



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

OFFICE OF  
PREVENTION, PESTICIDES  
AND TOXIC SUBSTANCES

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

JUN 24 2008

Dear Mr. Formella:

Subject: Labeling Amendment; Directions for Use Revisions  
IMIBLOC 70 DF Turf and Ornamental Insecticide  
EPA Registration No. 70506-156  
Submission Date: June 4, 2008

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, is acceptable. A stamped copy is enclosed for your records. Please submit one (1) final printed copy for the above mentioned label before releasing the product for shipment.

Should you wish to add/retain a reference to the company's website on your label, then please be aware that the website becomes labeling under the Federal Insecticide Fungicide and Rodenticide Act and is subject to review by the Agency. If the website is false or misleading, the product would be misbranded and unlawful to sell or distribute under FIFRA section 12(a)(1)(E). 40 CFR 156.10(a)(5) list examples of statements EPA may consider false or misleading. In addition, regardless of whether a website is referenced on your product's label, claims made on the website may not substantially differ from those claims approved through the registration process. Therefore should the Agency find or if it is brought to our attention that a website contains false or misleading statements or claims substantially differing from the EPA approved registration, the website will be referred to the EPA's Office of Enforcement and Compliance Assurance.

If you have any questions regarding this label, please contact me at (703) 306-0415.

Sincerely yours,

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

# IMIGOLD 70 DF Turf and Ornamental Insecticide

For insect control (both foliar and systemic) in turfgrass (including sod farms), landscape ornamentals, fruit and nut trees, and interior plantscapes

### ACTIVE INGREDIENT

Imidacloprid – 1-[(6-Chloro-3-pyridinyl)methyl]-N-nitro-2-imidazolidinimine.....	70.0%
OTHER INGREDIENTS .....	30.0%
Total	100.0%

KEEP OUT OF REACH OF CHILDREN  
**CAUTION**

FIRST AID	
If swallowed	<ul style="list-style-type: none"> <li>• Call a poison control center or doctor immediately for treatment advice.</li> <li>• Have person sip a glass of water if able to swallow.</li> <li>• Do not induce vomiting unless told to do so by the poison control center or doctor.</li> <li>• Do not give anything by mouth to an unconscious person.</li> </ul>
If in eyes	<ul style="list-style-type: none"> <li>• Hold eye open and rinse slowly and gently with water for 15-20 minutes.</li> <li>• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
If on skin or clothing	<ul style="list-style-type: none"> <li>• Take off contaminated clothing.</li> <li>• Rinse skin immediately with plenty of water for 15-20 minutes.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. Contact the Rocky Mountain Poison Center at 1-866-767-5089 for emergency medical treatment information.	
<b>NOTE TO PHYSICIAN:</b> No specific antidote is available. Treat symptomatically.	

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

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1-800-438-6071 • [www.upi-usa.com](http://www.upi-usa.com)

Net Contents:  
EPA Reg. No. 70506-156  
EPA Est. No.

**ACCEPTED**

JUN 24 2008

Under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, for the pesticide registered under EPA Reg. No. 70506-156

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

Caution. Harmful if swallowed or absorbed through skin. Causes eye irritation. Avoid contact with skin, eyes, or clothing. Avoid breathing dust or vapor. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse. Keep children or pets off treated area until spray is dry.

**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 hands before eating, drinking, chewing gum, using tobacco or using the toilet.
- Remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- Remove PPE immediately after handling. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

**ENVIRONMENTAL HAZARDS**

This product is highly toxic to aquatic invertebrates. 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 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.

**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

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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
- 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

#### NON-AGRICULTURAL USE REQUIREMENTS

The requirements in this box apply to uses of this product that are NOT within the scope of the Worker Protection Standard for agricultural pesticides (40 CFR part 170). The WPS applies when this product is used to produce agricultural plants on farms, forests, nurseries, or greenhouses.

Keep children and pets off treated area until dry.

#### 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.

**To Confine Spills:** 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 are toxic. Improper disposal of excess pesticide, 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 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.

### TURFGRASS APPLICATIONS

Do not apply more than a total of 9 oz (0.4 lb ai) per acre per year.

Apply ImiGold 70 DF Turf & Ornamental Insecticide to the following sites, to control/suppress the pests listed in the chart below.

- |                                    |                 |
|------------------------------------|-----------------|
| Home lawns                         | Cemeteries      |
| Business and office complexes      | Parks           |
| Shopping complexes                 | Playgrounds     |
| Multi-family residential complexes | Athletic fields |
| Golf courses                       | Sod farms       |
| Airports                           |                 |

PESTS CONTROLLED	SCIENTIFIC NAME
Northern and Southern masked chafers	<i>Cyclocephala borealis, C. immaculata, and/or D. lurida</i>
Asiatic garden beetle	<i>Maladera castanea</i>
European chafer	<i>Rhizotroquis majalis</i>
Green June beetle	<i>Cotinis nilida</i>
May or June beetle	<i>Phyllophaga spp.</i>
Japanese beetle	<i>Popilla japonica</i>
Oriental beetle	<i>Anomala orientalis</i>
Billbugs	<i>Spherophorus spp.</i>
Annual bluegrass weevil	<i>Hyperodes spp.</i>
Annual bluegrass atenioides	<i>Atenioides spretulus and Aphodius spp.</i>
European crane fly	<i>Tibula paludosa</i>
Mole crickets	<i>Scapteriscus spp.</i>
<b>PESTS SUPPRESSED</b>	
Cutworms	
Chinchbugs	

Due to the residual activity of the active ingredient, applications of ImiGold 70 DF Turf & Ornamental Insecticide may be made before target pests lay their eggs. For best control, apply before the eggs hatch. All applications should be followed by rainfall or irrigation to move the active ingredient through the thatch.

When infested turfgrass areas are waterlogged, or soil beneath turf is saturated with water, avoid making applications because it is difficult to obtain thorough and consistent distribution of the product. For best results, ensure that rainfall or irrigation after application will vertically penetrate the soil, allowing the active ingredient to be carried into the zone where the pests are found.

#### Application

Apply ImiGold 70 DF Turf & Ornamental Insecticide in sufficient water to provide adequate distribution in the treated area. Use a low pressure setting, and apply a uniform coarse droplet spray. Check equipment calibration periodically to ensure that the product is being distributed properly.

PESTS	RATE IMIGOLD 70 DF T&O	INSTRUCTIONS
<b>Larvae of:</b> Annual bluegrass weevil Asiatic garden beetle Billbug Black turfgrass ataenius Chinch bug (suppression) Cutworms (suppression) European crane fly European chafer Green June beetle Japanese beetle Mole crickets Northern masked chafer Oriental beetle <i>Phyllophaga</i> spp Southern masked chafer	6 to 9 oz/A or 3 to 4 tsp per 1000 square ft	<p>For best control, apply before egg hatch. Chinch bugs (suppression) apply the maximum rate before the first instar nymphs hatch.</p> <p>For mole crickets, apply before or during the peak egg hatch period. For adults or large nymphs that are actively tunneling, combine ImiGold 70 DF Turf &amp; Ornamental Insecticide with an insecticide with a different mode of action. Follow label instructions for other insecticides when tank-mixing.</p> <p>To ensure that the active ingredient moves into the turf, irrigation or rainfall should occur within 24 hours of application. Avoid mowing until after sufficient irrigation or rainfall has occurred.</p> <p>Do not apply more than 9 oz (0.4 lb ai) per acre per year.</p>

**ORNAMENTAL APPLICATIONS**

For use on ornamental plants in commercial and residential landscapes and interior plantscapes.

For outdoor ornamentals, do not apply more than a total of 9 oz (0.4 lb ai) per acre per year.

Because ImiGold 70 DF Turf & Ornamental Insecticide is a systemic insecticide that is transported within the plant system from the roots to the upper foliage, it must be applied into a growing area of the plant so that the active ingredient can be absorbed. To promote the uptake of active ingredient, soluble nitrogen type fertilizers can be added to the spray solution.

Applications can be made by foliar or soil applications, including soil injection, drenches, and broadcast sprays. Foliar applications provide locally systemic activity against insect pests.

When the product is applied to woody plants using soil application, the systemic translocation of the active ingredient will be slower, and can take as much as 60 days and sometimes longer, depending on the species and size of the plant.

Use for Ant Management

Use ImiGold 70 DF Turf & Ornamental Insecticide to control ants by removing honeydew as their food source. ImiGold 70 DF Turf & Ornamental Insecticide will control the aphids, scale insects, mealybugs and other sucking pests on ornamentals. For greater ant control, supplement foliar application with residual sprays, baits, or other ant control tactics.

Application

ImiGold 70 DF Turf & Ornamental Insecticide may be used in many types of application equipment. It mixes well with water. For better coverage on hard to wet foliage on plants such as holly, ivy, or pine, add a commercial spreader/sticker.

ImiGold 70 DF Turf & Ornamental Insecticide is compatible with many fungicides, miticides, liquid fertilizers, and insecticides. If the applicator does not have experience with a particular tank mix, use a clear jar to test compatibility using the proportions of the proposed tank mixture.

Do not apply through any irrigation system.

**Only for this use in and around industrial and commercial buildings and residential areas**

ORNAMENTAL PLANT	PESTS	RATE		INSTRUCTIONS
Trees Shrubs Evergreens Flowers Foliage plants Groundcovers Interior Plantscapes	Adelgids Aphids Japanese beetles Lace bugs Leaf beetles (including elm & viburnum leaf beetles) Leafhoppers (including glassy-winged sharpshooter) Mealybugs Psyllids Sawfly larvae Thrips (suppr.) Whiteflies White grub larvae (Japanese beetle, chafers, Phyllaphaga spp, Asiatic garden beetle, Oriental beetle)	ImiGold 70 DF T&O (level measure) ¼ tsp ½ tsp 1 tsp 3 tsp 5 tsp 3 tbsp + 1 tsp	Water 2.5 gal 5 gal 10 gal 25 gal 50 gal 100 gal	Use the dilution information to determine the rate for the amount of water needed to uniformly cover the area to be treated. Do not use less than 2 gallons of water per 1000 sq ft.  For optimum control, irrigate thoroughly to incorporate ImiGold 70 DF Turf & Ornamental Insecticide into the upper soil zone.  Before pest populations become established, make foliar applications. Apply as needed. To control white grub larvae, apply 3-4 level tsp per 1000 sq ft.

**Only for this use in and around industrial and commercial buildings and residential areas, and state, national, and private wooded and forested areas**

ORNAMENTAL PLANT	PESTS	RATE	INSTRUCTIONS
Trees Shrubs Flowers Groundcovers	Adelgids Aphids Armored scales (suppression) Black vine weevil Elm and viburnum) Eucalyptus longhorned borer	<b>TREES*</b> 1 to 1½ level tsp per inch trunk diameter (D.B.H.) or 1 to 2 oz per 30 cumulative inches trunk diameter (D.B.H.)	<b>TREES, SOIL INJECTION:</b> for a grid system, apply in a grid pattern on 2.5 centers within the tree's drip line. For a circle system, apply in evenly spaced holes approximately 1-3 ft apart in a circle within the tree's drip line. More circles may be needed for larger trees. For a basal system,

	<p>Flatheaded borers (incl. bronze birch and alder borer)                  Japanese beetles                  Lace bugs                  Leafminers                  Leaf beetles (incl. Pine tip moth larvae)                  Leafhoppers (incl. glassywinged sharpshooter)                  Mealybugs                  Psyllids                  Royal palm bugs                  Sawfly larvae                  Soft scales                  Thrips (suppression) larvae                  White grub larvae                  Whiteflies</p>	<p><b>SHRUBS**</b>                  1 to 1½ level tsp per foot of shrub height                  or                  1 to 2 oz per 30 cumulative feet of shrub height</p> <p><b>FLOWERS &amp; GROUNDCOVERS</b>                  3 to 4 level tsp per 1000 sq ft</p>	<p>apply in evenly spaced holes no more than 6 to 12 inches out from the tree's base.  <u>TREES, SOIL DRENCH:</u> Apply in at least 10 gallons water per 1000 sq ft as a drench around the base of the tree, directed to the root zone. Remove any barrier that may prevent the solution from reaching the root zone.  <u>SHRUBS, SOIL INJECTION:</u> Apply as a uniform drench around the base of the shrub, in at least 10 gallons water per 1000 sq ft. Remove any barrier that may prevent the solution from reaching the root zone.  <u>FLOWERS AND GROUNDCOVERS:</u> Apply as a broadcast treatment, incorporating into the soil before planting. Application can also be made after the plants are established; in this case best control is achieved if plants are irrigated after application.</p>
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\* Notes and restrictions for TREES: Use enough water so that an equal amount of solution may be injected in each hole. Use low pressure and enough solution to ensure thorough distribution. Keep soil moist for 7-10 days. Use at least 4 holes per tree. No soil injection applications are allowed in Nassau or Suffolk Counties of New York. If trees are already heavily infested with borers, application may not save the tree.

\*\* Notes and restrictions for SHRUBS: Use enough water so that an equal amount of solution may be injected in each hole. Use low pressure and enough solution to ensure thorough distribution. Use at least 4 holes per shrub. No soil injection applications are allowed in Nassau or Suffolk Counties of New York.

**FOR USE ON POME FRUITS IN AND AROUND RESIDENTIAL AREAS ONLY**  
 (Apple, Crabapple, Loquat, Mayhaw, Pear, Pear (oriental), Quince)

PESTS	RATE IMIGOLD 70 DF T&O	INSTRUCTIONS
<p>Aphids (except Woolly apple aphid)                      Leafoppers (incl. glassy-winged sharpshooter)                      Leafminer                      Mealybugs (not for use on this pest on pears in California)                      San Jose Scale (not for use on this pest on pears in California)</p>	<p>0.5 oz (3 tbsp + 1 tsp) per 100 gallons                      or                      2 oz/Acre                      Note: the amount of product per acre will vary according to tree size and volume of foliage. The per acre rate is based on a standard 400 gallons dilute solution per acre for large trees.</p>	<p>Apply at the specified rate as needed once petal fall is complete.                      Do not apply more than 2 ounces per acre in one single application. Do not make more than 5 applications.                      Do not apply more often than every 10 days.                      Preharvest interval: 7 days.  <u>Rosy apple aphid:</u> apply before the pest begins leafrolling.  <u>First generation leafminers:</u> apply as soon as petal fall is complete. For best control, apply as early as possible.  <u>Second and later generation leafminers:</u> apply</p>



		<p>early in the adult flight to control eggs and early instar larvae. If necessary under conditions of severe pressure or overlapping generations, make a second application 10 days later. Applying only once may result only in suppression. This product will not control late stage larvae.</p> <p><u>San Jose Scale</u>: make application at the crawler stage. Treat each generation.</p> <p><u>Leafhoppers, late season control</u>: apply when most leafhoppers are nymphs.</p> <p><u>Mealybug</u>: for best control, good coverage of trunk, scaffolding limbs, or other resting sites is essential.</p>
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**FOR USE ON PECANS IN AND AROUND RESIDENTIAL AREAS ONLY**

**Note: use on pecans is not allowed in California unless specific supplemental labeling exists**

PESTS	RATE IMIGOLD 70 DF T&O	INSTRUCTIONS
Yellow pecan aphid Black margined aphid Pecan leaf phyloxera Pecan spittlebug Pecan stem phylloxera	0.5 oz (3 tbsp + 1 tsp) per 100 gallons or 2 oz/Acre Note: the amount of product per acre will vary according to tree size and volume of foliage. The per acre rate is based on a standard 400 gallons dilute solution per acre for large trees.	Make foliar applications before pest population becomes severe. For optimum control, 2 applications at 10- to 14-day intervals may be needed. Scout and retreat if necessary. Treat foliage to ensure thorough, uniform coverage. An organosilicone-based spray adjuvant may be added at a rate not exceeding the manufacturer's recommendation, to improve coverage. Do not apply more than 6 oz ImiGold 70 DF Turf & Ornamental Insecticide per acre per year. Do not apply more than 3 times. Do not apply more often than every 10 days.

**FOR USE ON GRAPES IN AN AROUND INDUSTRIAL AND COMMERCIAL BUILDINGS AND RESIDENTIAL AREAS**

PESTS	RATE IMIGOLD 70 DF T&O	INSTRUCTIONS
Leafhoppers, incl. glassy-winged sharpshooter Mealybugs	0.5 oz (3 tbsp + 1 tsp) per 100 gallons or 1 oz/Acre	Apply as a foliar spray using 200 gallons water per acre. Do not apply more than 2 oz ImiGold 70 DF Turf & Ornamental Insecticide per acre per year. Do not apply more often than every 14 days. ImiGold 70 DF Turf & Ornamental Insecticide may be applied up to and including the day of harvest.

**RESTRICTIONS**

Do not graze treated areas or use clippings from treated areas for feed or forage.

Avoid runoff or puddling of irrigation water following application.  
 Keep children and pets off treated area until dry.  
 Avoid application of ImiGold 70 DF Turf & Ornamental Insecticide to areas which are waterlogged or saturated, which will not allow penetration into the root zone of the plant.  
 Do not apply more than 9 oz (0.4 lb ai) per acre per year.

**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. 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 ABOVE.

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.