

66330-366

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U.S. ENVIRONMENTAL PROTECTION AGENCY  
Office of Pesticide Programs  
Registration Division (7505C)  
1200 Pennsylvania Ave., N.W.  
Washington, D.C. 20460

EPA Reg. Number:  
66330-366

Date of Issuance:  
OCT 18 2007

NOTICE OF PESTICIDE:

Registration  
 Reregistration

(under FIFRA, as amended)

Term of Issuance:  
Conditional

Name of Pesticide Product:  
Aloft LC SC Insecticide

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.

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.

This product is conditionally registered in accordance with FIFRA section 3(c)(7)(A) provided that you:

1. Submit and/or cite all data required for registration/reregistration of your product when the Agency requires all registrants of similar products to submit such data.
2. Make the following label changes before you release the product for shipment:
  - a. Revise the EPA Registration Number to read, "EPA Reg. No. 66330-366".
  - b. Revise the **Hazards to Humans and Domestic Animals** statement to read "*Warning: May be fatal if swallowed. Harmful if inhaled. Avoid breathing spray mist. Wear: long-sleeved shirt and long pants, socks, shoes, and chemical-resistant gloves.*"

Signature of Approving Official:

Kable Bo Davis, Entomologist  
Insecticide-Rodenticide Branch, Registration Division (7505P)

Date:

OCT 18 2007

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- c. On page 1 of the label, beneath **WARNING**, include the statements:  
*"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.)"*
- d. Within the **User Safety Recommendations** section of the label, revise the sentence *"Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet."* to read *"Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco."*
3. The data requirements for storage stability (830-6317) and corrosion characteristics (830-6320) have not been satisfied, and must be submitted within eighteen months of the date of this letter.
4. Submit one copy of the revised final printed label for the record before you release the product for shipment.

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6(e). Your release for shipment of the product constitutes acceptance of these conditions.

A stamped copy of the label is enclosed for your records.

Kable Bo Davis  
Entomologist  
Insecticide-Rodenticide Branch  
Registration Division (7505P)

Enclosure

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# ALOFT™ LC SC INSECTICIDE

GROUP	4A	INSECTICIDE
GROUP	3	INSECTICIDE

For contact and systemic insect pest control in lawns and landscape ornamentals around residential, institutional, public, commercial and industrial buildings, parks, recreational areas, and athletic fields. Not for use on golf courses and sod farms.

INGREDIENTS	By wt.
<b>Active Ingredients:</b>	
Clothianidin*	24.70%
Bifenthrin**	12.30%
<b>Other Ingredients</b>	<b>63.00%</b>
<b>Total</b>	<b>100.00%</b>

\*(E)-1-(2-chloro-1,3-thiazol-5-ylmethyl)-3-methyl-2-nitroguanidine.

\*\* 2-methylbiphenyl-3-ylmethyl (1RS,3RS)-3-[(Z)-2-chloro-3,3,3-trifluoroprop-1-enyl]-2,2-dimethylcyclopropanecarboxylate (cis isomers 97% minimum, trans isomers 3% maximum)

Contains 2.22 lbs of Clothianidin and 1.10 lbs of Bifenthrin per gallon

## KEEP OUT OF REACH OF CHILDREN

### WARNING

See inside booklet for additional precautionary statements.

EPA Registration No. 66330-\_\_\_\_  
EPA Est. No. \_\_\_\_\_

Produced for:  
Arysta LifeScience North America Corporation  
15401 Weston Parkway, Suite 150  
Cary, NC 27513

For Product Use Information, call 1-866-761-9397

Net Contents:

**ACCEPTED**  
with **COMMENTS**  
In EPA Letter Dated:  
OCT 18 2007

Under the Federal Insecticide,  
Fungicide, and Rodenticide Act,  
as amended, for the pesticide  
registered under EPA Reg. No.  
66330-366

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<b>FIRST AID</b>	
<b>If swallowed</b>	<ul style="list-style-type: none"> <li>• Call 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>
<b>If inhaled</b>	<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>
<b>If in eyes</b>	<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>
<b>If on skin or clothing</b>	<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>
<p><b>NOTE TO PHYSICIAN:</b> This pesticide contains a pyrethroid. If significant quantities have been swallowed, promptly eliminate the ingested quantities from the stomach and intestines. Treatment is symptomatic and supportive. Alcohol, milk, cream, and other digestible fats and oils should NOT be administered as they may increase absorption.</p>	
<p><b>HOTLINE NUMBER</b></p> <p>Have the product container or label with you when calling a poison control center or doctor, or going for treatment. <b>FOR 24-HOUR EMERGENCY MEDICAL ASSISTANCE: CALL PROSAR at 1-866-303-6952.</b></p>	

### PRECAUTIONARY STATEMENTS

#### HAZARDS TO HUMANS AND DOMESTIC ANIMALS

**WARNING.** Harmful if swallowed, inhaled or absorbed through skin. Avoid breathing spray mist. Avoid contact with eyes, skin or clothing. Wash thoroughly with soap and water after handling.

#### PERSONAL PROTECTIVE EQUIPMENT (PPE)

Some of the materials that are chemical-resistant to this product are listed below. If you want more options, follow the instructions for category A on an EPA chemical-resistance category selection chart. Applicators and other handlers (other than mixers and loaders) must wear:

- long-sleeved shirt and long pants
- shoes plus socks
- chemical-resistant gloves

Follow the manufacturer's instructions for cleaning/maintaining PPE. If no instructions for washables are available, 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.

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### ENVIRONMENTAL HAZARDS

This product is extremely toxic to fish and aquatic invertebrates. Drift and runoff may be hazardous to aquatic organisms in neighboring areas. Do not apply where runoff is likely to occur. 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 cleaning equipment or disposing of equipment washwaters or rinsate.

This product is toxic to bees exposed to treatment and for more than 5 days following treatment. Do not apply this product to blooming, pollen-shedding or nectar-producing parts of plants if bees may forage on the plants during this time period, unless the application is made in response to a public health emergency declared by appropriate state or federal authorities.

### DIRECTIONS FOR USE

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

Carefully read and understand the Directions for Use and restrictions before applying this product.

Do not apply this product in any 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.

Do not apply by air.

Do not apply through any type of irrigation system.

Do not apply on the following: nurseries, commercial greenhouses, grass grown for seed, golf courses and sod farms.

Do not allow children or pets on treated surfaces until the spray has dried.

### GENERAL INFORMATION

**ALOFT™ LC SC** is a broad spectrum, long lasting contact and systemic insecticide for control of insects infesting lawns and ornamentals in landscapes and surrounding areas. **ALOFT LC SC** can be used around residences, business complexes, industrial complexes, airports, playgrounds, school yards, parks and recreation areas, athletic fields, cemeteries, arboretums, and non-production greenhouses.

### PREPARATION OF SPRAY MIXTURES AND APPLICATION

Begin with clean equipment. Add sufficient clean water to the spray tank for one-half of the mix load. Start tank agitation. Add the necessary amount of **ALOFT LC SC** before adding any other products. Agitate to ensure thorough mixing while adding the remaining water. Maintain agitation during mixing and application. Apply with properly calibrated spray equipment. If agitation is stopped for any reason the spray solution must be thoroughly remixed prior to any further use.

Use sufficient water volume to provide uniform coverage of the lawn and ornamental plants. For control of surface insects, do not water in until at least 48 hours after the application. If the target insects are in the thatch, either apply **ALOFT LC SC** in enough spray volume to wet the thatch or lightly water in after application with enough water to wet the thatch zone.

For control of existing grub populations, water in after application with enough water to move the insecticide into the root zone where the grubs are feeding.

### RESISTANCE MANAGEMENT

The active ingredients in **ALOFT LC SC** are clothianidin, a Group 4A insecticide, and bifenthrin a Group 3 insecticide. Insect biotypes with acquired resistance to Group 4A and Group 3 insecticides may eventually dominate the insect population if Group 4A or Group 3 insecticides are used alone or repeatedly in the same field or in successive years as the primary method of control for targeted

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species. Previous extensive use of Group 3 insecticides in a given area may result in resistance to selected target insects. If this is the case, the bifenthrin component of **ALOFT LC SC** may not perform as expected. This may result in partial or total loss of control of those species by **ALOFT LC SC**.

To delay insecticide resistance in insects that are at risk of developing resistance to insecticides consider:

- Avoid the consecutive use of other Group 3 or Group 4A insecticides on the same insect species.
- Use tank-mixtures or pre-mixes of insecticides from a different target site of action group as long as both products are registered for the same use.
- Base insecticide use on a comprehensive IPM program.
- Monitor treated insect populations for loss of field efficacy.
- Contact your State Agricultural Experiment Station, State Extension Specialists, or other lawn experts and/or Arysta LifeScience North America Corporation for insecticide resistance management and/or IPM recommendations for the specific site and resistant pest problems.
- For further information or to report suspected resistance, you may contact Arysta LifeScience North America Corporation at 1-866-761-9397.

#### **APPLICATION INSTRUCTIONS – TURFGRASS AND PERIMETERS AROUND LAWNS AND LANDSCAPED AREAS**

**ALOFT LC SC** can be used for broad spectrum insect control in lawns and perimeters of lawns. **ALOFT LC SC** can be used around residences, business complexes, industrial complexes, airports, playgrounds, school yards, parks and recreation areas, athletic fields, cemeteries and other similar areas.

**ALOFT LC SC** has sufficient contact and residual activity to provide high levels of control. The need for an application can be based on historical monitoring of the presence of or anticipated occurrence of individual or multiple insect pest species, the site, previous records or experiences, current season adult trapping or other methods. Where multiple pests are present or anticipated, use the highest rates suggested to control the species that are present. Optimum control of white grubs will be achieved when applications are made just prior to egg laying or to early instar larvae of target pests, followed by sufficient irrigation or rainfall to move the active ingredient into the zone where the insect pests are active. Up to four applications can be made each growing season but do not use more than 23.3 fl oz of product (0.4 lb of clothianidin active ingredient, 0.2 lb bifenthrin) per acre per year. Note: You may also use additional products containing bifenthrin as long as the maximum amount of bifenthrin does not exceed 0.4 lbs active ingredient per acre per season for use in lawns and perimeters.

**ALOFT LC SC** can be applied to lawns and perimeters at 6 – 23.3 fl oz per acre per year (0.14 – 0.54 fl oz/1000 sq ft). The rate is dependent on the target pest(s), their stage of development and the desired level of control. Optimum results for grubs (larvae) will be achieved when applications are made just prior to or just after peak egg laying. Higher rates should be used when long residual control is desired or late season curative applications are made to lawns already showing grub damage. Multiple applications can be made but do not exceed the maximum amount per year (23.3 fl oz/acre or 0.54 fl oz/1,000 sq ft). Consult your local State Agricultural Experiment Station, State Extension Turf Specialists or other lawn experts for specific information concerning the timing of applications.

For control of early season insect pests and for control of white grubs, make the first application of **ALOFT LC SC** at peak adult activity or when other insect pests reach a damaging population in the spring at a rate of 6 – 23.3 fl oz per acre (0.14 – 0.54 fl oz/1000 sq ft). If a total of 14.6 fl oz per acre has not been applied before peak egg laying period of white grub adults, make another application to bring the total up to 14.6 fl oz per acre (0.34 fl oz/1000 sq ft) just prior to egg laying or to early instar larvae of white grub adults. If no applications of **ALOFT LC SC** have been made, apply 11.7 fl oz per

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acre (0.27 fl oz/1000 sq ft) just prior to egg laying or to early instar larvae of target pests for control of white grubs.

<b>TURFGRASS AND PERIMETERS AROUND LAWNS</b>	
<b>APPLICATION RATE</b>	<b>INSECT PEST</b>
0.14 – 0.44 fl oz per 1,000 sq ft (6 – 19 fl oz per acre)	Annual Bluegrass Weevil (Adults) <sup>1</sup> Annual Bluegrass Weevil (Larvae) <sup>1</sup> Ants, Nuisance (Excluding fire, harvester, pharaoh, and carpenter ants) Armyworms Billbugs <sup>2</sup> Black Turfgrass Ataenius <sup>3</sup> Chinch Bugs Cutworms European Crane Fly Grasshoppers Leafhoppers Mole Crickets <sup>4</sup> Pillbugs Sod webworms Sowbugs Spittle bug Sugarcane grub White grubs (Asiatic Garden Beetle, European Chafer, Green June Beetle, Japanese Beetle, Northern Masked Chafer, <i>Phyllophaga</i> spp. (May or June Beetle), Oriental Beetle, Southern Masked Chafer)
<p><sup>1</sup> <b>Annual Bluegrass Weevil:</b> Application can be timed for adult weevils as they move from their over-wintering sites into turf. This movement usually begins when Forsythia is in full bloom and continues to full bloom of dogwoods. Larvae from adult weevils that escape the application will be controlled with the application directed at adult weevils. Applications made after adult weevil activity will control larvae. Consult your State Cooperative Extension Service for more specific information regarding timing of application. White grubs will be controlled with an application targeted towards Annual Bluegrass Weevil.</p> <p><sup>2</sup> <b>Billbugs:</b> Application can be made when adult Billbugs are first observed, usually in April and May in temperate regions. A spring application will also control Billbug larvae. Consult your State Cooperative Extension Service for more specific information regarding timing of application. White grubs will be controlled with an application targeted towards Billbugs.</p> <p><sup>3</sup> <b>Black Turfgrass Ataenius:</b> Application can be timed to coincide with the first generation of Black Turfgrass Ataenius that usually appears during May. White grubs will be controlled with an application targeted towards Black Turfgrass Ataenius.</p> <p><sup>4</sup> <b>Mole Crickets:</b> Application should be made during peak adult flight and egg lay. If the soil is dry, irrigate before application to stimulate insect activity and water after application to release the insecticide from the granule carrier.</p>	
<p><b>NOTES</b></p> <ul style="list-style-type: none"> <li>In New York State, do not apply this product to any grass or lawn area within 100 feet of a water body (lake, pond, river, stream, wetland, or drainage ditch).</li> </ul>	

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<b>TURFGRASS AND PERIMETERS AROUND LAWNS</b>
<ul style="list-style-type: none"> <li>• In New York State, make a single repeat application of <b>ALOFT LC SC</b> if there are signs of renewed insect activity, but not sooner than two weeks after the first application.</li> <li>• Do not apply more than a total of 23.3 fl oz of <b>ALOFT LC SC</b> (0.4 lb of clothianidin active ingredient, 0.2 lb bifenthrin) per acre per season.</li> <li>• If the maximum season limit of <b>ALOFT LC SC</b> has been applied and pest populations require additional treatments, use another registered pesticide labeled for control of the targeted insects. You may also use additional products containing bifenthrin as long as the maximum amount of bifenthrin does not exceed 0.4 lbs active ingredient per acre per season for use in lawns and perimeters.</li> </ul>

**APPLICATION INSTRUCTIONS – LANDSCAPE ORNAMENTALS**

**ALOFT LC SC** is a broad spectrum, contact and long lasting systemic insect control product for a wide spectrum of insects infesting landscape ornamentals. **ALOFT LC SC** can be used around residences, business complexes, industrial complexes, airports, playgrounds, school yards, parks and recreation areas, athletic fields, cemeteries, arboretums and non-production greenhouses.

For foliar applications, apply volume of spray solution to wet the surface of the leaves to the point of drip.

For control of surface insects and insects that crawl along the surface of the soil or mulch under ornamentals, water in lightly after application to move the insecticide into the areas where insects are active. Water in with enough irrigation or rainfall to move the active ingredient into the zone where the target insects are active. Soil surface applications will provide control of foliage feeding insects; however, optimum control will not be achieved until the active ingredient is taken up by the plant roots and translocated to the area where insects are feeding.

<b>LANDSCAPE ORNAMENTALS</b>		
<b>FOLIAR APPLICATION</b>	<b>INSECT PEST</b>	<b>APPLICATION INSTRUCTIONS</b>
<p>7 – 14 fl oz per 100 gallons of spray</p> <p>(10.5 – 21 fl oz per acre based on 150 gallons of spray per acre)</p>	<p>Adelgids Aphids Azalea lace bug Bagworms Beetles Black Vine Weevils (Adults) California Red Scale (Crawlers) Cicadas (Adults) Caterpillars Citrus Thrips Diaprepes (Adults) Flea Beetles Florida wax scale Glassy winged sharpshooter</p>	<p>Gypsy Moth Caterpillars Japanese Beetles (Adults) Lace Bugs Leafhoppers Leafminers Leafrollers Mealybugs Pine Needle Scales (Crawlers) Plant Bugs (incl. <i>Lygus</i> spp.) Scales, Soft Tent Caterpillars White grubs Whiteflies</p>
<p>Target the spray towards the areas where the insects are active.</p> <p>Use enough water carrier to wet the surfaces on the target plants to the point of drip.</p> <p>Repeat applications may be made if insects reappear, but do not exceed a total of 0.54 oz product per 1,000 sq ft of landscape.</p>		

**NOTE**

- Do not apply more than a total of 23.3 fl oz of **ALOFT GC SC** (0.4 lb of clothianidin active ingredient, 0.2 lb bifenthrin) per acre per season.
- If the maximum season limit of **ALOFT GC SC** has been applied and pest populations require additional treatments, use another registered pesticide labeled for control of the targeted insects.



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LANDSCAPE ORNAMENTALS	
You may also use additional products containing bifenthrin as long as the maximum amount of bifenthrin does not exceed 0.4 lbs active ingredient per acre per season for use in lawns and perimeters.	

LANDSCAPE ORNAMENTALS		
SOIL SURFACE or MULCH APPLICATION	SOIL INSECT PEST	APPLICATION INSTRUCTIONS
0.14 – 0.44 fl oz per 1,000 sq ft  (6 – 19 fl oz per acre)	<p>Ants, Nuisance (Excluding fire, harvester, pharaoh, and carpenter ants)</p> <p>Beet Armyworm</p> <p>Beetles</p> <p>Black Vine Weevils (Adults)</p> <p>Centipedes</p> <p>Crickets</p> <p>Cutworms</p> <p>Diaprepes (Adults)</p> <p>Earwigs</p> <p>Fall Armyworms</p> <p>Grasshoppers</p> <p>Millipedes</p> <p>Pill Bugs</p> <p>White grubs (Asiatic Garden Beetle, European chafer, Green June beetle, Japanese beetle, Northern Masked Chafer, <i>Phyllophaga</i> spp. (May or June Beetle), Oriental Beetle, Southern Masked Chafer)</p>	Apply in enough water to wet the areas where the insects are active or water in after applications with enough irrigation to move the insecticide into the areas where insects are active.
SOIL SURFACE or MULCH APPLICATION	FOLIAR INSECT PEST	APPLICATION INSTRUCTIONS
0.34 – 0.54 fl oz per 1,000 sq ft  (15 – 23.3 fl oz per acre)	<p>Aphids</p> <p>Azalea lace bug</p> <p>Caterpillars</p> <p>Flea Beetles</p> <p>Florida wax scale</p> <p>Glassy winged sharpshooter</p> <p>Gypsy Moth</p> <p>Caterpillars</p> <p>Japanese Beetles (Adults)</p> <p>Leafhoppers</p> <p>Leafminers</p> <p>Leafrollers</p> <p>Mealybugs</p> <p>Plant Bugs (incl. <i>Lygus</i> spp.)</p> <p>Root Weevils (incl. Black Vine Weevils)</p> <p>Scales, Soft</p> <p>Whiteflies</p>	Apply in enough water to wet the root zone of the plants. Control of leaf feeding insects will be delayed until the insecticide is taken up by the roots and moved into the areas where insects are feeding, usually 2 – 4 weeks.

NOTE
<ul style="list-style-type: none"> <li>Do not apply more than a total of 23.3 fl oz of <b>ALOFT GC SC</b> (0.4 lb of clothianidin active ingredient, 0.2 lb bifenthrin) per acre per season.</li> <li>If the maximum season limit of <b>ALOFT GC SC</b> has been applied and pest populations require additional treatments, use another registered pesticide labeled for control of the targeted insects. You may also use additional products containing bifenthrin as long as the maximum amount of bifenthrin does not exceed 0.4 lbs active ingredient per acre per season for use in lawns and perimeters.</li> </ul>

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### STORAGE AND DISPOSAL

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

**PESTICIDE STORAGE:** Store in a cool, dry place away from excessive heat. Do not store near food, feed, fertilizers, seeds, or other pesticides. Keep this product out of reach of children and animals at all times. Store in original container only. Open the product container carefully and after use, seal tightly.

**To contain a spill:** Cover the spilled product to prevent the material from spreading. If the product container is damaged, place the entire container along with the product in a secure receptacle and clearly label the contents.

**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 if allowed by state and local authorities, by burning. If burned, stay out of smoke.

**FOR 24-HOUR CHEMICAL EMERGENCY (Spill, Leak, Fire or Accident) ASSISTANCE:** Call CHEMTREC at 1-800-424-9300.

### Warranty and Disclaimer Statement

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.**

ALOFT is a trademark of Arysta LifeScience North America Corporation.