 <p style="text-align: center;">U.S. ENVIRONMENTAL PROTECTION AGENCY Office of Pesticide Programs Registration Division (7505C) 1200 Pennsylvania Ave., N.W. Washington, D.C. 20460</p> <p style="text-align: center;">NOTICE OF PESTICIDE: <u> X </u> Registration <u> </u> Reregistration (under FIFRA, as amended)</p>	EPA Reg. Number: 70506-113	Date of Issuance: MAR - 9 2006
	Term of Issuance: Conditional	
	Name of Pesticide Product: TEBUZOL™ 45 DF Fungicide	
Name and Address of Registrant (include ZIP Code): United Phosphorus, Inc. 423 Riverview Plaza Trenton, NJ 08611		
<p>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.</p>		
<p>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.</p>		
<p style="text-align: center;">This product is conditionally registered in accordance with FIFRA section 3(c)(7)(A) provided that you:</p>		
<ol style="list-style-type: none"> 1. Submit and/or cite all data required for registration of your product under FIFRA Section 3(c)(5) when the agency requires all registrants of similar products to submit such data; and submit acceptable responses required for reregistration of your product under FIFRA Section 4. 2. Submit acceptable Storage Stability (OPPTS No. 830.6317) and Corrosion Characteristics (OPPTS No. 830.6320) studies within 15 months of the date of this registration. 3. Make the following label change before you release the product for shipment: Revise the EPA Registration Number to read, "EPA Reg. No. 70506-113." 4. Submit one copy of the revised printed label for the record before you release the product for shipment. 		
Continued on Page 2		
Signature of Approving Official: <i>Mary L. Waller</i> Mary L. Waller, Product Manager (21) Fungicide Branch, Registration Division (7505C)	Date: 3/9/2006	

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EPA Reg. No. 70506-113

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.

Copies of the product chemistry (dated 1/11/06) and acute toxicology (dated 9/8/05) reviews are enclosed for your records as well as a stamped copy of the label.

Sincerely,



Mary L. Waller
Product Manager (21)
Fungicide Branch
Registration Division (7505C)

Enclosure

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[FRONT OF BAG]
TEBUZOL™
45 DF Fungicide

ACTIVE INGREDIENT:

Tebuconazole, alpha-[2-(4-chlorophenyl)ethyl]alpha-(1,1-dimethylethyl)-1H-1,2,4-triazole-1-ethanol.....	45%
INERT INGREDIENTS:.....	55%
TOTAL	100%

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	
If in eyes	<ul style="list-style-type: none"> • 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.
If swallowed	<ul style="list-style-type: none"> • Immediately call a poison control center or doctor. • Do not induce vomiting unless told to do so by the poison control center or doctor. • Do not give any liquid to the person. • Do not give anything by mouth to an unconscious person.
If on skin or clothing	<ul style="list-style-type: none"> • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15-20 minutes. • Call a poison control center or doctor for treatment advice.
If inhaled	<ul style="list-style-type: none"> • 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.
Note To Physician: No specific antidote. Treat symptomatically. The compound does not cause any definite symptoms that would be diagnostic. Contact with the eyes may cause irritation.	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. For Medical Emergency Assistance call the National Pesticide Information Center at 1-800-858-7378.	

FOR CHEMICAL EMERGENCY: spill, leak, fire, exposure, or accident, call CHEMTREC 1-800-424-9300.

Refer to booklet attached to the back of this bag for complete label.

[UPI logo]
Manufactured for:
United Phosphorus, Inc.
423 Riverview Plaza
Trenton, NJ 08611
(1-800-247-1557
www.upi-usa.com

ACCEPTED
with COMMENTS
In EPA Letter Dated

MAR 9 2006

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

EPA Reg. No. 70506
EPA Establishment No.
Net Contents: 2 lbs.

70506-113

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**[BACK OF BAG]
PRECAUTIONARY STATEMENTS
HAZARDS TO HUMAN AND DOMESTIC ANIMALS**

WARNING. Causes substantial but temporary eye injury. Harmful if swallowed, inhaled or absorbed through the skin. Prolonged or frequently repeated skin contact may cause allergic skin reactions in some individuals. Do not get in eyes or on clothing. Avoid contact with skin. Avoid breathing dust or spray mist.

ENVIRONMENTAL HAZARDS

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

DIRECTIONS FOR USE

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

READ ENTIRE LABEL. USE STRICTLY IN ACCORDANCE WITH PRECAUTIONARY STATEMENTS AND DIRECTIONS FOR USE AND WITH APPLICABLE STATE AND FEDERAL REGULATIONS.

Do not apply this product in a 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.

AGRICULTURAL USE REQUIREMENTS
Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR part 170. Refer to attached booklet under "AGRICULTURAL USE REQUIREMENTS" in the DIRECTIONS FOR USE section for information about this standard.

STORAGE AND DISPOSAL
Do not contaminate water, food or feed by storage or disposal.
Pesticide Storage: Store in a cool, dry place and in such a manner as to prevent cross contamination with other pesticides, fertilizers, food, and feed. Store in original container and out of the reach of children, preferably in a locked storage area.
Handle and open container in a manner as to prevent spillage. If the container is leaking or material is spilled for any reason or cause, carefully sweep material into a pile. Refer to Precautionary Statements or label for hazards associated with the handling of this material. Do not walk through spilled material. Dispose of pesticide as described below.
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: Completely empty container into application equipment. Then dispose of empty container in a sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

READ LABEL FOR USE DIRECTIONS BEFORE USING ⇒ ATTACHED LABEL

3/11

TEBUZOL™ 45 DF Fungicide

ACTIVE INGREDIENT:
 Tebuconazole, alpha-[2-(4-chlorophenyl)ethyl]alpha-(1,1-dimethylethyl)-
 1H-1,2,4-triazole-1-ethanol..... 45%
 INERT INGREDIENTS:..... 55%
 TOTAL 100%

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	
If in eyes	<ul style="list-style-type: none"> • 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.
If swallowed	<ul style="list-style-type: none"> • Immediately call a poison control center or doctor. • Do not induce vomiting unless told to do so by the poison control center or doctor. • Do not give any liquid to the person. • Do not give anything by mouth to an unconscious person.
If on skin or clothing	<ul style="list-style-type: none"> • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15-20 minutes. • Call a poison control center or doctor for treatment advice.
If inhaled	<ul style="list-style-type: none"> • 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.
Note To Physician: No specific antidote. Treat symptomatically. The compound does not cause any definite symptoms that would be diagnostic. Contact with the eyes may cause irritation.	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. For Medical Emergency Assistance call the National Pesticide Information Center at 1-800-858-7378.	

**FOR CHEMICAL EMERGENCY: spill, leak, fire, exposure, or accident, call
CHEMTREC 1-800-424-9300.**

[UPI logo]
Manufactured for:
United Phosphorus, Inc.
423 Riverview Plaza
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www.upi-usa.com

EPA Reg. No. 70506-
EPA Establishment No.
Net Contents

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**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMAN AND DOMESTIC ANIMALS**

WARNING. Causes substantial but temporary eye injury. Harmful if swallowed, inhaled or absorbed through the skin. Prolonged or frequently repeated skin contact may cause allergic skin reactions in some individuals. Do not get in eyes or on clothing. Avoid contact with skin. Avoid breathing dust or spray mist.

Personal Protective Equipment (PPE)

Some 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 must wear:

- Long-sleeved shirt and long pants
- Chemical-resistant gloves made of any waterproof material
- Shoes plus socks
- Protective eyewear

Remove and wash contaminated clothing before reuse. Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

ENGINEERING CONTROLS STATEMENT: When handlers use closed systems, enclosed cabs, or aircraft in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.240(d)(4-6)], the handler PPE requirements may be reduced or modified as specified in WPS.

User Safety Recommendations:

Users should:

- Wash thoroughly with soap and water after handling and 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.

ENVIRONMENTAL HAZARDS

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

DIRECTIONS FOR USE

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

Do not apply this product in a 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.

AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR part 170. This Standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE), and restricted-entry interval. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

Do not enter or allow worker entry into treated areas during the restricted entry interval (REI) of 12 hours.

PPE required for early entry into treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated such as plants, soil, or water, is:

- Long-sleeved shirt and long pants, Chemical-resistant gloves made of any waterproof material. Shoes plus socks, Protective eyewear

GENERAL INFORMATION

Spray Volume: Apply TEBUZOL 45 DF by ground equipment in 50 gallons or more of spray solution per acre or in 15 gallons or more per acre by air unless otherwise specified under individual crop use directions. Adjust spray volume to compensate for crop growth to ensure thorough coverage of the foliage and fruit. Check equipment calibration frequently. For the most effective results, ensure that application is uniform and complete, especially when lower spray volumes are applied.

Chemigation: Do not apply this product through any type of irrigation system.

Mixing: Add recommended amount of TEBUZOL 45 DF into the spray tank at the same time as water is being added to the desired level. While mixing, maintain agitation. Be sure that the TEBUZOL 45DF is completely dispersed before any other materials are added.

Compatibility: If compatibility testing is desired, use the following procedure: Pour the recommended proportions of the products into a suitable container of water, mix thoroughly and allow to stand at least five (5) minutes. If the combination remains mixed or can be re-mixed readily, the mixture is considered physically compatible. For further information contact your local United Phosphorus, Inc. representative.

Rotational Crops: Any crop not specified on this label may be planted into treatment areas 120 days after last application.

OBSERVE THE FOLLOWING PRECAUTIONS WHEN SPRAYING IN THE VICINITY OF AQUATIC AREAS SUCH AS LAKES, RESERVOIRS, RIVERS, PERMANENT STREAMS, MARSHES, OR NATURAL PONDS, ESTUARIES AND COMMERCIAL FISH FARM PONDS:

Spray Drift Management: The interaction of many equipment and weather related factors determines the potential for spray drift. The applicator is responsible for considering all of these factors when making application decisions. Avoiding spray drift is the responsibility of the applicator.

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Buffer Zone Requirements: For soil or foliar applications, do not apply by ground within 25 feet, or by air within 150 feet of lakes; reservoirs; rivers; permanent streams; marshes or natural ponds; estuaries and commercial fish farm ponds.

Recommendations for Aerial Applications: The spray boom should be mounted on the aircraft so as to minimize drift caused by wing tip vortices. The minimum practical boom length should be used, and must not exceed 75% of the wing span or rotor diameter.

Importance of Droplet Size: An important factor influencing drift is droplet size. Small droplets (<150-200 microns) drift to a greater extent than large droplets. Within typical equipment specifications, applications should be made to deliver the largest droplet spectrum that provides sufficient control and coverage. Formation of very small droplets may be minimized by appropriate nozzle selection, by orienting nozzles away from the air stream as much as possible and by avoiding excessive spray boom pressure.

Spray should be released at the lowest possible height consistent with good pest control and flight safety. Applications more than 10 feet above the crop canopy should be avoided.

Wind Speed Restrictions: Drift potential increases at wind speeds of less than 2 mph (due to inversion potential) or more than 10 mph. However, many factors, including droplet size, canopy and equipment specifications determine drift potential at any given wind speed. Do not apply when winds are greater than 15 mph and avoid gusty and windless conditions. Risk of exposure to sensitive aquatic areas can be reduced by avoiding applications when wind direction is toward the aquatic area.

Restrictions During Temperature Inversions: Do not make aerial or ground applications during temperature inversions. Drift potential is high during temperature inversions. Temperature inversions restrict vertical air mixing, which causes small suspended droplets to remain close to the ground and move laterally in a concentrated cloud. Temperature inversions are characterized by increasing temperature with altitude and are common on nights with limited cloud cover and light to no wind. They begin to form as the sun sets and often continue into the morning. Their presence can be indicated by ground fog; however if fog is not present, inversions can also be identified by the movement of smoke from a ground source. Smoke that layers and moves laterally in a concentrated cloud (under low wind conditions) indicates an inversion, while smoke that moves upward and rapidly dissipates indicates good vertical mixing.

Airblast (Air Assist) Specific Recommendations for Tree Crops and Vineyards: Airblast sprayers carry droplets into the canopy of trees/vines by means of a radially, or laterally directed air stream. Follow the specific drift management practices below:

- Adjust deflectors and aiming devices so that spray is only directed into the canopy
- When there is no overhanging canopy, upward pointed nozzles must be blocked off
- Use the correct air volume so that the canopy is penetrated and good coverage is achieved
- Turn off sprayer when turning at end rows so that spray does not penetrate past the edge of the cultivated area
- When spraying outside row of an orchard or vineyard, only spray inward toward the crop

Runoff Management: Do not cultivate within 10 feet of the aquatic areas to allow growth of a vegetative filter strip. When used on erodible soils, best management practices for minimizing runoff should be employed. Consult your local Soil Conservation Service for recommendations in your use area.

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CROP-SPECIFIC USE DIRECTIONS

CROP	DISEASE	RATE TEBUZOL 45DF	REMARKS
Cherry	Brown Rot (Blossom blight, fruit rot) Leaf Spot Powdery Mildew	2 oz/100 gal* (4-8 oz/A**)	<p>Blossom Blight: Make first application at white bud on cherry or pink bud on peach and nectarine. Make a second application at 50% bloom stage and at petal fall if conditions continue to be favorable for disease development.</p> <p>Fruit Rot: Make first application at two to three weeks before harvest and continue every 7 days through the day of harvest. For optimum control of brown rot, it is necessary to protect the blossom and fruit stages. If TEBUZOL 45 DF is applied during only one of these stages, another registered fungicide should be applied to the other stage to provide optimum protection. Make additional cover sprays during the early postbloom period to prevent quiescent fruit infections in sweet cherry and peach.</p> <p>Leaf Spot: Make first application at petal fall or when first leaves unfold and continue applications every 7 to 14 days. Use the 7 day interval early in the growing season when terminal growth is rapid and/or under severe disease conditions. If desired, a postharvest application may be made to reduce overwintering inoculum.</p> <p>Powdery Mildew: Follow the schedule for leaf spot, above, until terminal growth stops.</p> <p>Rust: Make first applications after canker emergence and continue every 14 days under severe disease conditions.</p>
Peach	Brown Rot (Blossom blight, fruit rot) Rust	2 oz/100 gal* (4-8 oz/A**) 2 oz/100 gal (5-8 oz/A)	
Nectarine	Brown Rot (Blossom blight, fruit rot)	2 oz/100 gal* (4-8 oz/A**)	

GENERAL INSTRUCTIONS

The preharvest interval (PHI) for TEBUZOL 45 DF is 0 days. Do not apply more than 3 lb of product per acre per crop season.

TEBUZOL45 DF is a sterol demethylation inhibitor (DMI) fungicide which may be applied in tank mix or alternated (every other spray application) with a non-DMI (protectant) fungicide as a resistance management strategy. Do not mix TEBUZOL 45 DF with other DMI fungicides.

* When using the 2 oz/100 gal. rate, use at least 4 oz of TEBUZOL 45 DF per acre.

** Use tree size and volume of foliar to determine the amount of TEBUZOL 45 DF required per acre. The rate per acre given above is based on a standard of 400 gallons of dilute spray solution per acre for large trees. If trees are smaller, multiply 2 oz by the number of 100 gallons of spray solution required to thoroughly wet one acre of the trees to the point of runoff. For concentrate sprays, apply the same amount of product per acre as would be applied in a dilute spray based on tree size and foliage volume, but do not apply less than 4 ounces of TEBUZOL 45 DF per acre. When disease pressure is severe, apply 6 to 8 ounces per acre of TEBUZOL 45 DF.

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CROP	DISEASE	RATE TEBUZOL 45DF	REMARKS
Grape	Black Rot Powdery Mildew	4 oz/A	<p>Powdery Mildew: Apply in a preventative spray schedule. Apply first before bloom and continue applications every 21 days disease pressure is low to moderate. Apply every 14 days when disease pressure is severe.</p> <p>Black Rot: Preventive Schedule: Apply first when new shoots are 1 to 3 inches and continue every 7 to 14 days through 5° BRIX stage or until veraison (berry coloring) is complete. Under severe disease conditions, apply when new shoots are 1 inch and every 7 to 10 days on highly susceptible varieties or when disease conditions are severe.</p> <p>Post-Infection Schedule: Follow a post-infection schedule beginning when new shoots are 1 inch until 5° Brix stage. Apply within 72 hours after the beginning of an infection period. Do not apply TEBUZOL 45 DF more frequently than every 7 days. Continue TEBUZOL 45 DF applications using the preventive schedule If the post-infection schedule is discontinued, then follow the preventive schedule.</p> <p>Botrytis: If TEBUZOL 45 DF is applied in a powdery mildew spray schedule, it will complement the activity of registered fungicides used for control of Botrytis bunch rot. Apply every 14 days for suppression of Botrytis.</p>

GENERAL DIRECTIONS
 Preharvest interval (PHI) is 14 days. Do not apply more than 2 pounds of TEBUZOL 45 DF per acre per crop season. Do not apply more frequently than every 7 days.

By ground application only in the State of New York.

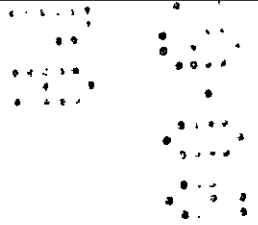
Use sufficient water to ensure thorough coverage of vines and fruit. Adjust spray volume as vine growth increases.

TEBUZOL 45 DF is a sterol demethylation (DMI) fungicide. It may be applied in a tank-mix or alternated (every other spray application) with a non-DMI fungicide as a resistance management strategy. Tank-mixing TEBUZOL 45 DF with other DMI fungicides is not recommended.

CROP	DISEASE	RATE OF TEBUZOL45 DF
Banana	Black Leaf Streak	3.2 oz /A
Plantain	Yellow Sigatoka	

Apply labeled rate as a foliar spray in a minimum of 20 gallons of water per acre to ensure thorough coverage. Use a spray oil recommended for use on banana or plantain at 4.3 pints per acre in tank-mix with TEBUZOL 45 DF. Thoroughly mix TEBUZOL 45 DF in the spray solution before the addition of a spray oil. Apply first before disease becomes established and repeat applications every 14 days as necessary to maintain disease control.

Do not apply TEBUZOL 45 DF to non-bagged bananas. Do not apply more than 16 oz of TEBUZOL 45 DF per acre per harvest cycle. Preharvest interval (PHI) is 0 days.



STORAGE AND DISPOSAL

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

Pesticide Storage: Store in a cool, dry place and in such a manner as to prevent cross contamination with other pesticides, fertilizers, food, and feed. Store in original container and out of the reach of children, preferably in a locked storage area.

Handle and open container in a manner as to prevent spillage. If the container is leaking or material is spilled for any reason or cause, carefully sweep material into a pile. Refer to Precautionary Statements on label for hazards associated with the handling of this material. Do not walk through spilled material. Dispose of pesticide as described below.

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: Completely empty container into application equipment. Then dispose of empty container in a sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

IMPORTANT INFORMATION READ BEFORE USING PRODUCT

CONDITIONS OF SALE AND LIMITATION OF WARRANTY AND LIABILITY

NOTICE: Read the entire Directions for Use and Conditions of Sale and Limitation of Warranty and Liability before buying or using this product. If the terms are not acceptable, return the product at once, unopened, and the purchase price will be refunded.

The Directions for Use of this product should be followed carefully. The Directions for Use of this product reflect the opinion of experts based on field use and tests. It is impossible to eliminate all risks inherently associated with the use of this product. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as manner of use or application, weather or crop conditions, presence of other materials or other influencing factors in the use of the product, which are beyond the control of United Phosphorus, Inc. or Seller. Handling, storage, and use of the product by Buyer or User are beyond the control of United Phosphorus, Inc. and Seller. To the fullest extent allowed by State law, all such risks shall be assumed by Buyer and User, and Buyer and User agree to hold United Phosphorus, Inc. and Seller harmless for any claims relating to such factors.

United Phosphorus, Inc. 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 referred to above, when used in accordance with directions under normal use conditions. This warranty does not extend to the use of this product contrary to label instructions or under conditions not reasonably foreseeable to or beyond the control of Seller or United Phosphorus, Inc., and Buyer and User assume the risk of any such use. UNITED PHOSPHORUS, INC. MAKES NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY EXCEPT AS STATED ABOVE.

To the extent allowed by law, United Phosphorus, Inc. or Seller shall not be liable for any incidental, consequential or special damages resulting from the use or handling of this product. **THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE EXCLUSIVE LIABILITY OF UNITED PHOSPHORUS, INC. AND SELLER FOR ANY AND ALL CLAIMS, LOSSES, INJURIES OR DAMAGES (INCLUDING CLAIMS BASED ON BREACH OF WARRANTY, CONTRACT, NEGLIGENCE, TORT, STRICT LIABILITY OR OTHERWISE) RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT SHALL BE, AT THE ELECTION OF UNITED PHOSPHORUS, INC. OR SELLER, THE REPLACEMENT OF THE PRODUCT, OR COMPENSATION LIMITED TO DAMAGES NOT EXCEEDING THE FAIR MARKET PURCHASE PRICE, AND SHALL NOT INCLUDE INCIDENTAL OR CONSEQUENTIAL DAMAGES.**

United Phosphorus, Inc. and Seller offer this product, and Buyer and User accept it, subject to the foregoing conditions of sale and limitations of warranty and of liability, which may not be modified except by written agreement signed by the duly authorized representative of United Phosphorus, Inc.