

# 07/07/2010

JUL -7 2010

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

> OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

Ross Gilbert Agent for Diacon Technologies Ltd. Pyxis Regulatory Consulting, Inc. 4110 136<sup>th</sup> St NW Gig Harbor, WA 98332

Subject: Mycostat Z EPA Reg. No. 70227-3 Application Dated: June 08, 2010 Receipt Date: June 09, 2010

Dear Ross Gilbert

The following notification submitted in connection with registration under the provisions of PR Notice 98-10, Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) section 3(c)9. is acceptable.

#### **Proposed Notification**

Revise Storage and Disposal Directions Per PR Notice 2007-4

#### Comments

Based on a review of the material submitted, the following comments apply: This application for notification to Storage and Disposal section per PR Notice 2007-4 is acceptable. A copy has been placed in our records for future reference.

Should you have any questions or comments concerning this letter, please contact Velma Noble at (703) 308-6233.

Sincerely,

Velma Noble Product Manager (31) Regulatory Management Branch1 Antimicrobial Division (7510)

Mease read instructions on reverse before comme	ting form.	Form A	) Devored		<u>No. 2070-</u>	-0060	Approval expires 2-28-
Environmenta	United States I Protection Agen ngton, DC 20460	су		-	stration ndmen r		OPP Identifier Number
	Application for Pe	esticide - Sec	ction	<u> </u>			
Company/Product Number 70227-3		2. EPA Product Ma V. Noble	nager		3	<u> </u>	oosed Classification
Company/Product (Name) Diacon Technologies Ltd. / Mycostat Z	F	PM#	31				
Name and Address of Applicant (Include ZIP Co Diacon Technologies Ltd. c/o Pyxis Regulatory Consulting, Inc. 4110 136th St. NW Gig Harbor, WA 98332	( t	b)(i), my product o: EPA Reg. No.	is sim	ilar or io	lentical ir	n com	IFRA Section 3(c)(3) position and labeling
Check if this is a new address		Product Name on - II					
Amendment - Explain below. Resubmission in response to Agency letter Notification - Explain below. <b>xplanation</b> : Use additional page(s) if necessar	y. (For section I and Secti		tter dat Applic plain be	ted ation. elow.	onse to 		
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EPA Form 8570-1 (Rev. 3-94) Previous editions are obsolete.

# PYXIS REGULATORY CONSULTING, INC.

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Phone: 253-853-7369 Fax: 253-853-5516 www.PyxisRC.com

June 2, 2010

## COURIER DELIVERY

Velma Noble (PM 31) Document Processing Desk (**NOTIF**) Office of Pesticide Programs (7504P) U.S. Environmental Protection Agency Room S-4900, One Potomac Yard 2777 S. Crystal Drive Arlington, VA 22202

RE: Diacon Technologies Ltd. – Mycostat Z (EPA Reg. No. 70227-3) Submission of Label Notification per PRN 2007-4 to Add Refillable Container Language

Dear Ms. Noble,

Thank you for your letter dated April 29, 2010 regarding submission # 872650.

On behalf of Diacon Technologies Ltd. please find the enclosed resubmitted label notification revising the container disposal instructions for Mycostat Z per PRN 2007-4.

In support of this notification submission, we submit the following documents:

- 1. Completed Application for Registration (EPA Form 8570-1)
- 2. One (1) copy of the Mycostat Z labeling with changes tracked
- 3. One (1) copy of the Mycostat Z labeling with changes incorporated
- 4. Certification with Respect to Label Integrity
- 5. One (1) copy of the Mycostat Z labeling on CD
- 6. Letter of Authorization

Please contact me by phone (253) 853-7369 or by email at Ross@PyxisRC.com if you have any questions or need any additional information.

Sincerely,

Ross Gilbert

Enclosures

cc: K. Mehrtabar; Diacon Technologies Ltd.

# MYCOSTAT<sup>TM</sup>-Z

MYCOSTAT<sup>TM</sup>-Z for control of Algae, Algal, Fungal and Bacterial Slimes in Recirculating Water Systems, Auxiliary Water and Waste Water Systems and Water Cooling Systems, Molluscs in Once Through Freshwater Cooling Systems, Mold, Mildew and Fungi in Sap Stains and Wood Preservatives.

# 

Weight Approx. 8 lbs./gal.

# KEEP OUT OF REACH OF CHILDREN **DANGER**

	FIRST AID
If on skin or	Take off contaminated clothing.
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 contaminated lenses, if present, after the first 5 minutes, then continue rinsing eye.
	Call a poison control center or doctor for treatment advice.
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.
	HOT LINE NUMBER
Have the produ	ct container or label with you when calling a poison control center or doctor, or going for

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. For general product information, call Diacon Technologies Ltd at (604) 271-8855 between the hours of 9 a.m. – 4 p.m. Pacific Time.

# NOTE TO PHYSICIAN

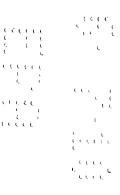
Probable mucosal damage may contraindicate the use of gastric lavage.

SEE LEFT PANEL FOR ADDITONAL PRECAUTIONARY STATEMENTS

DIACON TECHNOLOGIES LTD. #135-11960 Hammersmith Way Richmond, BC V7A 5C9 Canada (604) 271-8855

E.P.A. Reg. No. 70227-3 E.P.A. Est. No.

Net Contents: Lot Number: Made In USA



# PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS & DOMESTIC ANIMALS DANGER

# **KEEP OUT OF REACH OF CHILDREN**

**CORROSIVE**. Causes irreversible eye damage and skin burns. Harmful if absorbed through skin. May be fatal if swallowed. Harmful if inhaled. Avoid breathing spray mist. Do not get into eyes, on skin, or on clothing. Wear goggles or face shield and rubber gloves and protective clothing when handling. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse.

# ENVIRONMENTAL HAZARDS

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

#### (Use the statement below for swimming pools only and less than 5 gallon containers.) ENVIRONMENTAL HAZARDS

This product is toxic to fish.

#### PHYSICAL OR CHEMICAL HAZARDS

Do not mix with soap, anionic detergents or oxidizers.

**SPILL OR LEAK PROCEDURES:** Small spills may be mopped up or flushed away with water or absorbed on some absorbent material and incinerated. Large spills should be contained, the material then moved into containers and disposed of by approved methods for hazardous wastes.

#### (Containers 1 gallon or less)

# STORAGE-AND DISPOSAL

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

**PESTICIDE STORAGE:** Store in original containers and place in locked storage area. Keep from freezing.

**CONTAINER DISPOSAL:** Securely wrap original container in several layers of newspaper and discard in trash.

(For Industrial Water Treatment Use, Industrial and/or Commercial Recirculating Cooling Water Towers and Recirculating Cooling Water Systems, Auxiliary water and waste water systems and water cooling systems, once through fresh water cooling systems, sap stains, wood preservatives.)

(Containers one (1) gallon or more)

# STORAGE AND DISPOSAL

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

**PESTICIDE STORAGE:** Store in original containers and place in locked storage area. Keep from freezing.

**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 Environmental Control agency or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

**CONTAINER DISPOSAL:** Do not reuse empty container (bottle, cans, jars). Triple rinse (or equivalent). Then offer for recycling or reconditioning or puncture and dispose of in a sanitary landfill, or incinerate or if allowed by state and local authorities, by burning. If burned, stay out of smoke.

# [NONREFILLABLE CONTAINERS]

Nonrefillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container 1/4 full of water. Replace and tighten closures. Tip container on its side and roll it 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 it 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. Then offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

## [REFILLABLE CONTAINERS]

Refillable container. Refill this container with 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. Then offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

#### **DIRECTIONS FOR USE**

It is a violation of Federal Law to use this product in a manner inconsistent with its labeling. Do not use water containing residues from use of this product to irrigate crops used for food or feed. Use of the product in either public/municipal or single or multiple family private/residential potable/drinking water intake is strictly prohibited. Use of the product in any cooling water system that discharges effluent within ¼ mile of either a public/municipal or single or multiple family private/residential potable/drinking water intake is strictly prohibited.

#### SWIMMING POOLS IMPORTANT NOTES

- 1. Do not allow swimming in pool for at least 15 minutes after this product has been applied.
- 2. Always apply this and other pool treatment chemicals separately, never combine them.
- 3. Sunlight, rainfall, temperature, number of swimmers and frequency of pool use, all affect the rate at which unsanitary pool water conditions develop. Adjust your pool cleaning and maintenance functions accordingly.

# **BEFORE YOU BEGIN**

- 1. Make sure all pool equipment is working properly including pump, filter, skimmer and heater. Allow the filter to run for at least 6 hours after adding algaecide.
- 2. Backwash filter following normal procedure for your pools filter.
- 3. Check water pH (acidity/alkalinity balance) with a Test Kit, following label direction. Desired pH range is between 7.2-7.6. If necessary, adjust pH by adding pH decreaser to lower pH or pH increaser to raise pH.
- 4. Recheck pH and maintain it between 7.2-7.6 for at least 6 hours before adding this product.
- 5. Add this product directly into pool by pouring around entire outside perimeter of pool.

# INTITIAL APPLICATION FOR SWIMMING POOLS

- 1. Vacuum algae debris to waste and thoroughly brush pool.
- 2. Add 26 fluid oz. MYCOSTAT<sup>TM</sup>-Z to each 50,000 gallons of water (5.2 ounces per 10, 000 gallons) or ratio thereof. Add this product directly into pool by pouring around entire outside perimeter of pool.
- 3. Vacuum pool after 24 hours to remove dead algae.
- 4. If algae is still visible repeat dose (steps 3 & 4) as necessary until pool is free of visible algae.
- 5. Once algae is under control, clean filter and return to normal operation.

# MAINTENANCE APPLICATION

Add 6.5 fluid oz. MYCOSTAT<sup>TM</sup>-Z in 50,000 gallons of water every 3-5 days.Add this product directly into pool by pouring around entire outside perimeter of pool.

# **BOOSTER APPLICATION**

6.5 fluid oz. MYCOSTAT<sup>TM</sup>-Z in 50,000 gallons of water after a heavy or prolonged rainfall or when there is a heavy bathing load. Add this product directly into pool by pouring around entire outside perimeter of pool.

If algae growth is noticeable, apply initial dose.

THE ABOVE DIRECTIONS SHOULD BE FOLLOWED EVEN WHEN THE POOL IS NOT IN USE.

# INDUSTRIAL AND/OR COMMERCIAL RECIRCULATING COOLING WATER TOWERS, RETORT WATER SYSTEMS

This product aids in the control of bacterial, fungal and algae slimes in evaporative condensers, heat exchange water system, commercial and industrial cooling towers, influent systems such as flow through filters and lagoons, industrial water scrubbing systems and brewery pasteurizers.

**DOSING LOCATION:** This product is to be applied at a point in the system where it will be uniformly mixed, such as at the sump.

**DOSING CONDITIONS:** This product should be applied when the system is in jeopardy of being affected or after cleaning systems where efficiency is already impaired.

#### **METHOD OF APPLICATION:**

#### INTEMITTENT OR SLUG METHOD

**Initial Dose:** When the system is noticeably fouled, apply 5.25 to 10.25 fluid ounces (20 to 40 ppm on an active quaternary basis) per 1000 gallons of water in the system. Repeat until control is achieved.

**Subsequent Dose:** When microbial control is evident, add 1.33 to 3.85 fluid ounces (5 to 15 ppm on an active quaternary basis) per 1000 gallons of water in the system twice weekly or as needed to maintain control. Badly fouled systems must be cleaned before treatment is begun.

# **MODIFIED INTERMITTENT METHOD**

**Initial Dose:** When the system is noticeably fouled, apply 5.25 to 10.25 fluid ounces (20 to 40 ppm on an active quaternary basis) per 1000 gallons of water in the system. Apply half of this initial dose when half of the water in the system has been lost by blowdown.

**Subsequent Dose:** When control of microbial growth is evident, apply 1.33 to 3.85 fluid ounces (5 to 15 ppm on an active quaternary basis) per 1000 gallons of water in the system. Apply half of this subsequent dose when half of the water in the system has been lost by blowdown. Badly fouled systems must be cleaned before treatment is begun.

# **CONTINUOUS FEED METHOD**

**Initial Dose:** When the system is noticeably fouled, apply 5.25 fluid ounces (20 ppm on an active quaternary basis) per 1000 gallons of water in the system.

**Subsequent Dose:** Maintain this treatment by starting a continuous feed of 1.33 fluid ounces (5 ppm on an active quaternary basis) per 1000 gallons of water lost by blowdown. Badly fouled systems must be cleaned before treatment is begun.

# AUXILIARY SERVICE WATER AND WASTE WATER SYSTEM

This product is effective for the control of odor-forming and slime-forming bacteria, fungi and algae in auxiliary service water systems such as fire protection systems and pump or screen bays, water waste systems such as storage tanks, storage piles, associated piping, settling ponds or lagoons, transport spillways or canals and disposal wells.

This product may be added to the system by slug or intermittent feed or by spraying onto a waste pile. The frequency of feed or spray and the duration of the treatment will depend upon the severity of the contamination. Additions to water systems should be made during the pumping operation and as close to the pump as possible to ensure adequate mixing.

# **INTERMITTENT OR SLUG METHOD**

When this treatment is required, add this product at the rate of 5.25 to 10.25 ounces per 1000 gallons of water already in the system, or being added to the system, for 4 to 8 hours, 1 to 4 times per week or as needed to achieve the desired level of control. When control is obtained, add this product at the rate of 1.33 to 3.85 ounces per 1000 gallons of water in the system.

# ONCE THOUGH WATER COOLING SYSTEMS

**DOSING LOCATION:** This product is to be applied at a point in the system where it will be uniformly mixed, such as at the sump.

**DOSING CONDITIONS:** This product should be applied when the system is in jeopardy of being affected or after cleaning systems where efficiency is already impaired.

# **METHOD OF APPLICATION:**

- 1. Wear safety glasses, rubber gloves and impervious apron.
- 2. Add product directly from drum or add the product at a point where it will be mixed uniformly.
- 3. To reduce foaming, mix 2 parts of water to 1 part of this product.
- 4. 0.15 to 1.5 fluid ounces (1-10 ppm on an active quaternary basis) per thousand gallons.
- 5. Do not discharge without performing proper deactivation. To perform deactivation use Bentonite Clay. The minimum ratio to be used is 6 ppm of clay to 1 ppm of product.
- 6. Do not use product more than 4 times per year.
- 7. Treatment time cannot exceed 120 hours/application.
- 8. Avoid oxidizers and reducing agents. Product is cationic and should not be mixed with soap or anionic surfactants.

# SAP STAIN CONTROL

For control of mold and fungus on green or freshly cut lumber. May be used in a dip or spray application. Before use, dilute at a rate of 25-100 gallons of water per gallon of this product. Seasonal variation in storage and shipping conditions, species and condition of wood should be considered in selection of end use concentration. For effective inhibition of mold and fungus, lumber and logs must be dipped or sprayed in a manner that ensures that all surfaces are uniformly treated.

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For best results, green wood should be treated immediately, at least within twenty-four hours after cutting or sawing. Mold and fungus growth begins immediately after cutting so delayed treatment is much less effective and requires increased chemical concentration. Green, untreated lumber should not be used for stickers.

Freshly treated lumber should not be allowed to remain unprotected in heavy rains. Dip tanks and drip aprons must be roofed, paved and drained to prevent dilution and loss of the anti-stain solution.

## WOOD PRESERVATIVES

This product can be used in combination with other EPA registered organic and inorganic wood preservatives or it can be used alone.

#### MYCOSTAT<sup>TM</sup>-Z

Dilute this product in either water or mineral spirits to produce a 0.5% to 3.0% active quaternary ammonium compound.

Percent Active Quat Solution	Ounces of product per gallon
0.5	1.28
1.0	2.56
1.5	3.85
2.0	5.12
2.5	6.4
3.0	7.68

To find the ounces of this product per gallon for other dilutions take the percent active desired and divide by 0.3906.

#### MYCOSTAT<sup>TM</sup>-Z AND COPPER COMPOUNDS

Mix this product with water and either ACQ-C2 EPA Reg. No. 10465-36 or ACQ-C EPA Reg. No. 10465-33. Refer to the product labels for ACQ-C and ACQ-C2 for precise mixing instructions.

# MYCOSTAT<sup>TM</sup>-Z AND BORATES

Mix this product and Tim-Bor, EPA Reg. No. 1624-39 in water and stir to give a solution of the desired concentration of components.

#### MYCOSTAT<sup>TM</sup>-Z AND PROPICONAZOLE

Mix this product with MYCOSTAT<sup>TM</sup>-P (EPA Reg. No.71406-1-70227) and dilute with either water, mineral spirits or other light organic solvent to produce a 0.5% to 3.0% quaternary ammonium compound solution. Follow the instructions on the MYCOSTAT<sup>TM</sup>-P label for the appropriate concentration of propiconazole. PLEASE NOTE THAT THIS FORMULATION CAN ONLY BE USED FOR DIP TREATMENT.

#### PRESSURE TREATMENT

Place the wood article to be treated into the pressure cylinder and seal unit. Treat the wooden articles using the pressure treatment procedures consistent with the equipment being used and standard treatment practices. Treatment conditions should be such as to produce a 0.1 to 0.6 lb./cu. foot retention in the treated article. Such treated wood is to be used for above ground uses only.

#### **DOUBLE VACUUM**

Stack the wooden articles to be treated in the treatment vessel so that the preservative solution will have access to all sides of the articles. Seal the vessel. Reduce the pressure within the vessel to -10 inches for five minutes. Cover all the articles with preservative solution. Allow the pressure to return to atmospheric conditions and discharge the preservative solution. Reduce the pressure to -20 inches and maintain for 20 minutes. Allow the pressure to return to atmospheric and remove treated wooden articles. Treatment conditions should be used as to produce a 0.1 to 0.6 lbs./cu. foot retention of product in the treated article. Wood treated to this retention is suitable for above ground use only.

#### DIP TREATMENT

Stack the wood to be treated on a suitable holder and convey the stack into the treating solution making sure the stack is completely immersed. Dip times should range from 30 seconds (individual pieces) up to 30 minutes (bundled wooden articles). Use a concentration of 0.5 to 3.0% active quaternary ammonium compound, the concentration should be customized to the degree of sap stain protection desired, which should be determined by an independent test on the intended species of wood.

#### PERSONAL PROTECTIVE EQUIPMENT FOR PRESSURE TREATMENT, DOUBLE VACUUM AND DIP TREATMENT

Applicators must wear gloves which are chemical-resistant (such as nitrile or butyl) in all situations where dermal contact is expected (i.e. handling freshly treated wood and manually opening cylinder doors). Individuals who enter pressure treatment cylinders and other related equipment that are contaminated with the wood treatment solution (e.g. cylinders that are in operation or are not free of all treatment solution) must wear coveralls over a long sleeved shirt and long pants, socks, chemical-resistant footwear,

and protective eyewear. Federal, State and local confined space entry procedures need to be taken.

Applicators must not eat, drink or use tobacco products during those parts of the applications process that may expose them to the wood treatment formulation (e.g. manually opening/closing cylinder doors, moving trams out of cylinders, mixing chemicals, handling freshly treated wood).

Wash thoroughly after skin contact and before eating, drinking, use of tobacco products, or using restroom.

Protective clothing must be changed when it shows signs of contamination. Applicators must leave protective clothing and work shoes or boots and equipment at the plant. Worn out protective clothing and work shoes or boots must be left at the plant and disposed of in a manner approved for pesticide disposal and in accordance with State and Federal regulations.

#### **BRUSH OR SPRAY**

A 0.5% to 3.0% active solution with water may be applied by brush or spray for use on wood shingles or shake roofs and siding on existing homes by commercial applicators. Low pressure equipment is recommended for spray applications. A moderately fine spray, not an aerosol or fog, generally provides the best coverage at practical product concentrations. Apply only to point of runoff. To make a 0.5% to 3.0% active solution, use the following table:

Percent Active Quat Solution	Ounces of product per gallon
0.5	1.28
1.0	2.56
1.5	3.85
2.0	5.12
2.5	6.4
3.0	7.68

To find the ounces of this product per gallon for other dilutions take the percent active desired and divide by 0.3906.

#### PERSONAL PROTECTIVE EQUIPMENT FOR BRUSH AND SPRAY APPLICATIONS

Applicators must wear gloves which are chemical-resistant (such as nitrile or butyl). Applicators must also wear coveralls over a long sleeved shirt and long pants, socks, chemical-resistant footwear, and protective eyewear. Applicator must not eat, drink, or use tobacco during the application process. Use with adequate ventilation, mist or vapor generated by spraying this product may be harmful if inhaled. Wash thoroughly after skin contact and before eating, drinking, use of tobacco products or using restrooms. Protective clothing must be changed when it shows signs of contamination.

Brush/Spray treatment may require frequent changing. Discard clothing and other absorbent materials that have been drenched or heavily contaminated. Do not reuse them.

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Follow manufacturers instructions for cleaning/maintaining protective equipment. If no such instructions exist for washables, use detergent and hot water. Keep and wash protective equipment separate from other laundry.

Worn out protective clothing and work shoes or boots must be disposed of in a manner approved for pesticide disposal and in accordance with State and Federal regulations.

#### **NOTICE OF WARRANTY:**

Diacon Technologies Ltd. warrants that this product conforms to the chemical description on the label thereof and is reasonably fit for purposes stated on such label only when used in accordance with the directions under normal use conditions. It is impossible to eliminate all risk inherently associated with the use of this product. Ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or the manner of use or application, all of which are beyond the control of Diacon Technologies Ltd. In no case shall Diacon Technologies Ltd. be liable for consequential, special or indirect damages resulting from the use or handling of this product. All such risks shall be assumed by the Buyer. DIACON TECHNOLOGIES LTD. MAKES NO WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESSED OR IMPLIED WARRANTY EXCEPT AS STATED ABOVE.

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