulation Into End Use Products For The Following Uses:

1. Non-crop indoor and outdoor
2. Lawn



**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 21 2009

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# BIFENTHRIN 13% MUP

**ACTIVE INGREDIENT:**

Bifenthrin:(2-methyl[1,1'-biphenyl]-3-yl)methyl 3-(2-chloro-3,3,3-trifluoro-1-propenyl)-2,2-dimethyl-cyclopropanecarboxylate\*..... 13.0%

**OTHER INGREDIENTS:**..... 87.0%

**TOTAL:**..... 100.0%

Cis isomers 97% minimum, trans isomers 3% maximum  
BIFENTHRIN 13% MUP contains 1.11 pounds bifenthrin per gallon.

## WARNING

**KEEP OUT OF REACH OF CHILDREN**

### FIRST AID

**IF SWALLOWED:**

- 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:**

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

**IF ON SKIN:**

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

**IF IN EYES:**

- Hold eye open and rinse slowly and gently with water for 15-20 minutes.
- Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.
- Call a poison control center or doctor for treatment advice.

**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. 66330-331

EPA Est. No. XXX-XX-XXX

NET CONTENTS: 55 gallons

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

Deleted: By

## NOTIFICATION

AD080304

FEB 21 2009 1



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Deleted: MICRO FLO COMPANY  
LLC  
P.O. BOX 772099  
MEMPHIS, TN 38117

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

**WARNING.** May be fatal if swallowed. Causes substantial eye but temporary eye injury. Avoid contact with skin and clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum or using tobacco. Do not get in eyes or on clothing. Wear protective eyewear (goggles, face shield, or safety glasses). Remove and wash contaminated clothing before reuse.

**NOTE TO PHYSICIAN:** This product is a pyrethroid. If large amounts have been ingested, the stomach and intestine should be evacuated. Treatment is symptomatic and supportive. Digestible fats, oils, or alcohol may increase absorption and should be avoided.

ENVIRONMENTAL HAZARDS

Do not discharge effluent containing this product in to lakes, streams, ponds, estuaries, or oceans other waters unless in accordance the National Pollutant Elimination System (NPDES) permit and permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product in to sewer systems without previously notifying the local sewage plant authority. For guidance contact your State Water Board of Regional Office of the EPA.

DIRECTIONS FOR USE

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

STORAGE AND DISPOSAL

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

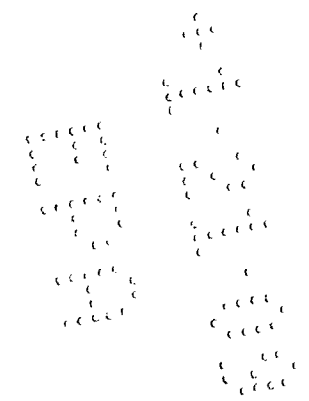
**PESTICIDE STORAGE:** Store in original containers only. Store in a dry place and avoid excess heat. Carefully open the container. After partial use, replace lid and close tightly. Do not put concentrate or dilute material in to food or drink containers. Do not contaminate other pesticides, fertilizers, water, food, or feed by storage or disposal.

In case of spill avoid contact, isolate area, and keep out animals and unprotected persons.

**To confine spill:** dike around area or absorb with sand, cat litter, or commercial clay. If dry material, cover to prevent dispersal. Place damaged packet in a holding container. Identify contents.

**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 Sate Pesticide or Environment Control Agency or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

**CONTAINER DISPOSAL:** Nonrefillable containers greater than 5 gallons: Non refillable container. Do not reuse or refill this



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container. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container ¼ full with water. Replace and tighten closures. Tip container on its side and roll back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times. Offer for recycling if available, or puncture and dispose of in a sanitary landfill, or by other procedures approved by the State and local authorities. Do not cut or weld metal containers.

Deleted: (or equivalent).

**Returnable/Refillable Containers:** Refillable container. Refill this container with this pesticide only. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To clean the container before final disposal, empty the remaining contents from this container into application equipment or mix tank. Fill the container about 10 percent full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times. Do not break seals. Return intact to point of purchase.

Deleted: Then o

Deleted: or reconditioning.

Deleted: Do not rinse container. Do not empty remaining formulated product.

**FOR USE IN MANUFACTURING ONLY**

This material requires further mixing before use.

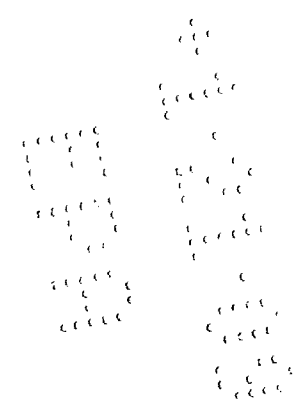
For Formulation Into End Use Products For The Following Uses:

1. Non-crop indoor and outdoor
2. Lawn

**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



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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.

**Deleted: CONDITIONS OF SALE AND WARRANTY**

The Directions For Use of this product reflect the opinion of experts based on field use and tests. The directions are believed to be reliable and should be followed carefully. However, it is impossible to eliminate all risks inherently associated with use of this product. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or use of the product in a manner inconsistent with its labeling, all of which are beyond the control of MICRO FLO COMPANY LLC ("Micro Flo") or the Seller. All such risks shall be assumed by the Buyer. Micro Flo warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes referred to in the Directions for Use, subject to the inherent risks, referred to above. MICRO FLO MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF FITNESS OR MERCHANTABILITY OR ANY OTHER EXPRESS OR IMPLIED WARRANTY. IN NO CASE SHALL MICRO FLO OR THE SELLER BE LIABLE FOR CONSEQUENTIAL, SPECIAL OR INDIRECT DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT. Micro Flo and the Seller offer this product, and the Buyer and User accept it, subject to the foregoing Conditions of Sale and Warranty which may be varied only by agreement in writing signed by a duly authorized representative of Micro Flo.

AD080304

**NOTIFICATION**

**FEB 21 2009**