

Please read instructions on reverse before completing form. Form Approved, OMB No. 2070-0060. Approval expires 05-31-98

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

Application for Pesticide - Section I

1. Company Product Number 67760-10	2. EPA Product Manager Tina Levine	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Cyren TC	PM# Insecticide-Rodenticide Branch	
5. Name and Address of Applicant (Include ZIP Code) Cheminova, Inc., 1700 Route 23, Wayne, NJ 07470 <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: EPA Reg. No. _____ Product Name _____	

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____	NOTIFICATION APR 20 2001
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application	
<input 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 to correct a typographical error pursuant to PR Notice 98-10

Notification of Minor Label Change in Accordance with 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 U.S.C. 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 product may be in violation of FIFRA and may be subject to enforcement action and penalties under Sections 12 and 14 of FIFRA.

Signature: *Kari E. Mavian*

Date: *4/5/01*

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes* <input type="checkbox"/> No *Certification must be submitted	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Metal	<input type="checkbox"/> Plastic
	If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt. No. per container		<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
				<input type="checkbox"/> Other (Specify)	
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions <input 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 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 Kari E. Mavian	Title Regulatory Affairs Manager	Telephone No. (Include Area Code) 973-305-6600, x 233
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 <i>Kari E. Mavian</i>	3. Title Regulatory Affairs Manager	
4. Typed Name Kari E. Mavian	5. Date April 5, 2001	

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RESTRICTED USE PESTICIDE
For retail sale to and use only by Certified Applicators or persons under their direct supervision and only for those uses covered by the Certified Applicator's certification.

[Chlorpyrifos - Before Using This Pesticide Stop Read the Label]

Cyren® TC

Specialty Termiticide / Insecticide Concentrate

- NO NAPHTHALENE ODOR -

ACTIVE INGREDIENT:

Chlorpyrifos: O, O-diethyl, O-(3,5,6-trichloro-2 pyridinyl) phosphorothioate 43.2%

****INERT INGREDIENTS** 56.8%

TOTAL 100.0%

*This product contains 4 pounds of chlorpyrifos per gallon.

**Contains petroleum distillate.

® Cyren is a registered trademark of Cheminova

**KEEP OUT OF REACH OF CHILDREN
WARNING AVISO**

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
ORGANOPHOSPHATE

IF SWALLOWED: Call a doctor or get medical attention. Do not induce vomiting. Do not give anything by mouth to an unconscious person. Avoid alcohol.

IF ON SKIN: Wash with plenty of soap and water. Get medical attention.

IF IN EYES: Flush eyes with plenty of water. Call a physician if irritation persists.

IF INHALED: Remove victim to fresh air. If not breathing, give artificial respiration, preferably mouth-to-mouth. Get medical attention.

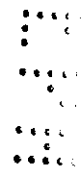
NOTE TO PHYSICIAN: May pose aspiration pneumonia hazard. Chlorpyrifos is a cholinesterase inhibitor. Treat symptomatically. If exposed, plasma and red blood cell cholinesterase tests may indicate degree of exposure (baseline data are useful). Atropine only by injection is an antidote. Oximes, such as 2-PAM / protopam, may be therapeutic if used early; however, use only in conjunction with atropine. In case of severe acute poisoning, use antidotes immediately after establishing an open airway and respiration. Product is a cholinesterase inhibitor. Treat symptomatically. Atropine is an antidote.

IN CASE OF A MEDICAL EMERGENCY INVOLVING THIS PRODUCT, CALL TOLL FREE,
DAY OR NIGHT, 1-800-228-5635, EXT. 153

[SEE BOOKLET FOR ADDITIONAL PRECAUTIONARY STATEMENTS AND USE DIRECTIONS]

NOTIFICATION

APR 20 2001



EPA Reg. No. 67760-10

EPA Est. No. _____

Manufactured For:
CHEMINOVA, INC.
1700 Route 23
Wayne, NJ 07470

PRECAUTIONARY STATEMENTS
Hazards to Humans and Domestic Animals
WARNING

May be fatal if swallowed. Harmful if absorbed through skin or inhaled. Causes eye irritation. Avoid contact with eyes, skin or clothing. Avoid breathing spray mist. Wash thoroughly with soap and water after handling and before eating, drinking, or using tobacco. Remove contaminated clothing and wash clothing before reuse.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Mixers and loaders must wear a minimum of long-sleeved shirt and long pants, chemical resistant footwear plus socks, chemical resistant gloves such as nitrile or butyl, and protective eyewear (goggles, a face shield, or safety glasses with front, brow and temple protection). **Mixers and loaders** who do not use a mechanical system to transfer the contents of this container must wear coveralls or chemical-resistant apron in addition to other required PPE.

Pesticide applicators must wear long-sleeved shirt and long pants, socks, shoes and chemical-resistant gloves such as nitrile or butyl.

In addition, all pesticide handlers must wear a dust/mist filtering respirator (MSHA/NIOSH approval number TC-21C), or a NIOSH approved respirator with any R, P or HE filter, and protective eyewear when working in a non-ventilated space. All pesticide applicators must wear protective eyewear when applying termiticide by rodding or sub-slab injection.


ENVIRONMENTAL HAZARDS

This pesticide is extremely toxic to fish, birds, and other wildlife. For terrestrial uses, 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 from treated areas may be hazardous to aquatic organisms in adjacent aquatic sites. Cover or incorporate spills. Do not contaminate water by cleaning of equipment or disposal of equipment washwaters.

PHYSICAL AND CHEMICAL HAZARDS

COMBUSTIBLE: Do not use or store near heat or open flame.

Notice: Read the entire label. Use only according to label directions. Before buying or using this product, read **WARRANTY DISCLAIMER** and **LIMITATION OF REMEDIES** elsewhere on this label.

<p>STORAGE AND DISPOSAL</p> <p>Do not contaminate water, food or feed by storage or disposal.</p> <p>Storage: Store in original container in secured dry storage area. Prevent cross-contamination with other pesticides and fertilizers. Avoid storing above 122°F for extended periods of time. Storage below 55°F may result in formation of crystals. If product crystallizes, store at 72-90°F and shake occasionally to redissolve crystals. If container is damaged or spill occurs, use product immediately or dispose of product and damaged</p>	
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container as indicated below.

Pesticide Disposal: Pesticide wastes are toxic. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal law. If these wastes cannot be disposed of according to label instructions, contact your state pesticide or environmental control agency, or the hazardous waste representative at the nearest EPA regional office for guidance.

Container Disposal for Non-Refillable Containers: Triple rinse (or equivalent) then offer for recycling or reconditioning, or puncture and/or crush rinsed, empty container and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.

Returnable / Refillable Containers: **Do not break open any seals or cables!** Pump out all possible product. Replace the dust cap in the one-way valve. Do not rinse the container.

Return the empty container to a collection site designated by Cheminova or your distributor.

If the drum has been damaged or the seals broken, please contact Cheminova at 1-800-548-6113 for instructions.

DIRECTIONS FOR USE

Restricted Use Pesticide

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

Do not tank mix this product with products containing dichlorvos (DDVP). Do not formulate this product into other end-use products.

GENERAL INFORMATION

For pre-construction termite control; spot and local termite control (prohibited after December 31, 2002); termite control in underground utility cable and conduits; for control of insects infesting fence posts, utility poles, railroad ties, landscape timbers, logs, pallets, wooden containers, poles, posts, and processed wood products.

Subterranean Termites

Cyren TC Specialty Termiticide/ Insecticide Concentrate for soil treatment is used to establish a barrier which is lethal to *termites*. The chemical emulsion must be adequately dispersed in the soil to provide an effective barrier between the wood in the structure and the termite colonies in the soil.

It is important that the service technician be familiar with current control practices including trenching, rodding, sub-slab injection, and low pressure spray applications. These techniques must be correctly employed to prevent or control infestations by subterranean termite species of *Reticulitermes*, *Zootermopsis*, *Heterotermes*, and *Coptotermes*. Choice of appropriate procedures includes consideration of such variable factors as the design of the location to be treated, water table, soil type, soil compaction, grade conditions and the location and type of domestic water supplies. The biology and behavior of the involved termite species are important factors to be known, as well as suspected location of the colony and severity of the infestation within the location to be protected. For advice concerning current control practices for specific local conditions, consult resources in structural pest control.

GENERAL USE PRECAUTIONS

Contamination of public and private water supplies must be avoided by following these minimum precautions:

1. Use anti-backflow equipment or procedures to prevent siphonage of pesticides back into water supplies.

2. Do not treat soil that is water-saturated or frozen. Do not treat while precipitation is occurring.
3. Consult Federal, state and local specifications for information regarding approved treatment practices in your area.
4. Do not contaminate wells or cisterns.

LOCATIONS TO BE TREATED WITH ADJACENT WELL / CISTERNS AND / OR OTHER WATER BODIES

Applicators must inspect all locations to be treated with nearby water sources such as wells, cisterns, surface ponds, streams and other bodies of water and evaluate, at a minimum, the treatment recommendations listed below prior to making an application.

1. Prior to treatment, if feasible, expose the water pipe(s) coming from the well to the location to be treated, if the pipe(s) will enter the location to be treated within 3 feet of grade.
2. Prior to treatment, applicators are advised to take precautions to limit the risk of applying the termiticide into subsurface drains that could empty into any bodies of water. These precautions include evaluating whether application of the termiticide to the top of the footer may result in contamination of the subsurface drain. Factors such as depth to the drain system and soil type and degree of compaction should be taken into account in determining the depth of treatment.
3. When appropriate (i.e. on the water side of the location to be treated), the treated backfill technique (described below) can also be used to minimize off-site movement of termiticide.

Excavation/Treated Backfill Technique

- a. Trench and remove soil to be treated onto heavy plastic sheeting or similar material or into a wheelbarrow.
- b. Treat the soil at the rate of 4 gallons of dilute emulsion per 10 linear feet per foot of depth of the trench, or 1 gallon of dilution per 1.0 cubic foot (See **RATE DETERMINATION GUIDELINES**). An initial treatment using a 0.5% dilution will provide effective, optimum long term residual control. Mix thoroughly into the soil taking care to contain the liquid and prevent runoff or spillage.
- c. After the treated soil has absorbed the diluted emulsion, replace the soil into the trench.

RATE DETERMINATION GUIDELINES

The maximum dilution for termite control is 0.5%. Consult the local extension agent or state entomologist for application rate recommendations.

The 0.5% rate may also be used when making follow-up or spot treatments. Areas treated must be reinspected annually for signs of reinfestation.

A 2.0% dilution may be used to protect utility poles and fence posts.

Dilution Directions

Gallons of Finished Dilution Desired	Cyren TC Needed			
	0.5%	0.75%	1.0%	2.0%
1	1 ¹ / ₃ fl. oz.	2 fl. oz.	2 ² / ₃ fl. oz.	5 ¹ / ₃ fl. oz.
5	6 ² / ₃ fl. oz.	10 fl. oz.	13 ¹ / ₃ fl. oz.	26 ² / ₃ fl. oz.
10	13 ¹ / ₃ fl. oz.	20 fl. oz.	26 ² / ₃ fl. oz.	53 ¹ / ₃ fl. oz.
24	1 qt.	1 ¹ / ₂ qt.	¹ / ₂ gal.	1 gal.

48	1/2 gal.	3 qt.	1 gal.	2 gal.
97	1 gal.	1 1/2 gal.	2 gal.	4 gal.

Mixing Directions

It is important that the termiticide dilution be uniformly mixed in the spray tank before beginning the treatment. Once mixed, Cyren TC will not settle out in the tank although the initial mixing will be enhanced by agitation, circulation through the treating hose, and the filling process.

Mix the termiticide use dilution in the following manner:

1. Fill tank 1/4 to 1/3 full.
2. Start pump to begin by-pass agitation and place end of treating tool in tank to allow circulation through hose.
3. Add appropriate amount of Cyren TC.
4. Add remaining amount of water.
5. Let pump run and allow recirculation through the hose for 2 to 3 minutes.

Application Volume

To provide maximum control and protection against termite infestation, apply the specified volume of the finished water emulsion and active ingredient as set forth in the **DIRECTIONS FOR USE** section of this label. If soil will not accept the labeled application volume, the volume may be reduced provided there is a corresponding increase in concentration so that the amount of active ingredient applied to the soil remains the same. The maximum dilution rate for termite control is 0.5%. NOTE: Large reductions of application volume reduce the ability to obtain a continuous barrier. Variance is allowed when volume and concentration are consistent with label directed rates and a continuous barrier can still be achieved.

PRECONSTRUCTION SUBTERRANEAN TERMITE TREATMENT

PRECONSTRUCTION TREATMENT: APPLY ONLY AT A CONCENTRATION OF 0.5% FOR APPLICATIONS PRIOR TO INSTALLATION OF THE FINISHED GRADE. Areas treated with 0.5% or less must be reinspected annually for signs of reinfestation.

Prior to each application, applicators must notify the general contractor, construction superintendent or similar responsible party of the intended termiticide application and intended sites of application, and instruct the responsible person to notify construction workers and other individuals to leave the area to be treated during application and until the termiticide is absorbed into the soil.

Effective preconstruction treatment for subterranean termite prevention requires the establishment of vertical and/or horizontal chemical barriers between wood in the structure and the termite colonies in the soil. To meet FHA termite proofing requirements, follow the latest edition of the Housing and Urban Development (HUD) Minimum Property Standards. Follow state and local regulations to meet minimum treatment standards for preventive preconstruction treatments.

All holes drilled in construction elements for preconstruction treatments should be securely plugged following the application.

See **RATE DETERMINATION GUIDELINES** and **Dilution Directions** table.

1. For horizontal barriers, applications must be made using a low pressure spray after grading is completed and prior to the pouring of the slab.

a. For a 0.5% rate, apply 1 gallon of dilution per 10 square feet to provide thorough and continuous coverage of the area being treated (see **Application Volume**).

If the fill is washed gravel or other coarse material, it is important that a sufficient amount of dilution be used to reach the soil substrate beneath the coarse fill.

b. If concrete slabs cannot be poured over the soil the same day it has been treated, a vapor barrier should be placed over the treated soil to prevent disturbance of the termiticide barrier.

2. For vertical barriers, apply the 0.5% dilution at a rate of 4 gallons per 10 linear feet per foot of depth. Establish vertical barriers in areas such as around the base of foundations, plumbing lines, backfilled soil against foundation walls and other areas which may warrant more than just a horizontal barrier.

a. When treating foundations deeper than 4 feet, apply the termiticide as the backfill is being replaced, or if the construction contractor fails to notify the applicator to permit this, treat the foundation to a minimum depth of 4 feet after the backfill has been installed. The applicator must trench and rod into the trench, or trench along the foundation walls and around pillars and other foundation elements at the rate prescribed from grade to a minimum depth of 4 feet. When the top of the footing is exposed, the applicator must treat the soil adjacent to the footing to a depth not to exceed the bottom of the footing. However, in no case should a structure be treated below the footing.

b. Trenches need not be wider than 6 inches. Treat soil with the dilution as it is being replaced in the trench.

For a 0.5% rate, apply 4 gallons of dilution per 10 linear feet per foot of depth to ensure complete coverage.

c. Hollow block foundations or voids of masonry can be treated to make a complete chemical barrier especially if the soil was not treated prior to pouring the footing. Apply the dilution at a rate of 2 gallons per 10 linear feet so that it reaches the top of the footing.

d. For crawl spaces, establish a vertical barrier on both sides of the foundation and around all piers and areas where underground utilities exit the soil. Do not apply the dilution to the entire surface area intended as the crawl space.

3. Plenum type structures which use a sealed underfloor space to circulate heated and/or cooled air throughout the structure, apply the dilution at the rate of 4 gallons per 10 linear feet per foot of depth. Soil adjacent to both sides of foundation walls, supporting piers, plumbing and conduits should be treated by trenching or rodding (where soil conditions permit) to a depth of 6 inches or, if less shallow, to the top of the footing. When conditions will not permit trenching or rodding, surface application adjacent to interior foundation walls may be made but the treated strip shall not exceed a width of 18 inches, horizontally, from the foundation walls, piers or pipes. The surface application should be made at a rate of 1 gallon per 10 square feet as a very coarse spray under low pressure (not to exceed 20 p.s.i.

when measured at the treating tool). After soil treatment, a continuous vapor barrier of at least 6 mil. polyethylene film or other suitable vapor barrier must be installed on the ground surface over the entire subfloor area and on the inside of the plenum walls, in accordance with the recommended practices for plenum type structures. When treating plenums, turn off the air circulation system of the structure until application has been completed and all termiticide has been absorbed by the soil.

UNDERGROUND UTILITY CABLE AND CONDUITS

Preventative Treatment for Use Only in Guam, Hawaii, and other Pacific Islands: Use a 1.0% to 2.0% dilution (See **RATE DETERMINATION GUIDELINES** and **Dilution Directions** table). After digging the trench, place approximately 6 inches of backfill or sand at the bottom and apply 2 gallons of the dilution per 10 linear feet. Allow to dry then replace the cable backfill. Cover with an additional 6 inches of backfill or sand and apply another 2 gallons of emulsion per 10 linear feet. Finish filling trench with untreated soil.

Wherever cables emerge from the soil to enter poles, light frames, etc., treat the soil around the cable and pole or frame to establish a continuous 6 inch chemical barrier.

A continuous 6 inch chemical barrier must be established around the cable to insure protection from termite attack.

UTILITY POLES AND FENCE POSTS

Preventative Treatment: Use a 1.0 to 2.0% dilution (See **RATE DETERMINATION GUIDELINES** and **Dilution Directions** table). After pole or post hole has been dug, mix the dilution with the soil as it is being replaced to a depth of approximately 10 inches. Place pole or post on top of this layer. The remaining soil fill and dilution should be mixed while backfilling the hole. The treated soil zone around the post or pole should be approximately 6 inches wide. Soil for the base layer and backfill of each pole or post should be treated at a rate of 4 gallons of dilution per 10 cubic feet of soil.

Remedial Treatment: To control existing infestations or to prevent infestation of posts and poles already in place, use a 1.0% to 2.0% dilution. The dilution should be injected into termite galleries or channels in the wood. For maximum protection, injection sites should be at or below grade.

Posts or poles may also be treated by rodding down to the base of the structure. Rod holes should be placed approximately 3 inches away from the pole and about 6 inches apart. Inject approximately 12 fluid ounces of dilution per foot of depth into each rod hole.

It may be appropriate to use one or both treatment techniques depending upon the specific circumstances at the work site, e.g. soil type.

CONTROL OF WOOD INFESTING INSECTS

For control of wood infesting insects in fence posts, utility poles, railroad ties, landscape timbers, logs, pallets, wooden containers, poles, posts and processed wood products.

Dosage and Mixing Directions: Cyren TC is recommended for use as an aqueous emulsion containing 0.5%-1.0% chlorpyrifos. See **RATE DETERMINATION GUIDELINES** and **Dilution Directions** table.

NOTE:

Contact with treated surfaces should be avoided until spray has dried.

To control wood infesting insects such as powderpost beetles (*Lyctidae*), false powderpost beetles (*Bostrichidae*), deathwatch beetles (*Anobiidae*), old house borers (*Cerambycidae*) and ambrosia beetles (*Scolytidae*) in these wood items, treatments may be applied either as coarse sprays or by brushing the product onto targeted surfaces. Use a sufficient amount of spray to cover the area to the point of wetness but avoid runoff. Use the following guidelines to determine appropriate rates of application:

New wood, (typically less than 10 years of age) apply approximately 1 gallon of dilution per 150 square feet as a coarse spray.

Old wood, (typically greater than 10 years of age) apply approximately 1 gallon of dilution per 100 square feet as a coarse spray.

SPOT AND LOCAL TERMITE TREATMENT (This use is prohibited after December 31, 2002)

For use outside structures only. Spot treatments are not to exceed 25% of the amount required to treat the entire structure at the label rate. Spot treatments are allowed only where there is clear evidence that reinfestation or barrier disruption has occurred. Areas treated with 0.5% or less must be inspected annually for signs of reinfestation.

For control of termites (localized areas of infested wood in structures), apply 0.5% dilution to voids and channels in damaged wood, in spaces between members of a structure, and between wood and foundations where termite infestation is likely to occur. Application may be made to inaccessible areas by drilling, and then injecting the emulsion. Use a sufficient amount of spray to cover the area to the point of wetness but avoiding runoff. Treatment of localized areas is intended to kill workers and winged reproductive forms of termites in the treated areas and to prevent infestations for a temporary period. This type of application is not intended to be a substitute for soil treatment or mechanical alteration to control subterranean termites.

Precautions:

All holes in commonly occupied areas into which material has been applied must be plugged. Plugs must be of a non-cellulose material or covered by an impervious, non-cellulose material.

All nonessential wood and cellulose containing materials, including scrap wood and form boards, should be removed from around foundation walls, crawl spaces, and porches. This does not include existing structural soil contact wood that has been treated.

WARRANTY DISCLAIMER

Cheminova warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated on the label when used in strict accordance with the directions, subject to the inherent risks set forth below. CHEMINOVA MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR ANY OTHER EXPRESS OR IMPLIED WARRANTY.

INHERENT RISKS OF USE

It is impossible to eliminate all risks associated with use of this product. Plant injury, lack of performance, or other unintended consequences may result because of such factors as use of

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the product contrary to label instructions (including conditions noted on the label, such as unfavorable temperatures, soil conditions, etc.), abnormal conditions (such as excessive rainfall, drought, tornadoes, hurricanes), presence of other materials, the manner of application, or other factors, all of which are beyond the control of Cheminova or the seller. All such risks shall be assumed by Buyer.

LIMITATION OF REMEDIES

The exclusive remedy for losses or damages resulting from this product (including claims based on contract, negligence, strict liability, or other legal theories), shall be limited to, at Cheminova's election, one of the following:

- (1) Refund of purchase price paid by buyer or user for product bought, or
- (2) Replacement of amount of product used.

Cheminova shall not be liable for losses or damages resulting from handling or use of this product unless Cheminova is promptly notified of such loss or damage in writing. In no case shall Cheminova be liable for consequential or incidental damages or losses.

The terms of the Warranty Disclaimer above and this Limitation of Remedies cannot be varied by any written or verbal statements or agreements. No employee or sales agent of Cheminova or the seller is authorized to vary or exceed the terms of the Warranty Disclaimer or this Limitation of Remedies in any manner.

Actions: 4/5/01 Notify EPA re Backfill Technique omission; 11/8/00 EPA Approval; 10/23/00 KM update per 10/17/00 EPA letter; 7/5/00 update per MOA
Label code: 0/K8/0
Last Label code: 9/L28/9