

70506-276

02-09-2012

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



OFFICE OF  
CHEMICAL SAFETY AND  
POLLUTION PREVENTION

February 9, 2012

Sherry B. Hutcheson  
United Phosphorus, Inc.  
P.O. Box 370  
Valdosta, GA 31603-0370

Dear Ms. Hutcheson:

Subject: Notification of alternate brand name and other minor label changes to reflect the current company information, per PRN 98-10

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10, dated January 24, 2012, for "Merlin Ornamental," EPA Registration Number 70506-276.

The Registration Division (RD) has conducted a review of these requests for applicability under PRN 98-10, and finds that, the label changes requested do fall within the scope of PRN 98-10. The label submitted with your application has been date-stamped "Notification" and will be placed in our files. The alternate brand name "Phoenix Merlin" has been added to the product record.

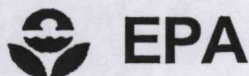
If you have any questions, please contact me directly at 703-308-8735 or email me at [chao.julie@epa.gov](mailto:chao.julie@epa.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Julie A. Chao".

Julie A. Chao  
Insecticide-Rodenticide Branch  
Registration Division (7505P)  
Office of Pesticide Programs





United States  
**Environmental Protection Agency**  
 Washington, DC 20460

☐ Registration  
☐ Amendment  
☒ **Other: Notification**

OPP Identifier Number

### Application for Pesticide - Section I

1. Company/Product Number 70506-276	2. EPA Product Manager Venus Eagle	3. Proposed Classification  <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Merlin Ornamental	PM# 1	
5. Name and Address of Applicant (Include ZIP Code) <b>United Phosphorus, Inc.</b> <b>630 Freedom Business Center, Suite 402</b> <b>King of Prussia, PA 19406</b>  <input type="checkbox"/> Check if this is a new address	6. <b>Expedited Review.</b> In accordance with FIFRA Section 3(c)(3) (b)(I), my product is similar or identical in composition and labeling to: <b>NOTIFICATION</b> EPA Reg. No. _____ <b>FEB - 9 2012</b> Product Name _____	

### 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.)

Changes to label related to EPA transfer of ownership.

This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, this product may be in violation of FIFRA and 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 <input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes" Unit Packaging wgt. No. per container	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes" Package wgt. No. per container	2. Type of Container <input type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify)
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**\*Certification must be submitted**

3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container	4. Size(s) Retail Container 1 quart 1 gallon	5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On labeling accompanying product
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6. Manner in Which Label is Affixed to Product  
☐ Lithograph ☐ 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 Sherry Hutcheson	Title Regulatory Affairs Manager	Telephone No. (Include Area Code) 223-247-9041
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#### Certification

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

2. Signature 	3. Title Regulatory Affairs Manager	6. Date Application Received (Stamped)
4. Typed Name Sherry Hutcheson	5. Date 01/24/2012	





## United Phosphorus, Inc.

PO Box 370  
Valdosta, GA 31603-0370  
(229) 247-9041 (phone)  
(229) 241-9699 (fax)

Sherry Hutcheson  
Regulatory Affairs Manager

January 24, 2012

Venus Eagle (PM 1)  
Document Processing Desk (NOTIF)  
Office of Pesticide Programs (7504P)  
U.S. Environmental Protection Agency  
Ariel Rios Building  
1200 Pennsylvania Ave., N.W.  
Washington, DC 20460

**NOTIFICATION**

**FEB - 9 2012**

**RE: Notification of label changes for Merlin Ornamental (EPA Reg. No. 70506-276)**

Dear Ms. Eagle,

Due to the recent transfer of this product to United Phosphorus, Inc., we are providing a notification to the Agency which addresses the following updates to the label.

- Notification of the Alternate Brand Name to Phoenix Merlin.
- Company name and address to reflect current ownership.
- Emergency contact information has been updated.
- Warranty statement updated to the one used by United Phosphorus, Inc.

In addition to this letter the following are enclosed:

- EPA application form, 8570-1,
- One copy of the label clearly marked to show the proposed changes,
- Two clean copies of the proposed label.
- One CD with the proposed label.
- Certification of Label Integrity Form

If you have any questions, please feel free to contact me at 229-247-9041 or [sherry.hutcheson@uniphos.com](mailto:sherry.hutcheson@uniphos.com)

Thank you for your kind attention to this matter.

Best regards,

Sherry B. Hutcheson  
Regulatory Affairs Manager



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**Phoenix Merlin**  
**ORNAMENTAL MITICIDE/INSECTICIDE**

**For Control of Leafminers and Mites and Suppression of Aphids, Whiteflies and Thrips on Ornamental Plants**

**% BY WT.**

**ACTIVE INGREDIENT:** Abamectin (CASRN: 65195-55-3 and 65195-56-4). . . . .1.9%\*  
**OTHER INGREDIENTS:** . . . . .98.1%  
**TOTAL:** . . . . .100.0%  
\*0.15 lb Abamectin per gallon

**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 this label, find someone to explain it to you in detail.)

FIRST AID	
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 SWALLOWED	<ul style="list-style-type: none"><li>• Call a poison control center or doctor immediately for treatment advice.</li><li>• Have affected person sip a glass of water if able to swallow.</li><li>• Do not induce vomiting unless told by a poison control center or doctor.</li><li>• Do not give anything by mouth to an unconscious person.</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>
IF INHALED	<ul style="list-style-type: none"><li>• Move person to fresh air.</li><li>• If person is not breathing, call 911 or an ambulance, and then give artificial respiration, preferably mouth to mouth if possible.</li><li>• Call a poison control center or doctor for further treatment advice.</li></ul>
Have the product container or label with you when calling a poison control center or doctor or going for treatment. <b>For emergency information concerning this product, call toll-free 1-888-875-1724 1-866-673-6671 (Rocky Mountain Poison Control Center).FOR CHEMICAL EMERGENCY: Spill, leak, fire, exposure, and accident call CHEMTREC 1-800-424-9300.</b>	

**Phoenix Environment Care LLC**  
P.O. Box 370 • Valdosta, GA 31603-0370  
United Phosphorus, Inc.  
630 Freedom Business Center, Suite 402  
King of Prussia, PA 19406

**EPA Reg. No. 70506-276**  
EPA Reg. No.: 81943-29

**NOTIFICATION**

**FEB - 9 2012**



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**NOTES TO PHYSICIAN:**

Early signs of intoxication include dilation of pupils, muscular incoordination, and muscle tremors. Toxicity following accidental ingestion of the concentrate can be minimized by early administration of chemical adsorbents (e.g., activated charcoal).

If toxicity from exposure has progressed to cause severe vomiting, the extent of resultant fluid and electrolyte imbalance should be gauged. Appropriate supportive parenteral fluid replacement therapy should be given, along with other required supportive measures (such as maintenance of blood pressure levels and proper respiratory functionality) as indicated by clinical signs, symptoms and measurements.

In severe cases, observations should continue for at least several days until clinical condition is stable and normal. Since abamectin is believed to enhance GABA activity in animals, it is probably wise to avoid drugs that enhance GABA activity (barbiturates, benzodiazepines, valproic acid) in patients with potentially toxic abamectin exposure.

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

Causes substantial but temporary eye injury. Do not get in eyes. Harmful if absorbed through skin or if swallowed. Avoid contact with skin or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Remove and wash contaminated clothing before reuse.

**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 E on an EPA chemical resistance category selection chart.

Applicators and all other handlers must wear:

- Long-sleeved shirt and long pants,
- Socks and shoes,
- Chemical resistant gloves (such as barrier laminate, nitrile rubber, neoprene rubber, viton),
- Protective eye wear;

**USER SAFETY REQUIREMENTS**

Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them. Follow manufacturer's instructions for cleaning/maintain PPE. If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.



### USER SAFETY RECOMMENDATIONS

Users should wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.

Users should remove clothes immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.

### ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish and wildlife. DO NOT apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high-water mark. DO NOT contaminate water when disposing of equipment washwater or rinsate.

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.

### PHYSICAL OR CHEMICAL HAZARDS

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

### DIRECTIONS FOR USE

#### Precautions and Restrictions

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, or pets, either directly or through drift. Only protected handlers may be in the area during applications. 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 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 over short sleeved shirt and short pants,
- Chemical resistant gloves, EPA chemical resistance category E (e.g. barrier laminate, nitrile rubber, neoprene rubber, viton),
- Chemical resistant shoes and socks,
- Protective eyewear.



### 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.

Do not reenter treated areas until sprays have dried.

Phoenix Merlin is an emulsifiable concentrate which is to be diluted with water prior to use. Phoenix Merlin controls leafminers and mites and suppresses whiteflies, thrips, and aphids on the ornamental species listed on this label.

### Resistance Management

Phoenix Merlin is an insecticide/miticide and some target pests may develop resistance to Phoenix Merlin treatments. Use resistance management practices when using Phoenix Merlin on plants that are hosts of labeled pests that have more than one generation per crop or year. Typical strategies include but are not limited to, rotation to other insecticides with different modes of action, treatment of successive generations with different products, applications made at specified label rates and at specified spray intervals and the use of non-chemical alternatives (for example, beneficial arthropods or rotation of susceptible to non-susceptible plants). Contact your State Cooperative Extension Service for additional information on these or other resistance management strategies.

To manage susceptibility in *Linomyza* leaf miner species, make up to three applications of Phoenix Merlin and then rotate to Citation Insecticide (which contains the active ingredient cyromazine) for no more than three applications before rotating back to Phoenix Merlin or using another insecticide. Alternating between these two products which have different modes of action should be based on the generation of *Liriomyza* species to avoid applying Phoenix Merlin to successive generations.

### Plant Tolerance

Although Phoenix Merlin has been tested for tolerance on a variety of ornamental plants, it is not possible to test Phoenix Merlin under all conditions, such as when Phoenix Merlin is applied with combination product or with surfactants or adjuvants. Test a small area of plants for phytotoxicity to Phoenix Merlin before making applications to large blocks of plants.

Phytotoxicity has been observed after the use of Phoenix Merlin on certain species of ferns (e.g., *Adiantum* spp.) and Shasta Daisy (*L. eucanthemum* spp.). ~~Phoenix Environmental Care LLC~~ United Phosphorus, Inc. does not recommend the use of Phoenix Merlin on ferns or Shasta Daisy.

### Restrictions

- Do not use Phoenix Merlin for suppression of aphids, whiteflies, and thrips on roses, chrysanthemums, and gerbera. These ornamentals are primary hosts of mites and *Liriomyza* leafminers and Phoenix Merlin applications should target these insect pests. Additional applications of Phoenix Merlin to suppress aphids, thrips, and whiteflies on these plants will increase the selection pressure on mites and *Liriomyza* leafminers which may result in greater tolerance of these pests to Phoenix Merlin.
- Do not apply this product through any type of irrigation system.
- Do not apply by air.
- Do not use in citrus nurseries.



## Ornamentals – Crop Use Directions

## Target Crops

Shadehouse, Greenhouse, Field-Grown Ornamentals, Foliage Plants, Christmas Trees and Other Woody Ornamentals

## Application Directions

Mix Phoenix Merlin with a sufficient amount of water. Make applications as a foliar spray and ensure crops receive a thorough, uniform coverage.

**Horticultural Spray Oils:** For enhanced residual control of target pests on field-grown woody ornamentals, landscape plants, and Christmas trees, add a horticultural spray oil to the Phoenix Merlin spray mix at 0.5 to 1.0% of the spray volume. To maintain control, make repeat applications as necessary at 7 day intervals. Some plants may be sensitive to these oils. Test a small area of plants for phytotoxicity to Phoenix Merlin mixed with horticultural spray oil. Evaluate the plants after 2 weeks before applying Phoenix Merlin mixed with oils on a large number of plants. In addition, plant damage from treatment with such mixtures may be increased if the temperatures are very cold or very warm. Read and follow directions on the spray oil label. Do not exceed the maximum rates listed on the label.

A collection of 15 small, stylized line drawings of various birds, arranged in a grid-like fashion. The birds include shorebirds, waterfowl, and songbirds, each depicted in a simple, artistic style using black outlines on a white background.



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Pests	fl.oz <u>Phoenix Merlin</u> /100 gals	Comments
Mites <sup>1</sup> European Red Mite Two-spotted Spider Mite Carmine Spider mite Southern Red Mite Spruce Spider Mite  Tarsonemid Mites <sup>1</sup> Cyclamen and Broad Mites  Eriophyid Mites <sup>1</sup> Rust and Bud Mites	4	Apply when mites first appear. Make repeat applications as necessary to maintain control. For Tarsonemid mites, repeat applications to newly developing tissue may be necessary to maintain control.
<i>Liriomyza</i> Leafminers <sup>2</sup> to maintain control	8	Make repeat applications at 7-day intervals or as necessary to maintain control.
Boxwood Leafminer <sup>2</sup>	8	For control of mining larvae, make the application when adults are beginning to lay eggs in the new foliage.
Aphids, Thrips, and Whiteflies <sup>1</sup>	8	Make applications every 7 days for 2 to 3 weeks. Then alternate to another insecticide that has a different mode of action than <u>Phoenix Merlin</u> . Read the Resistance Management section for additional information on insecticide rotation. For suppression of pest populations, young immatures must be contacted by the spray. Aphids, Thrips and Whiteflies are killed by direct contact with <u>Phoenix Merlin</u> spray. Make applications when young and immature stages of these pests are first observed.

**Information for Application:** do not apply less than 8 fl. oz. or more than 16 fl. oz. per acre. Use sufficient water to obtain uniform plant coverage. Refer to the **Resistance Management** section and the **Restrictions** section for additional information.



<sup>2</sup>Apply in 100-200 gals. of water per acre. In volumes of water below 100 gals., use a minimum of 8 fl. oz. per acre. If more than 200 gals of water per acre are required for good plant coverage, apply the maximum rate of 16 fl . oz. per acre. For example, if 400 gals. of water are required, use 4 fl. oz. per 100 gals.

DO NOT contaminate water, food or feed by storage or disposal.

**Pesticide Disposal:** Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

**Container Handling:** Nonrefillable container. Do not reuse or refill this container. Triple rinse (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container ¼ 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. Offer for recycling, if available or puncture and dispose of in a sanitary landfill or by incineration, or if allowed by state and local authorities, by burning. If burned, stay out of smoke.

A collection of 15 small, stylized line drawings of various birds, arranged in a grid-like fashion. The birds include shorebirds, waterfowl, and songbirds, each depicted in a simple, artistic style using black outlines on a white background.



**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 must be followed carefully. It is impossible to eliminate all risks inherently associated with the use of this product. Ineffectiveness or other unintended consequences may result because of such factors as manner of use or application, weather, presence of other materials or other influencing factors in the use of the product, which are beyond the control of Phoenix Environmental Care, LLC or Seller. All such risks shall be assumed by Buyer and User, and Buyer and User agree to hold Phoenix Environmental Care, LLC and Seller harmless for any claims relating to such factors.

Phoenix Environmental Care, LLC 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 Phoenix Environmental Care, LLC, and Buyer and User assume the risk of any such use. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, PHOENIX ENVIRONMENTAL CARE, LLC 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, neither Phoenix Environmental Care, LLC nor Seller shall be liable for any incidental, consequential or special damages resulting from the use or handling of this product. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE EXCLUSIVE LIABILITY OF PHOENIX ENVIRONMENTAL CARE, LLC 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 PHOENIX ENVIRONMENTAL CARE, LLC OR SELLER, THE REPLACEMENT OF THE PRODUCT.~~

~~Phoenix Environmental Care, LLC and Seller offer this product, and Buyer and User accept it, subject to the foregoing Conditions of Sale and Limitation of Warranty and Liability, which may not be modified except by written agreement signed by a duly authorized representative of Phoenix Environmental Care, LLC.~~



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**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.**

Phoenix design is a registered trademarks of ~~Phoenix Environmental Care LLC~~ United Phosphorus, Inc.

Phoenix Merlin is a trademark of ~~Phoenix Environmental Care LLC~~ United Phosphorus, Inc.

Rev.1/23/2012