

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

OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

JUL 1 4 2009

Mr. Timothy M. Formella United Phosphorus, Inc. 630 Freedom Business Center, Suite 402 King of Prussia, PA 19406

Subject: Revision of Storage and Disposal Statements and the Addition of Group Code

Dear Mr. Formella:

The Agency is in receipt of your Application(s) for Pesticide Notification under

Pesticide Registration Notice (s) (PRN) 2007-4 and 2001-5 dated June 19, 2009 for:

EPA Registration Number 70506-150
EPA Registration Number 70506-154
EPA Registration Number 70506-154

ImiGold 2F Turf, Ornamental and Termiticide/Insecticide Imidacloprid 70 DF Agricultural Insecticide Aura 2F Insecticide

Imidacloprid 70 DF Agricultural Insecticide

Fist 1.6 F

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and 2001-5 find that the label change(s) requested falls within the scope of PRN 2007-4 and 2001-5. The label has been date-stamped "Notification" and will be placed in our records.

If you have any questions, at 703 305-5409 or electronically at daniel.dani@epa.gov

Sincerely,

Dani Daniel

Registration Division (7505P)

Insecticide/Rodenticide Branch

Please read instructions on reverse before completing form.

proved, OMB No. 2070-0060, Approval expires 05-31-9 **United States OPP Identifier Number** Registration **Environmental Protection Agency** ☐ Amendment Washington, DC 20460 Other: Application for Pesticide - Section I 1. Company/Product Number 2. EPA Product Manager 3. Proposed Classification Dani Daniel 70506-153 4. Company/Product (Name) PM# None Restricted Imidacloprid 70 DF Agricultural Insecticide 5. Name and Address of Applicant (Include ZIP Code) 6. Expedited Review. In accordance with FIFRA Section 3(c)(3) United Phosphorus, Inc. (b)(l), my product is similar or identical in composition and labeling 630 Freedom Business Center, Suite 402 King of Prussia, PA 19406 EPA Reg. No. _ Product Name Check if this is a new address Section - II Amendment - Explain below. Final printed labels in response to Agency letter dated Resubmission in response to Agency letter dated ______ "Me Too" Application Notification - Explain below. Other - Explain below Explanation: Use additional page(s) if necessary. (For Section I and Section II.) Notification of label change per PR Notices 2007-4 and 2001-5. This notification is consistent with the guidance in PR Notices 2007-4 and 2001-5, and the requirements of EPA's regulations at 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the Confidential Statement of Formula for this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if the amended label is not consistent with the requirements of 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA. Section - III 1. Material This Product Will Be Packaged In: Child-Resistant Packaging Unit Packaging Water Soluble Packaging Type of Container Yes* Yes Yes Metal No. No Νo Plastic No. per If "Yes" If "Yes" No. per Glass Unit Packaging wgt. container Package wgt. container *Certification must Paper be submitted Other 3. Location of Net Contents Information 4. Size(s) Retail Container 5. Location of Label Directions ⊠ Label Container On Label 4 x 10 ounce bottles On labeling accompanying product Lithograph 6. Manner in Which Label is Affixed to Product Other: Paper glued Stenciled Section - IV 1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application) Name Telephone No. (Include Area Code) Senior Registration Manager ก็ของจัง Timothy M. Formella ں ں ہ د دان 610-491-2813 6. Date Application Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. Rečěivěd (Stamped) under applicable law. 3. Title Signature Senior Registration Manager June 19, 2009 limothy M. Formella

Certification with Respect to Label Integrity

version: 9/11/02

I certify that the information (including, but not limited to, text, tables, and graphics) contained in the electronic file identified below by file name and submitted with this certification is the same information as that on the paper copies of these documents included with this submission.

PROPOSED LABEL			
EPA Registration #	Date Submitted to EPA	Electronic file name	
70506- 153	6/19/2009	070506-00153.20090619.pdf	

I certify that the statements that I have made on this form are true, accurate, and complete. I acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law.

Signature Date

Timothy M. Formella
Name (typed)

Senior Registration Manager

Title



United Phosphorus, Inc.

VIA: United Parcel Service

630 Freedom Business Center, Suite 402 King of Prussia, PA 19406 (610) 491-2813 (phone) (610) 491-2810 (fax)

June 19, 2009

Document Processing Desk (NOTIF) Linda Arrington Office of Pesticide Programs (7504P) U.S. Environmental Protection Agency Room S-4900, One Potomac Yard 2777 South Crystal Drive Arlington, VA 22202-4501

RE: Notification Regarding PR Notices 2007-4 and 2001-5

UPI Imidacloprid Technical Insecticide EPA Reg. No. 70506-122 ImiGold 0.5 G Turf, Ornamental, and Termiticide/Insecticide EPA Reg. No. 70506-142 ImiBloc 0.5 G Termiticide/Insecticide EPA Reg. No. 70506-143 ImiGold 2 F Turf, Ornamental, and Termiticide/Insecticide EPA Reg. No. 70506-150 Imidacloprid 2 F MUP Insecticide EPA Reg. No. 70506-151 Aura 2 F Insecticide EPA Reg. No. 70506-152 Imidacloprid 70 DF Agricultural Insecticide EPA Reg. No. 70506-153 Fist 1.6 F Insecticide EPA Reg. No. 70506-154 ImidaMax 4 F Insecticide EPA Reg. No. 70506-155 ImiGold 70 DF Turf and Ornamental Insecticide EPA Reg. No. 70506-156 ImiGold 70 DF Turf, Ornamental, and Greenhouse Insecticide EPA Reg. No. 70506-157 ImiBloc 70 DF Termiticide/Insecticide EPA Reg. No. 70506-158 ImiBloc 4 F Termiticide/Insecticide EPA Reg. No. 70506-168

Dear Ms. Arrington:

United Phosphorus, Inc. hereby notifies the Agency of our intent to revise the labels for our registered pesticide products containing the active ingredient imidacloprid.

These label notifications include revision of the Storage and Disposal text in order to comply with the requirements of PR Notice 2007-4 regarding Labeling Revisions Required by the Final Rule "Pesticide Management and Disposal; Standards for Pesticide Containers and Containment." In addition, with the exception of the Technical and MUP product labels (EPA Reg. Nos. 70506-122 and 70506-151, respectively), the Insecticide Resistance Action Committee (IRAC) mode of action group code has been added to the first page of the labels per the Agency guidance in PR Notice 2001-5. The UPI warranty statements on these labels have been updated as well.

These changes are consistent with the notification provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46. Enclosed please find the following materials for each of the thirteen products to support these registration notifications:

- 1. Completed Application for Pesticide Registration (EPA Form 8570-1)
- 2. A "red-lined" copy of the amended label showing the changes being made
- 3. A clean copy version of the revised label
- 4. CD with the labels in electronic format (file names: 070506-00122.20090619.pdf, 070506-00142.20090619.pdf, 070506-00143.20090619.pdf, 070506-00150.20090619.pdf, 070506-00151.20090619.pdf, 070506-00152.20090619.pdf, 070506-00153.20090619.pdf, 070506-00154.20090619.pdf, 070506-00155.20090619.pdf, 070506-00156.20090619.pdf, 070506-00157.20090619.pdf, 070506-00158.20090619.pdf, and 070506-00168.20090619.pdf)
- 5. Completed Certification with Respect to Label Integrity form

Jornella

If you have any questions on this submission please call me at 610-491-2813 or email at tim.formella@uniphos.com.

Sincerely,

Timothy M. Formella

Senior Registration Manager

INSECTICIDE

red-lined

IMIDACLOPRID 70 DF Agricultural Insecticide For control of insects on crops

ACTIVE INGREDIENT	
Imidacloprid – 1-[(6-Chloro-3-pyridinyl)methyl]-N-nitro	- 2-
imidazolidinimine	70.0%
OTHER INGREDIENTS	30.0%
Totz	100%

KEEP OUT OF REACH OF CHILDREN **CAUTION**

	FIRST AID	
If on skin or clothing	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 swallowed	 Call a poison control center or doctor immediately for treatment advice. 	3
	Have person sip a glass of water if able to swallow.	
	Do not induce vomiting unless told to do so by the poison control	
	center or doctor.	
	Do not give anything by mouth to an unconscious person.	
If in eyes	Hold eye open and rinse slowly and gently with water for 15-20 minutes.	
	Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.	
,	Call a poison control center or doctor for treatment advice.	
Have the product container	or label with you when calling a poison control center or doctor, or going for	
	ky Mountain Poison Center at 1-866-673-6671 for emergency medical	Deleted: 767
treatment information.		Deleted: 508
NOTE TO PHYSICIAN:	No specific antidote is available. Treat symptomatically.	(= 3.000

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

United Phosphorus, Inc. 630 Freedom Business Center, Suite 402 King of Prussia, PA 19406 1-800-438-6071 • www.upi-usa.com

Net Contents: EPA Reg. No. 70506-153 EPA Est. No. Batch/Lot #

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

Caution. Harmful if absorbed through skin. Harmful if swallowed. Avoid contact with skin, eyes, or clothing. Wear long-sleeved shirt and long pants, socks, shoes, and chemical resistant gloves made of any waterproof material such as barrier laminate, butyl rubber, nitrile rubber, neoprene rubber, natural rubber, polyethylene, polyvinylchloride (PVC) or viton. For more options follow the instructions for category A on an EPA chemical resistance category selection chart.

Personal Protective Equipment (PPE):

Applicators and other handlers must wear:

- Long-sleeved shirts and long pants
- Chemical-resistant gloves made of any waterproof material such as barrier laminate. butyl rubber, nitrile rubber, neoprene rubber, natural rubber, polyethylene, polyvinylchloride (PVC) or viton.
- Shoes plus socks.

Follow manufacturer's instructions for cleaning/maintaining personal protective equipment (PPE). If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

Engineering Controls Statements:

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 the WPS.

USER SAFETY RECOMMENDATIONS

- Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco.
- Remove and wash contaminated clothing before reuse.

ENVIRONMENTAL HAZARDS

Do not apply directly to water, areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment washwaters.

This product is highly toxic to bees exposed to direct treatment or residues on blooming crops or weeds. Do not apply this product or allow it to drift to blooming crops or weeds if bees are visiting the treatment area. This product is toxic to wildlife and highly toxic to aquatic invertebrates.

This chemical demonstrates the properties and characteristics associated with chemicals detected in ground water. The use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination.

OBSERVE THE FOLLOWING PRECAUTIONS WHEN MIXING AND APPLYING 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 determine the potential for spray drift. The applicator is responsible for considering all these factors when making application decisions. Avoiding spray drift is the responsibility of the applicator.

<u>Mixing and Loading Requirements</u> - To avoid potential contamination of groundwater, the use of a properly designed and maintained containment pad for mixing and loading of any pesticide into application equipment is recommended. If containment pad is not used, maintain a minimum distance of 25 feet between mixing and loading area and potential surface to groundwater conduits such as field sumps, uncased well heads, sinkholes, or field drains.

<u>For Aerial Applications</u> - 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.

<u>Wind Speed Restrictions</u> - Drift potential increases at wind speeds of less than 3 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 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 temperatures 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 Instructions for Tree Crops and Vineyards

Airblast sprayers carry droplets into the canopy of trees/vines via a radially or laterally directed air stream. The following specific drift management practices should be followed:

- Adjust deflectors and aiming devices so that spray is only directed into the canopy;
- Block upward pointed nozzles when there is no overhanging canopy;
- Use only enough air volume to penetrate the canopy and provide good coverage;
- Do not allow the spray to go beyond the edge of the cultivated area (i.e. turn off sprayer when turning at end rows);
- Only spray inward, toward the orchard or vineyard, for applications to the outside rows.

No-Spray Zone Requirements for 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.

Run-Off 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 National Resources Conservation Service for recommendations in your use area.

Endangered Species Notice

Under the Endangered Species Act, it is a Federal Offense to use any pesticide in a manner that results in the death of a member of an endangered species. Consult your local county bulletin, County Extension Agent, or Pesticide State Lead Agency for information concerning endangered species in your area.

Resistance Management

Some insects are known to develop resistance to insecticides after repeated use. As with any insecticide, the use of this product should conform to resistance management strategies established for the use area.

Imidacloprid 70 DF Insecticide contains a Group 4A insecticide. Insecticide biotypes with acquired or inherent tolerance to Group 4A Insecticides may eventually dominate the insect population if Group 4A Insecticides are used repeatedly as the predominant method of control for targeted pesticides.

The active ingredient in Imidacloprid 70 DF is a member of the neonicotinoid chemical class. Avoid using a block of more than three consecutive applications of Imidacloprid 70 DF and/or other Group 4A products having the same or similar mode of action. Following a neonicotinoid block of treatments, United Phosphorus, Inc. strongly encourages the rotation to a block of applications with effective products of a different mode of action before using additional applications of neonicotinoid products. Using a block rotation or windowed approach, along with other IPM practices, is considered an effective use strategy for preventing or delaying an insect population's ability to develop resistance to this class of chemistry.

Foliar applications of Imidacloprid 70 DF or other Group 4A products from the neonicotinoid chemical class should not be used on crops previously treated with a long-residual, soil-applied product from the neonicotinoid chemical class.

Other Group 4A neonicotinoid products used as foliar treatments include: Actara, Assail, Calypso, Centric, Clutch, Intruder, Leverage, Trimax and Venom.

Other Group 4A neonicotinoid products used as soil/seed treatment include: Provado, Belay, Cruiser, Gaucho, Platinum and Venom.

Contact your local extension specialist, certified crop advisor and/or product manufacturer for additional insect resistance management recommendations. Also, for more information on Insect Resistance Management (IRM), visit the Insecticide Resistance Action Committee (IRAC) on the web at http://irac-online.org.

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 treatment areas during the restricted entry interval (REI) of 12 hours.

Exception: If the product is soil-injected or soil-incorporated, the Worker Protection Standard, under certain circumstances, allows workers to enter the treated area if there will be no contact with anything that has been treated. PPE required for early entry to 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:

Coveralls

smoke.

- Chemical-resistant gloves made of any waterproof material such as, barrier laminate, butyl rubber, nitrile rubber, neoprene rubber, natural rubber, polyethylene, polyvinylchloride (PVC) or viton
- Shoes plus socks

STORAGE AND DISPOSAL

Do not contaminate water, food, or feed by storage and 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 and dispose of as directed for pesticides below. Refer to Precautionary Statements on label for hazards associated with the handling of this material. In spill or leak incidents, keep unauthorized people away. Pesticide Disposal: Pesticides wastes may be 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 Handling: Nonrefillable container. Do not reuse or refill this container. Clean container promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container 1/4 full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. 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

Deleted: or

Deleted: To Confine Spills:

Deleted: are toxic

Deleted: r

Deleted: Disposal

Deleted: Do not use container in connection with food, feed, or drinking water. Completely empty container into the processing 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.

APPLICATION DIRECTIONS

Do not apply Imidacloprid 70 DF in Enclosed Structures Such as Greenhouses or Planthouses.

Apply Imidacloprid 70 DF as a directed broadcast foliar spray. For best results, apply thoroughly to foliage without runoff. Adequate spray volumes, properly calibrated application equipment and spray adjuvants are all important factors in obtaining thorough coverage. If coverage and retention of Imidacloprid 70 DF on leaves and fruit are inadequate, loss of insect control or delay in onset of activity may occur. Unless otherwise specified in the use directions, Imidacloprid 70 DF may be applied with either properly calibrated ground or aerial application equipment. Minimum spray volumes are 10 gallons/Acre by ground and 5 gallons/Acre through aerial equipment, unless the use directions specify otherwise. Imidacloprid 70 DF may also be applied by overhead chemigation (see additional CHEMIGATION DIRECTIONS FOR USE section below) if the crop use directions allow.

Unless allowed by State specific supplemental labeling, the use of Imidacloprid 70 DF on crops grown for production of true seed intended for private or commercial planting is generally not recommended. Always take care to minimize exposure of Imidacloprid 70 DF to honey bees and other pollinators. Avoid use of Imidacloprid 70 DF on crops requiring bee pollination during bloom and a minimum of 10 days prior to bloom. For additional information on Imidacloprid 70 DF uses for these crops, contact the Cooperative Extension Service, PCAs, consultants or local United Phosphorus, Inc. representatives.

Do not apply more than 0.5 lb active ingredient per acre, per crop season, regardless of formulation or method of application, unless specified within crop-specific use directions for a given crop.

MIXING INSTRUCTIONS

To prepare the application mixture, first place a portion of the specified amount of water in the tank and add Imidacloprid 70 DF while agitation is underway. Add the remainder of water needed. Agitate during both mixing and application. Imidacloprid 70 DF may also be mixed with other pesticides and/or fertilizer solutions; check compatibility using the method below. When tank mixing Imidacloprid 70 DF with other pesticides, prepare the tank mixture as indicated above and follow suggested Order for Mixing below.

Order for Mixing - When making pesticide mixtures, add Imidacloprid 70 DF and other wettable powders or wettable granules first, followed by flowable (suspension concentrate) products, then emulsifiable concentrates last. Agitate as each ingredient is added. Do not add an ingredient until the previous one is thoroughly mixed. If a fertilizer solution is added, a fertilizer/pesticide compatibility agent may be needed. To ensure a uniform spray mixture, continuous agitation is necessary during both mixing and application.

<u>Check for Compatibility</u> - Test the compatibility of any intended mixture before adding Imidacloprid 70 DF to the spray or mix tank. To do this, add proportionate amounts of each ingredient in the appropriate order, to a suitable size jar, cap, shake the mixture for 5 minutes, and let set for 5 minutes. If the mixing is poor, or there is formation of precipitates that do not readily redisperse, then the blend is incompatible and should not be used. For further information, contact your local United Phosphorus, Inc. representative.

CHEMIGATION - DIRECTIONS FOR USE

Refer to DIRECTIONS FOR USE section before proceeding with chemigation application.

<u>Types of Irrigation Systems</u> - Chemigation applications of Imidacloprid 70 DF may be made to crops through overhead sprinkler chemigation systems if specified in crop-specific

Page 7

Recommended Application sections. Do not apply Imidacloprid 70 DF through any other type of irrigation system.

<u>Water Volume</u> - Imidacloprid 70 DF chemigation applications should be made as concentrated as possible. Retention of Imidacloprid 70 DF on target site of insect infestation is necessary for optimum activity. Chemigation of Imidacloprid 70 DF in water volumes exceeding 0.1 inch/Acre is not recommended.

<u>Uniform Water Distribution and System Calibration</u> - The irrigation system must provide uniform distribution of treated water. Crop injury, lack of effectiveness, or illegal pesticide residues in the crop can result from non-uniform distribution of treated water. The system must be calibrated to uniformly apply the rates specified. If you have questions about calibration, you should contact State Extension Service specialists, equipment manufacturers or other experts.

<u>Chemigation Monitoring</u> - A person knowledgeable of the chemigation system and responsible for its operation, or under the supervision of the responsible person, shall shut the system down and make necessary adjustments should the need arise.

<u>Drift</u> - Do not apply when wind speed favors drift beyond the area intended for treatment.

Required System Safety Devices

The system must contain a functional check valve, vacuum relief valve, and low-pressure drain appropriately located on the irrigation pipeline to prevent water source contamination from backflow. The pesticide injection pipeline must contain a functional, automatic, quick-closing check valve to prevent the flow of fluid back toward the injection pump. The pesticide injection pipeline must also contain a functional, normally closed solenoid-operated valve located on the intake side of the injection pump and connected to the system interlock to prevent fluid from being withdrawn from the supply tank when the irrigation system is either automatically or manually shut down. The system must contain functional interlocking controls to automatically shut off the pesticide injection pump when the water pump motor stops. The irrigation line or water pump must include a functional pressure switch which will stop the water pump motor when the water pressure decreases to the point where pesticide distribution is adversely affected. Systems must use a metering pump, such as a positive displacement injection pump (e.g. diaphragm pump) effectively designed and constructed of materials that are compatible with pesticides and capable of being fitted with a system interlock.

Using Water From Public Water Systems

Public water system means a system for the provision to the public of piped water for human consumption if such system has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days out of the year. Chemigation systems connected to public water must contain a functional, reduced-pressure zone, backflow preventer (RPZ) or functional equivalent in the water supply line upstream from the point of pesticide introduction. As an option to the RPZ the water from the public water system should be discharged into a reservoir tank prior to pesticide introduction. There shall be a complete physical break (air gap) between the outlet end of the fill pipe and to the top or overflow rim of the reservoir tank of at least twice the inside diameter of the fill pipe. The pesticide injection pipeline must contain a functional automatic quick-closing check valve to prevent the flow of fluid back toward the injection. The pesticide injection pipeline must contain a functional normally closed solenoidoperated valve located on the intake side of the injection pump and connected to the system interlock to prevent fluid from being withdrawn from the supply tank when the irrigation system is either automatically or manually shut down. The system must contain functional interlocking controls to automatically shut off the pesticide injection pump when the water pump motor stops or in cases where there is no water pump, when the water pressure decreases to the point where the pesticide distribution is adversely affected. Systems must use a metering pump such as a positive displacement injection pump (e.g. diaphragm pump) effectively designed and constructed

Page 8

of materials that are compatible with pesticides and capable of being fitted with a system interlock.

ROTATIONAL CROPS*

Treated areas may be replanted with any crop specified on an imidacloprid label, or any crop for which a tolerance exists for the active ingredient, as soon as practical following the last application. For crops not listed on an imidacloprid label, or for crops with no established tolerances for the active ingredient, observe a 12-month plant-back interval.

Immediate Plant-Back All crops on this label plus the following crops not on this label:

barley, canola, corn (field, pop & sweet), rapeseed, sorghum,

soybean, sugarbeet and wheat

30-Day Plant-Back Cereals (including buckwheat, millet, oats, rice, rye, and triticale),

safflower

10-Month Plant-Back

Onion and bulb vegetables

12-Month Plant-Back

All other crops

*Cover crops for soil building or erosion control may be planted any time, but do not graze or harvest for food or feed

FIELD CROPS

GENERAL INSTRUCTIONS: Ensure thorough uniform coverage in order to achieve optimum control. Use of a spray adjuvant may improve coverage. Imidacloprid 70 DF may not knock down established and heavy insect populations, and two applications may be necessary to achieve control. Scout fields and retreat if necessary. Imidacloprid 70 DF may be tank mixed with other insecticides as recommended for knockdown of pests or for improved control of other pests.

COTTON

PESTS	RATE OZ/ACRE	INSTRUCTIONS
Pests Controlled:	0.7 - 1.1	Apply the indicated rate per acre as a broadcast
Bandedwinged whitefly		or directed foliar spray as pest populations
Bollworm/Budworm (ovicidal		begin to build.
effect)		Do not apply more often than every 7 days.
Cotton aphid		
Cotton fleahopper		Do not apply more than 7 oz/A (0.31 lb ai/A)
Green stink bug		Imidacloprid 70 DF per crop season.
Plant bugs (excludes Lygus		
Hesperus)		Pre-Harvest Interval (PHI): 14 days
Southern green stink bug		
		Do not graze treated fields after any application
		of Imidacloprid 70 DF.
Pests Suppressed:	1.1	
Lygus bug (Lygus Hesperus)		Imidacloprid 70 DF may be applied through
Whiteflies (other than		properly calibrated ground, aerial or
bandedwinged whitefly)		chemigation application equipment.

Cotton Tank Mix Instructions

Pests Controlled	Imidacloprid 70 DF	Bidrin 8*
(In addition to pests listed above)	ounces/Acre	fluid ounces/Acre
For early season control of:		
Thrips	<u>0.7 –</u> 1.1	1.6 – 3.2

For mid to late season control of:		
Cotton leafperforator		
Grasshoppers	0.7 - 1.1	4.0 - 8.0
Plant bugs		
Saltmarsh caterpillar		
Stink bugs (including Brown stink bug)		
Notes and Restrictions (in addition to Note	s and Restrictions listed:	above)

* Refer to the Bidrin 8 product label for specific use directions; observe all restrictions and precautions that appear on the label.

POTATOES

Pests Controlled	RATE OZ/A	INSTRUCTIONS
Aphids Colorado potato beetle Flea beetles Leafhoppers Psyllids	1.1	Apply the indicated rate per acre as a broadcast or directed foliar spray as pest populations begin to build. Minimum interval between applications: 7 days Do not apply more than 4.6 ounces/Acre (0.2 lb AI/A) Imidacloprid 70 DF per crop season. Pre-Harvest Interval (PHI): 7 days

TOBACCO

Pests Controlled	RATE OZ/A	INSTRUCTIONS
Aphids	0.6 – 1.2	Apply the indicated rate per acre as a broadcast or directed foliar spray as pest populations begin to build.
		Do not apply more often than every 7 days.
Flea beetles Japanese beetle	1.2	Do not apply more than 6.4 ounces/Acre (0.28 lb AI/A) Imidacloprid 70 DF per crop season.
		Pre-Harvest Interval (PHI): 14 days.

VEGETABLE AND SMALL FRUIT CROPS

GENERAL INSTRUCTIONS: Apply the indicated rate per acre as a broadcast or directed foliar spray as pest populations begin to build. Ensure thorough uniform coverage in order to achieve optimum control. Use of a spray adjuvant may improve coverage. Imidacloprid 70 DF may not knock down established and heavy insect populations, and two applications may be necessary to achieve control. Scout fields and retreat if needed. Imidacloprid 70 DF may be tank mixed with other insecticides as recommended for knockdown of pests or for improved control of other pests.

Crops contained within certain crop groups recognized by EPA are subject to change. Refer to EPA website (www.epa.gov) for latest crop groups.

FRUITING VEGETABLES

Crops of Crop Group 8 plus Okra including: Eggplant, Ground cherry, Okra, Pepper (including bell, chili, cooking, pimento, and sweet), Tomato, Pepinos, Tomatillo

Not for use on crops grown for seed unless allowed by state-specific supplemental labeling

Not for use off crops gr	OWILLOL SCCU ULLICS	anowed by state-specific supplemental labeling.
Pests Controlled	RATE	INSTRUCTIONS
	OZ/A	
Aphids		Do not apply more often than every 5 days.
Colorado potato	1.1 - 1.8	

beetle Leafhoppers Whiteflies		For best control, ensure good coverage of foliage and fruit. Incorporate applications of Imidacloprid 70 DF into a full-season program, alternating effective products from multiple classes of chemistry and different modes of action in a blocked or windowed approach. Do not apply more than 5.5 ounces Imidacloprid 70 DF (0.24 lb AI) per acre per crop season. Pre-Harvest Interval (PHI): 0 days.
Pepper weevil (Pepper only)	1.8	For pepper weevil, apply by ground equipment only, making applications before damaging populations can become established.

GLOBE ARTICHOKES

Pests Controlled	RATE OZ/A	INSTRUCTIONS
Aphids Leafhoppers	1.1 – 2.9	Do not apply more often than every 14 days. Do not apply more than 11.5 ounces Imidacloprid 70 DF (0.5 lb AI) per acre per crop season. Pre-Harvest Interval (PHI): 7 days

HEAD AND STEM BRASSICA VEGETABLES

Crops of Crop Group 5 including: Broccoli, Broccoli raab (*rapini*), Brussels sprouts, Cabbage, Cauliflower, Cavalo broccoli, Chinese (*gai lon*) broccoli, Chinese (*bok choy*) cabbage, Chinese (*napa*) cabbage, Chinese mustard (*gai choy*) cabbage, Collards, Kale, Kohlrabi, Mizuna, Mustard greens, Mustard spinach, Rape greens

Not for use on crops grown for seed unless allowed by state-specific supplemental labeling

Pests Controlled	RATE	INSTRUCTIONS
Aphids Flea beetles Leafhoppers Whiteflies	0Z/A 1.1	Minimum interval between applications: 5 days. Do not apply more than 5.5 ounces Imidacloprid 70 DF (0.24 lb AI) per acre per crop season. Pre-Harvest Interval (PHI): 7 days.
witherites		Watercress: drain production fields of water at least 24 hours prior to application. Do not reapply water to the field for a minimum of 24 hours after the application. Make applications to fully leafed-up canopies only.

LEAFY GREEN VEGETABLES

Crops of Crop Subgroup 4A Plus Cilantro and Watercress Including: Amaranth (leafy amaranth, Chinese spinach, tampala), Arugula (Roquette), Chervil, Chrysanthemum (edible leaved and garland), Cilantro, Corn salad, Cress (garden), Cress (upland, yellow rocket, winter cress), Dandelion, Dock (sorrel), Endive (escarole), Lettuce (head and leaf), Orach, Parsley, Purslane (garden and winter), Radicchio (red chicory), Spinach (including New Zealand and vine (=Malabar spinach, Indian spinach)), Watercress (commercial production only. Applications must not be made to native cress growing in streams or other bodies of water), Watercress (upland)

Not for use on crops grown for seed unless allowed by state-specific supplemental labeling

Not for use on crops grown for seed unless allowed by state-specific supplemental labeling.				
Pests Controlled	RATE	INSTRUCTIONS		
	OZ/A			

Aphids		Do not apply more often than every 5 days.
Flea beetles		Do not apply more than 5.5 ounces Imidacloprid 70 DF
Leafhoppers	1.1	(0.24 lb AI) per acre per crop season.
Whiteflies		Pre-Harvest Interval (PHI): 7 days.
		Watercress: drain production fields of water at least 24
		hours prior to application. Do not reapply water to the
		field for a minimum of 24 hours after the application.
		Make applications to fully leafed-up canopies only.

LEGUME VEGETABLES

Crops of Crop Group 6 (except soybean, dry), including:

Edible Podded and Succulent Shelled Pea and Bean and Dried Shelled Pea and Bean

Bean (Lupinus spp., includes grain lupin, sweet lupin, white lupin, and white sweet lupin)

Bean (*Phaseolus* spp., includes field bean, kidney bean, lima bean, navy bean, pinto bean, runner bean, snap bean, tepary bean, wax bean)

Bean (*Vigna* spp., includes adzuki bean, asparagus bean, blackeyed pea, catjang, Chinese longbean, cowpea, Crowder pea, moth bean, mung bean rice bean, Southern pea, curd bean, yardlong bean)

Pea (*Pisum* spp., includes dwarf pea, edible-pod pea, English pea, field pea, garden pea, green pea, snow pea, sugar snap pea)

Other Beans and Peas (Broad bean (fava), Chickpea (garbanzo bean), Guar, Jackbean, Lablab bean, (hyacinth bean), Lentil, Pigeon pea, Soybean (immature seed), Sword bean)

Not for use on crops grown for seed crops unless allowed by state-specific supplemental labeling.

Pests Controlled	RATE OZ/A	INSTRUCTIONS
Aphids Leafhoppers Whiteflies	1.0	Do not apply more often than every 7 days. Do not apply more than 3.0 ounces Imidacloprid 70 DF (0.13 lb A) per acre per crop season. Pre-Harvest Interval (PHI): 7 days.

ROOT, TUBEROUS AND CORM VEGETABLES

Crops of Crop Group 1 (except sugarbeet) including: Arracacha, Arrowroot, Artichoke (Chinese and Jerusalem), Beet (garden)*, Burdock (edible)*, Canna (edible, Queensland arrowroot), Carrot*, Cassava (bitter and sweet)*, Celeriac*, Chayote (root), Chervil (turniprooted)* Chicory*, Chufa, Dasheen (taro)*, Ginger, Ginseng, Horseradish, Leren, Parsley, (turniprooted), Parsnip*, Radish*, Oriental radish (diakon)*, Rutabaga*, Salsify (oyster plant), Salsify (Spanish), Skirret, Sweetpotato*, Tanier (cocoyam)*, Tumeric, Turnip*, Yam bean (jicama, manioc pea), Yam (true)*.

(For applications instructions on Potato see Field Crops section)

Not for use on crops grown for seed unless allowed by state-specific supplemental labeling.

* Tops or greens from these crops may be utilized for food or feed.

Pests Controlled	RATE OZ/A	INSTRUCTIONS
Aphids Flea beetles Leafhoppers Whiteflies	1.0	Do not apply more often than every 5 days. Do not apply more than 1.0 ounces Imidacloprid 70 DF (0.44 lb AI) per acre per crop season to radish; do not apply more than 3.0 ounces Imidacloprid 70 DF (0.13 lb AI) per acre per crop season on other crops. Do not make more than one application per crop season to radish; 3 on other crops. Pre-Harvest Interval (PHI): 7 days.

STRAWBERRIES

Pests Controlled	RATE OZ/A	INSTRUCTIONS
Aphids Spittlebugs Whiteflies	1.1	Do not apply during bloom or within 10 days prior to bloom or when bees are actively foraging. Do not apply more often than every 5 days. Do not apply more than 3.3 ounces Imidacloprid 70 DF (0.14 lb AI) per acre per crop season. Pre-Harvest Interval (PHI): 7 days.

TREE, BUSH, AND VINE CROPS

Apply as a broadcast or directed foliar spray t as pest populations begin to build. Thorough uniform coverage is required to achieve best control, and a spray adjuvant may be used to improve coverage. Imidacloprid 70 DF may not be effective on established and heavy insect populations; two applications may be necessary to achieve control. Scout fields and retreat if needed. A tank mix of Imidacloprid 70 DF with other insecticides as recommended may improve knockdown of pests or control of other pests. Use of Imidacloprid 70 DF by air may result in slower activity and reduced control as compared to results from ground application. For tree and vine crops, application rates are based on full-size, mature trees or vines.

Crops contained within certain crop groups recognized by EPA are subject to change. Refer to EPA website (www.epa.gov) for latest crop groups.

BUSHBERRIES

Crops of Crop Subgroup 13B including: Blueberry, Currant, Elderberry, Gooseberry,

Huckleberry, Juneberry, Lingonberry, Salal

Pests Controlled	RATE OZ/A	INSTRUCTIONS
Aphids Leafhoppers/Sharpshooters	0.9 – 1.2	Do not apply more often than every 7 days.
Blueberry maggot Japanese beetle (adults) Thrips	1.7 – 2.3	Do not apply more than 11.4 ounces/Acre (0.5 lb AI/A) per crop season. Do not make more than 5 Imidacloprid 70 DF applications per crop season. Pre-Harvest Interval (PHI): 3 days Apply in at least 20 GPA by ground; apply in at least 5 GPA by air. Do not apply pre-bloom or during bloom or when bees are actively foraging.

CITRUS

Crops of Crop Group 10 including: Calamondin, Citrus citon, Citrus hybrids (includes chironja, tangelo, and tangor); Grapefruit, Kumquat, Lemon, Lime, Mandarin (tangerine), Pummelo, Orange (sweet and sour), Tangelo, Satsuma mandarin, White sapote (*Casimiroa* spp.), and other cutivars and/or hybrids of these

Pests Controlled	RATE OZ/A	INSTRUCTIONS
Aphids Asian citrus phyllid		Minimum interval between applications: 10 days.
Blackfly Leafhoppers/sharpshooters Leafminers	2.9 – 5.7 (depending on tree size,	Do not apply more than 114 ounces/Acre (0.5 lb AI/A) per crop season. Pre-Harvest Interval (PHI): 0 days.
Mealybugs Scales Whiteflies	Target pest and infestation pressure)	Do not apply during bloom or within 10 days prior to bloom or when bees are actively foraging.

Pests Suppressed		
Thrips (foliage feeding thrips	2.9 - 5.7	Scales: make application at the crawler stage,
only)		and treat each generation.

GRAPES

Including: American bunch grape, Muscadine grape and Vinifera grape

Pests Controlled	RATE OZ/A	INSTRUCTIONS
Leafhoppers/Sharpshooters Mealybugs	0.9 – 1.1	Do not apply more than 2.2 ounces/Acre (0.1 lb
Grapeleaf skeletonizer	1.1	AI/A) per crop season. Do not apply more often than every 14 days. Pre-Harvest Interval (PHI): 0 days. Note: Grapeleaf skeletonizer can be controlled eby ground applications that provide thorough coverage of foliage. Aerial applications may provide suppression.

HOPS

Pests Controlled	RATE OZ/A	INSTRUCTIONS
Aphids	2.3	Do not apply more than 6.9 ounces/Acre (0.3 lb AI/A) per crop season. Do not apply more often than every 12 days. Pre-Harvest Interval (PHI): 28 days.

PECANS

Note: not for this use in California unless specifically directed by supplemental labeling.

Pests Controlled	RATE OZ/A	INSTRUCTIONS
Aphids (use higher rate for Black pecan aphid) Phylloxera spp. Spittlebugs	1.0 – 2.0	Do not apply more than 8.0 ounces/Acre (0.35 lb AI/A) per crop season. Do not apply more often than every 10 days. Pre-Harvest Interval (PHI): 7 days

POME FRUIT

Crops of Crop Group 11 including: Apple, Crabapple, Loquat, Mayhaw, Pear (including Oriental pear), Quince

Pests Controlled	RATE OZ/A	INSTRUCTIONS
Leafhoppers	1.3 – 2.3	Do not apply more than 11.5 ounces/Acre (0.5 lb AI/A) per crop season.
Aphids (except wooly apple aphid) Leafminers San Jose scale	2.3	Do not apply more often than every10 days. Pre-Harvest Interval (PHI): 7 days Do not apply pre-bloom or during bloom or when bees are actively foraging.
FOR PEAR ONLY Mealybugs Pear psylla	5.7	Leafhoppers: use the low rate when populations of white apple leafhoppers are low to moderate and the higher rate for when populations of other leafhopper species are high. Apply Imidacloprid 70 DF while most leafhoppers are

nymphs. Leafminer: for first generation leafminer control, a as soon as pollination is complete and bees are removed from the orchard. For best leafminer control apply as early as possible. With second and succeeding generations of leafminer, make applications early in the adult flight to control eggs and early instar larvae. Apply again 10 days later if severe pressure continues or if generations are overlapping; a single application may result in suppression only in such a situation. Imidacloprid 70 DF will not control late instar larvae. Mealybugs: using ground equipment, apply the maximum gallonage for tree size. Ensure good spray coverage of the
trunk and scaffolding limbs or other resting sites of
mealybugs. Rosy apple aphid: apply before leafrolling.
San Jose scale : time applications to the crawler stage and treat each generation.

STONE FRUIT

Crops of Crop Group 12 including: Apricot, Cherry (including sweet and tart), Nectarine, Peach,

Plum (including Chickasaw, Damson and Japanese), Plumcot, Prune (fresh and dried)		
Pests Controlled	RATE OZ/A	INSTRUCTIONS
Aphids Green June beetle Japanese beetle Leafhoppers/ Sharpshooters Plant bugs Rose chafer San Jose scale	1.2 – 2.3	Apricot, Nectarine, Peach Do not apply more than 6.9 ounces/Acre (0.3 lb AI/A) per crop season. Do not apply more often than every 7 days. Apply in at least 50 GPA by ground; in at least 25 GPA by air. Pre-Harvest Interval (PHI): 0 days. Do not apply pre-bloom or during bloom or when bees are actively foraging
Cherry fruit fly	1.7 - 2.3	Cherries, Plums, Plumcot, Prune
Pests Suppressed		Do not apply more than 11.5 ounces/Acre (0.5 lb AI/A) per
Plum curculio Stink bugs	2.3	crop season. Do not apply more often than every 10 days. Apply in at least 50 GPA by ground; in at least 25 GPA by air. Pre-Harvest Interval (PHI): 7 days Do not apply pre-bloom or during bloom or when bees are actively foraging.

TROPICAL FRUIT

Including: Acerola, Avocado, Canistel, Feijoa, Jaboticaba, Guava, Longan, Lychee, Mamey sapote, Mango, Papaya, Passionfruit, Persimmon, Pulasan, Rambutan, Sapodilla, Sapoate (black),

Pests Controlled	RATE OZ/A	INSTRUCTIONS
Aphids		Do not apply more than 11.5 ounces/Acre (0.5 lb AI/A) per crop
Leafhoppers/	2.3	season.
Sharpshooters		Do not apply more often than ever 10 days.
Thrips (foliage		Do not apply Imidacloprid 70 DF more than 5 times per crop
feeding thrips		season.
only)		Pre-Harvest Interval (PHI): 7 days
Whiteflies		Do not apply pre-bloom or during bloom or when bees are

20/a

		actively foraging.
Pests Suppressed		
Scales	2.3	

OTHER CROPS Application Instructions – Imidacloprid 70 DF Insecticide

Apply specified rate per acre as a broadcast or directed foliar spray to infested area as pest populations begin to build. Thorough uniform coverage is necessary to achieve optimum control. A spray adjuvant may be used to improve coverage. Imidacloprid 70 DF may not knockdown established and heavy insect populations. Two applications may be required to achieve control. Scout fields and retreat if needed. Imidacloprid 70 DF may be tank mixed with other insecticides as recommended for knockdown pests or for improved control of other pests.

POPLAR/COTTONWOOD

Not for this use in California unless directed by Supplemental labeling

Including members of the genus *Populus* grown for pulp or timber

Pests Controlled	RATE OZ/A	INSTRUCTIONS
Aphids Leaf beetle	1.2 – 2.3	Do not apply more than 11.5 ounces/Acre (0.5 lb AI/A) per crop season. Do not apply more often than every 7 days. Gall-forming adelgids – time applications to coincide with full bud-swell or first bud-break of earliest bud-breaking trees. If application is made after galls form, spraying will be ineffective.

CHRISTMAS TREES

Pests Controlled	RATE OZ/A	INSTRUCTIONS
Aphids Adelgids Sawflies	1.2 – 2.3	Do not apply more than 11.5 ounces/Acre (0.5 lb AI/A) per crop season. Do not apply more often than every 7 days. Gall-forming adelgids – time applications to coincide with full bud-swell or first bud-break of earliest bud-breaking trees. If application is made after galls form, spraying will be ineffective.

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 reflect the opinion of experts based on field use and tests, and must be followed carefully. It is impossible to eliminate all risks 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. 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.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, UNITED PHOSPHORUS, INC. AND SELLER MAKE NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY EXCEPT AS STATED ON THIS LABEL.

To the extent consistent with applicable 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 and 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 THE RETURN OF THE PURCHASE PRICE OF THE PRODUCT OR, AT THE ELECTION OF UNITED PHOSPHORUS, INC. OR SELLER, THE REPLACEMENT OF THE PRODUCT.

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.

Calypso, Gaucho, Leverage, Provado and Trimax are registered trademarks of Bayer

Actara, Centric, Cruiser and Platinum are trademarks of a Syngenta Group Company. Assail and Intruder are registered trademarks of Nippon Soda Company, Ltd. Belay and Clutch are registered trademarks of Arvesta Corporation. Venom is a registered trademark of Valent USA Corporation. Bidrin is a registered trademark of AMVAC Chemical Corporation.

ABOVE.¶

Deleted: To the extent consistent with applicable law, 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 abnormal conditions 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. To the extent consistent with applicable law, 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

Rev. 6/19/09