



**OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION**

WASHINGTON, D.C. 20460

August 13, 2024

**SENT BY EMAIL**

Katy DeGroot  
katy@pyxisrc.com  
UPL NA, INC.

Subject: Labeling Notification per Pesticide Registration Notice (PRN) 98-10 - Updated hotline numbers, referral statements, warranty information, and company name and address  
Product Name: Zolera FX Fungicide  
Admin Number: 70506-438  
EPA Receipt Date: 01/20/2022  
Action Case Number: 00473855

Dear Katy DeGroot:

The U.S. Environmental Protection Agency is in receipt of your application for notification under Pesticide Registration Notice 98-10 for the above referenced product. The EPA has conducted a review of this request for its applicability under PRN 98-10 and finds that the action requested falls within the scope of PRN 98-10.

The labeling submitted with this application has been stamped "Notification" and will be placed in our records.

Should you wish to add/retain a reference to your 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 EPA. If the website is false or misleading, the product will be considered to be misbranded and sale or distribution of the product is unlawful under FIFRA section 12(a)(1)(E). 40 CFR § 156.10(a)(5) lists examples of statements the 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 EPA find or if it is brought to our attention that a website contains statements or claims substantially differing from statements or claims made in connection with obtaining a FIFRA section 3 registration, the website will be referred to the EPA's Office of Enforcement and Compliance Assurance.

If you have questions, please contact Stephanie Suarez via email at [suarez.stephanie@epa.gov](mailto:suarez.stephanie@epa.gov).

Sincerely,

Stephanie Suarez, Ph.D., Senior Regulatory Specialist  
FB, RD  
Office of Pesticide Programs

{Note to reviewer: [Text] in brackets denotes optional text. {Text} in braces denotes where in the final label text will appear and notes to reviewer.}{Text in brackets is optional}

NOTIFICATION

70506-438

The applicant has certified that no changes, other than those reported to the Agency have been made to the labeling. The Agency acknowledges this notification by letter dated:

08/13/2024

FLUOXASTROBIN	GROUP	11	FUNGICIDE
TETRACONAZOLE	GROUP	3	FUNGICIDE

ZOLERA® FX FUNGICIDE

For control of certain diseases in CORN (field and hybrid seed corn), SOYBEAN, BARLEY and WHEAT (spring and winter) and other listed crops.

ACTIVE INGREDIENTS:	% BY WT.
Fluoxastrobin: [(1E)-[2-[[6-(2-Chlorophenoxy)-5-fluoro-4-pyrimidinyl]oxy]phenyl] (5,6-dihydro-1,4,2-dioxazin-3-yl) methanone-O-methyloxime].....	17.76%
Tetraconazole: 1-[2-(2,4-dichlorophenyl)-3-(1,1,2,2-tetrafluoroethoxy)propyl]1H-1,2,4-triazole.....	17.76%
OTHER INGREDIENTS: .....	64.48%
TOTAL:.....	100.00%

This product contains 1.67 pounds of Fluoxastrobin per gallon (200 g per liter).  
This product contains 1.67 pounds of Tetraconazole per gallon (200 g per liter).

KEEP OUT OF REACH OF CHILDREN  
CAUTION / PRECAUCIÓN

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle.  
(If you do not understand the label, find someone to explain it to you in detail.)

See [front][back][side][inside] panel for First Aid Instructions and [Leaflet][Booklet] for complete  
Precautionary Statements and Directions for Use.

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 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, then give artificial respiration, preferably by mouth-to-mouth, if possible.</li><li>• Call a poison control center or doctor for further treatment advice.</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>
Have a product container or label with you when calling a poison control center or doctor, or going for treatment. <b>FOR 24-HOUR MEDICAL EMERGENCY ASSISTANCE CALL Rocky Mountain Poison and Drug Safety: 1-866-673-6671.</b> <b>FOR 24-HOUR CHEMICAL EMERGENCY (Spill, leaks, fire, exposure or accident) CALL CHEMTREC: 1-800-424-9300 or +1-703-527-3887.</b> <del>FOR 24-HOUR MEDICAL EMERGENCY ASSISTANCE CALL PROPHARMA: 1-866-303-6952 or +1-651-603-3432.</del> <b>FOR 24-HOUR CHEMICAL EMERGENCY (Spill, leaks, fire, exposure or accident) CALL CHEMTREC: 1-800-424-9300 or +1-703-527-3887.</b>	

{Optional reference statements:} [See [front][back][side][inside] panel for First Aid Instructions and [leaflet][booklet] for complete Precautionary Statements and Directions for Use.] [Peel Down for Directions.] [See inside for First Aid, Precautionary Statements, and complete Directions for Use.] {Box/Case:} [See containers inside for additional Precautionary Statements and complete Directions for Use.] {Container:} [See attached booklet for additional Precautionary Statements and complete Directions for Use.]

For Product Use Information Call **1-800-438-6071**

1-866-761-9397

EPA Reg. No. 70506-438  
xxxxxxV002

EPA Est. No.:  
NET CONTENTS:

[Batch Code will be placed on the container.]

Produced For:

UPL NA Inc.  
630 Freedom Business Center, Suite 402  
King of Prussia, PA 19406

## PRECAUTIONARY STATEMENTS

### HAZARDS TO HUMAN AND DOMESTIC ANIMALS

**CAUTION:** Harmful if swallowed. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet.

### PERSONAL PROTECTIVE EQUIPMENT (PPE)

**Applicators and other handlers must wear:**

- Long-sleeved shirt and long pants;
- Shoes plus socks; and
- Chemical-resistant gloves made of any waterproof material (nitrile rubber 2: 14 mils, butyl rubber 2: 14 mils, neoprene rubber 2: 14 mils, and/or barrier laminate).

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/maintaining PPE. If there are no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

### ENGINEERING CONTROL STATEMENT

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

### USER SAFETY RECOMMENDATIONS

Users should:

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

### ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish and aquatic invertebrates. Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas. The active ingredient in this product can be persistent for several months or longer. Do not apply directly to water or to areas where surface water is present or to intertidal areas below the mean high-water mark, or other sensitive areas that may be exposed to spray drift. Do not contaminate water when disposing of equipment washwater or rinsate.

### PHYSICAL AND CHEMICAL HAZARDS

Do not mix or come into contact with oxidizing agents. Hazardous chemical reaction may occur.

## DIRECTIONS FOR USE

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

Read entire label before using this product.

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.

**In New York State, this product may not be applied within 100 feet of a coastal marsh or stream that drains directly into a coastal marsh. Sale, use, and distribution of this product in Nassau and Suffolk Counties of New York State is prohibited.**

### 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), notification to workers, 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 with the exception of 3 days for detasseling corn grown for seed.**

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:

- Long-sleeved shirt and long pants or coveralls;
- Shoes plus socks; and
- Chemical-resistant gloves made of any waterproof material (nitrile rubber 2: 14 mils, butyl rubber 2: 14 mils, neoprene rubber 2: 14 mils, and / or barrier laminate).

### PRODUCT INFORMATION

**ZOLERA® FX FUNGICIDE** is a broad-spectrum fungicide for the control of certain diseases in corn (field and hybrid seed corn), soybean, barley and wheat (spring and winter), rapeseed subgroup 20A (canola), dry beans and dry peas subgroup 6C. **ZOLERA FX FUNGICIDE** consists of 2 different modes of action that work together inhibiting spore germination and mycelial growth. The active ingredients fluoxastrobin and tetraconazole, move rapidly into green tissue via translaminar movement. **ZOLERA FX FUNGICIDE** that is root absorbed is translocated throughout the xylem of plants to provide internal inhibition of fungal growth and to protect the plant from new infections. The broad-spectrum activity and dual mode of action make **ZOLERA FX FUNGICIDE** a good option in a disease management program.

### MODE OF ACTION

The active ingredients in **ZOLERA FX FUNGICIDE** (fluoxastrobin and tetraconazole) belong to the strobilurin (FRAC Group 11) and the demethylation inhibitor (FRAC Group 3) fungicide classes, respectively. Strobilurin fungicides inhibit respiration in fungal cells by interfering with the mitochondrial respiration chain at site III (QoI-site). Demethylation inhibitor fungicides work by preventing ergosterol production which is an essential sterol in membranes of many fungi.

### RESISTANCE MANAGEMENT

For resistance management, **ZOLERA FX FUNGICIDE** contains both a Group 11 and Group 3 fungicide. Any fungal population may contain individuals naturally resistant to **ZOLERA FX FUNGICIDE** and other Group 11 or 3 fungicides. The dual action of **ZOLERA FX FUNGICIDE** results in a built-in resistance management strategy that will minimize the resistance in at-risk pathogens. Fungal pathogens are known to develop resistance to products with the same mode of action when used repeatedly, and a gradual or total loss of pest control may occur over time. Because resistance development cannot be predicted, the use of this product should conform to resistance management strategies established for agricultural uses. Such strategies may include rotating and/or tank-mixing with products having different modes of action or limiting the total number of applications per year. UPL NA Inc. ("UPL NA") encourages responsible resistance management to ensure effective long-term control of the fungal diseases on this label.

In programs in which **ZOLERA FX FUNGICIDE** is used, the number of Group 11 fungicides (strobilurins) and Group 3 fungicides (demethylation inhibitors) applications should be no more than one half of the total number of fungicide applications per year for at-risk pathogens.

Follow specific directions for individual crops that limit the total number of applications.

To delay fungicide resistance, take one or more of the following steps:

- Rotate the use of **ZOLERA FX FUNGICIDE** or other Group 11 fungicides or other Group 3 fungicides within a growing season sequence with different groups that control the same pathogens.
- Use tank-mixtures with fungicides from a different group that are equally effective on the target pest when such use is permitted. Use at least the minimum application rate as labeled by the manufacturer.
- Adopt an integrated disease management program that includes scouting, uses historical information related to pesticide use, and crop rotation, and which considers host plant resistance, impact of environmental conditions on disease development, disease thresholds, as well as cultural, biological and other chemical control practices.
- Where possible, make use of predictive disease models to effectively time fungicide applications. Note that using predictive models alone is not sufficient to manage resistance.
- Monitor treated fungal populations for resistance development.
- Contact your local extension specialist or certified crop advisor for any additional pesticide resistance-management and/or IPM recommendations for specific crops and pathogens.

- For further information or to report suspected resistance contact UPL NA at [1-800-438-6071](tel:1-800-438-6071) ~~1-866-761-9397~~. You can also contact your pesticide distributor or university extension specialist to report resistance.

## **RAINFASTNESS**

**ZOLERA FX FUNGICIDE** is rainfast 2 hours after application. Do not apply if rain is expected within 2 hours of application or disease control may be reduced.

## **SPRAYER CLEANUP**

Clean spray equipment each day following **ZOLERA FX FUNGICIDE** application. After **ZOLERA FX FUNGICIDE** is applied, use the following steps to clean the spray equipment:

1. Completely drain the spray-tank, rinse the sprayer thoroughly, including the inside and outside of the tank and all in-line screens.
2. Fill the spray-tank with clean water and flush all hoses, booms, screens and nozzles.
3. Drain tank completely.
4. Remove all nozzles and screens and rinse them in clean water.

Thoroughly clean spray equipment, including all tanks, hoses, booms, screens and nozzles, before it is used to apply other pesticides.

## **APPLICATION GUIDELINES**

### **BROADCAST GROUND SPRAYERS**

Thorough coverage is necessary to provide good disease control. Applications using sufficient water volume to provide thorough and uniform coverage generally provide the most effective disease control. For ground application equipment, 10 GPA (gallons/A) minimum is required.

Equip sprayers with nozzles that provide accurate and uniform application. Be certain that nozzles are the same size and uniformly spaced across the boom. Calibrate the sprayer before use. Use a pump with the capacity to: (1) maintain a minimum of 35 psi at nozzles, and (2) provide sufficient agitation in the tank to keep the mixture in suspension (this requires recirculation of 10% of the tank volume per minute). Use jet agitators or a liquid sparge tube for vigorous agitation. Use screens to protect the pump and to prevent nozzles from clogging. Screens placed on the suction side of the pump should be 16-mesh or coarser. Do not place a screen in the recirculation line. Use 50-mesh screens at the nozzles. Check nozzle manufacturer's recommendations. For information on spray equipment and calibration, consult sprayer manufacturer's and/or state recommendations. For specific local directions and spray schedules, consult the current state agricultural experiment station recommendations.

## **MIXING PROCEDURES**

Prepare no more spray-mixture than is needed for the immediate operation. Thoroughly clean spray equipment before using this product. Agitation is necessary for proper dispersal of the product. Maintain maximum agitation throughout the spraying operation. Do not let the spray-mixture stand overnight in the spray-tank. Flush the spray equipment thoroughly following each use and apply the rinsate to a previously treated area.

### **ZOLERA FX FUNGICIDE Alone**

Add 1/2 of the required amount of water to the mix-tank. With the agitator running, add the **ZOLERA FX FUNGICIDE** to the tank. Continue agitation while adding the remainder of the water. Begin application of the solution after the **ZOLERA FX FUNGICIDE** has completely and uniformly dispersed into the mix water. Maintain agitation until all of the mixture has been applied.

### **ZOLERA FX FUNGICIDE + Tank-mix Partners**

Add 1/2 of the required amount of water to the mix-tank. Start the agitator running before adding any tank-mix partners. In general, tank-mix partners should be added in this order: products packaged in water-soluble packaging (see **Note** below), wettable powders, wettable granules, dry flowables, liquid flowables, liquids, and emulsifiable concentrates. Always allow each tank-mix partner to become fully and uniformly dispersed before adding the next product. Provide sufficient agitation while adding the remainder of the water. Maintain agitation until all of the mixture has been applied.

**Note:** When using **ZOLERA FX FUNGICIDE** in tank-mixtures, add all products in water-soluble packaging to the tank before any other tank-mix partner, including **ZOLERA FX FUNGICIDE**. Allow the water-soluble packaging to completely dissolve and the product(s) to completely disperse before adding any other tank-mix partner to the tank.

It is the pesticide user's responsibility to ensure that all products are registered for the intended use. Read and follow the applicable restrictions and limitations and directions for use on all product labels involved in tank-mixing. Users must follow the most restrictive directions for use and precautionary statements of each product in the tank-mixture. This product must not be mixed with any product that prohibits such mixing. Tank-mixtures or application of other products referenced on this label are permitted only in those states in which the referenced products are registered.

## **COMPATIBILITY**



**ZOLERA FX FUNGICIDE** is physically compatible with most insecticide, fungicide, herbicide and foliar nutrient products. However, the physical compatibility of **ZOLERA FX FUNGICIDE** with tank-mix partners should be tested before use. To determine the physical compatibility of **ZOLERA FX FUNGICIDE** with other products, use a jar test, as described below.

Using a quart jar, add the proportionate amounts of the products to 1 qt of water. Add wettable powders and water dispersible granular products first, then liquid flowables, and emulsifiable concentrates last. After thoroughly mixing, let stand for at least 5 minutes. If the combination remains mixed or can be remixed readily, it is physically compatible. Once compatibility has been proven, use the same procedure for adding required ingredients to the spray-tank.

When an adjuvant is to be used with this product, UPL NA recommends the use of a Chemical Producers and Distributors Association certified adjuvant that falls under the non-ionic (NIS) category at application rates no higher than 0.5% v/v.

**The crop safety of all potential tank-mixes including additives and other pesticides on all crops has not been tested. Before applying any tank-mixture not specifically recommended on this label, confirm the safety of the tank-mixture to the target crop. To test for crop safety, apply ZOLERA FX FUNGICIDE to the target crop in a small area and in accordance with label instructions for the target crop.**

#### **AERIAL APPLICATION**

**Aerial application of this product is prohibited in New York State.**

#### **CORN (FIELD AND HYBRID SEED CORN), SOYBEAN, BARLEY, WHEAT, CANOLA, DRY BEANS, DRY PEAS**

Aerial applications of **ZOLERA FX FUNGICIDE** may be made in spray volumes of 2 or more gallons of water per acre (GPA). 5 GPA is recommended in soybeans for White Mold and Asian Soybean Rust. Avoid application under conditions when uniform coverage cannot be obtained or when excessive spray drift may occur. Aerial applications made to dense canopies may not provide sufficient coverage of lower leaves to provide proper pest control.

#### **CHEMIGATION INSTRUCTIONS:**

##### **CORN (FIELD AND HYBRID SEED CORN), SOYBEAN**

Apply **ZOLERA FX FUNGICIDE** only through sprinkler type irrigation systems, including center pivot, microjet, wheel lines, lateral move, side roll, or overhead solid set irrigation systems. Do not apply **ZOLERA FX FUNGICIDE** through any other type of irrigation system.

#### **DIRECTIONS FOR USE THROUGH SPRINKLER IRRIGATION SYSTEMS**

Crop injury, lack of effectiveness, or illegal pesticide residues in the crop can result from non-uniform distribution of treated water.

If you have questions about calibration, contact State Extension Service Specialists, equipment manufacturers or other irrigation experts.

#### **SPRAY PREPARATION**

The chemical tank and entire injector system must be thoroughly cleaned to remove scale, pesticide residues, and other foreign matter. Flush with clean water.

#### **APPLICATION INSTRUCTIONS**

First prepare a suspension of **ZOLERA FX FUNGICIDE** in a mix-tank. Fill tank with 1/2 to 3/4 the desired amount of water. Start mechanical or hydraulic agitation. Add the required amount of **ZOLERA FX FUNGICIDE** and then the remaining volume of water. Then set sprinkler to deliver no more than 0.4 inch of water per acre. Start sprinkler and uniformly inject the suspension of **ZOLERA FX FUNGICIDE** into the irrigation water line so as to deliver the desired rate per acre. The suspension of **ZOLERA FX FUNGICIDE** should be injected with a positive displacement pump into the main line ahead of a right angle turn to ensure adequate mixing. If you have any other questions about calibration, contact State Extension Service specialists, equipment manufacturers or other experts.

**NOTE:** Avoid further field irrigation over the treated area for 24 hours after treating with **ZOLERA FX FUNGICIDE** to prevent washing the chemical off the crop.

#### **CHEMIGATION SYSTEMS CONNECTED TO PUBLIC WATER SYSTEMS**

1. Do not connect an irrigation system (including greenhouse systems) used for pesticide application to a public water system unless the pesticide label prescribed safety devices for public water systems are in place. 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.
2. Chemigation systems connected to public water systems must contain a functional, reduced-pressure zone, back flow preventer (RPZ) or the 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 flow outlet end of the fill pipe and the top or overflow rim of the reservoir tank of at least twice the inside diameter of the fill pipe.
3. The pesticide injection pipeline must contain a functional, automatic, quick-closing check valve to prevent the flow of

fluid back toward the injection.

4. The pesticide injection pipeline must 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.
5. 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 pesticide distribution is adversely affected.
6. 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.
7. Do not apply when wind speed favors drift beyond the area intended for treatment.

#### **DIRECTIONS FOR CHEMIGATION THROUGH SPRINKLER IRRIGATION SYSTEMS**

1. Maintain continuous agitation in mix-tank during mixing and application to assure a uniform suspension.
2. Greater accuracy in calibration and distribution will be achieved by injecting a larger volume of a more dilute solution per unit time.
3. 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.
4. The pesticide injection pipeline must contain a functional, automatic, quick-closing check valve to prevent the flow of fluid back toward the injection pump.
5. 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 shutdown.
6. The system must contain functional interlocking controls to automatically shut off the pesticide injection pump when the water pump motor stops.
7. 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.
8. 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.
9. Do not apply when wind speed favors drift beyond the area intended for treatment. If you are unsure of wind conditions, contact your local extension agent.
10. Do not apply when system connections or fittings leak, when nozzles do not provide uniform distribution or when lines containing the product must be dismantled and drained. Crop injury, lack of effectiveness, or illegal pesticide residues in the crop may result from non-uniform distribution of treated water.
11. Allow sufficient time for pesticide to be flushed through all lines and all nozzles before turning off irrigation water. A person knowledgeable of the chemigation system and responsible for its operation, or under supervision of the responsible person, shall shut the system down and make necessary adjustments as needed.
12. Do not connect an irrigation system (including greenhouse systems) used for pesticide application to a public water system unless the pesticide label-prescribed safety devices for public water systems are in place.

#### **SPRAY DRIFT SENSITIVE AREAS**

This pesticide must only be applied when the potential for drift to adjacent sensitive areas (e.g., residential areas, bodies of water, known habitats for threatened or endangered species, non-target crops) is minimal (e.g., when wind is blowing away from the sensitive areas).

Avoiding spray drift at the application site is the responsibility of the applicator. The interaction of many equipment and weather-related factors determine the potential for spray drift. The applicator and the grower are responsible for considering all these factors when making decisions.

The following drift management requirements must be followed to avoid off-target drift movement from aerial applications to agricultural field crops. These requirements do not apply to forestry applications, public health uses or to applications using dry formulation.

1. The distance of the outer most nozzles on the boom must not exceed 3/4 the length of the wingspan or rotor.
2. Nozzles must always point backward parallel with the air stream and never be pointed downwards more than 45 degrees.

Comply with all state regulations. The applicator must be familiar with and take into account the information covered in the Aerial Drift Reduction Advisory Information.

#### **AERIAL DRIFT REDUCTION ADVISORY INFORMATION ON DROPLET SIZE**

The most effective way to reduce drift potential is to apply large droplets. The best drift management strategy is to apply the largest droplets that provide sufficient coverage and control. Applying larger droplets reduces drift potential but will not prevent drift if applications are made improperly, or under unfavorable environmental conditions (see **WIND**, **TEMPERATURE AND HUMIDITY**, and **TEMPERATURE INVERSIONS**).

### **CONTROLLING DROPLET SIZE**

- Volume - Use high flow rate nozzles to apply the highest practical spray volume. Nozzles with higher rated flows produce larger droplets.
- Pressure - Do not exceed the nozzle manufacturer's recommended pressures. For many nozzle types lower pressure produces larger droplets. When higher flow rates are needed, use higher flow rate nozzles instead of increasing pressure.
- Number of nozzles - Use the minimum number of nozzles that provide uniform coverage.
- Nozzle Orientation - Orienting nozzles so that the spray is released parallel to the airstream produces larger droplets than other orientations and is the recommended practice. Significant deflection from horizontal will reduce droplet size and increase drift potential.
- Nozzle Type - Use a nozzle type that is designed for the intended application. With most nozzle types, narrower spray angles produce larger droplets. Consider using low-drift nozzles. Solid stream nozzles oriented straight back produce the largest droplets and the lowest drift.

### **BOOM LENGTH**

For some use patterns, reducing the effective boom length to less than 3/4 of the wingspan or rotor length may further reduce drift without reducing swath width.

### **APPLICATION HEIGHT**

Applications should not be made at a height greater than 10 feet above the top of the target plants unless a greater height is required for aircraft safety. Making applications at the lowest height that is safe reduces exposure of droplets to evaporation and wind.

### **SWATH ADJUSTMENT**

When applications are made with a crosswind, the swath will be displaced downwind. Therefore, on the up and downwind edges of the field, the applicator should compensate for this displacement by adjusting the path of the aircraft upwind. Swath adjustment distance should increase, with increasing drift potential (higher wind, smaller drops, etc.).

### **WIND**

Drift potential is lowest between wind speeds of 2 to 10 mph. However, many factors, including droplet size and equipment type determine drift potential at any given speed. Application should be avoided below 2 mph due to variable wind direction and high inversion potential.

**NOTE:** Local terrain can influence wind patterns. Every applicator should be familiar with local wind patterns and how they affect spray drift.

### **TEMPERATURE AND HUMIDITY**

When making applications in low relative humidity, set up equipment to produce larger droplets to compensate for evaporation. Droplet evaporation is most severe when conditions are both hot and dry.

### **TEMPERATURE INVERSIONS**

Applications should not occur during a temperature inversion because drift potential is high. Temperature inversions restrict vertical air mixing, which causes small suspended droplets to remain in a concentrated cloud. This cloud can move in unpredictable directions due to the light variable winds common during inversions. 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 or an aircraft smoke generator. 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 air mixing.

### **USE DIRECTIONS FOR SPECIFIC CROPS**

**ZOLERA FX FUNGICIDE** provides control or suppression of several important diseases of corn (field and hybrid seed corn), soybean, barley, wheat, canola, dry beans and dry peas.



**CROP ROTATIONAL INTERVAL**

Treated areas may be replanted to crops as outlined below.

<b>Rotational Crop</b>	<b>Crop Rotational Interval (Days)</b>
Barley	0
Berry & Small Fruit (Crop Subgroup 13-07G)	0
Corn (field and hybrid seed corn)	0
Fruiting Vegetables	0
Legume Vegetables (Dry)	0
Peanut	0
Soybean	0
Wheat	0
Cereal Grains (Buckwheat, Millet, Oat, Rye, Triticale)	40
Sugar Beet	30
Rice	45
Alfalfa	120
Brassica Vegetables	120
Bulb Vegetables	120
Cotton	120
Forage Grasses	120
Leaf Petiole Vegetables (Crop Subgroup 4B)	120
Leafy Green Vegetables	120
Legume Vegetables (Succulent)	120
Melon (Crop Subgroup 9A)	120
Root Vegetables (Crop Subgroup 1A)	120
Sorghum	120
Squash / Cucumber (Crop Subgroup 9B)	120
Tuberous & Corm Vegetables (Crop Subgroup 1C)	120
All Others	365 (One Year)

### CORN (Field and Hybrid Seed)

Disease Control	Rate (fl oz product/A) (lb ai/A)	Application Timing and Information
<b>Anthracnose Leaf Blight</b> <i>(Colletotrichum graminicola)</i> <b>Rust, Common</b> <i>(Puccinia sorghi)</i> <b>Rust, Southern</b> <i>(Puccinia polyspora)</i> <b>Gray Leaf Spot</b> <i>(Cercospora sorghi)</i> <b>Northern Corn Leaf Blight</b> <i>(Setosphaeria turcica)</i> <b>Northern Corn Leaf Spot</b> <i>(Cochliobolus carbonum)</i> <b>Southern Corn Leaf Blight</b> <i>(Cochliobolus heterostrophus)</i> <b>Eye Spot</b> <i>(Aureobasidium zeae)</i>	4.4 - 6.8  (0.06 - 0.09 fluoxastrobin + 0.06 - 0.09 tetraconazole)	For optimum results, begin applications preventively.  Use the higher specified rates when disease pressure is high.  Apply by ground in a minimum of 10 GPA, by air in a minimum of 2 GPA, or through chemigation in sufficient water to obtain thorough coverage of plants.
<b>RESTRICTIONS:</b> <b>Field and Hybrid Seed Corn</b> <ul style="list-style-type: none"> <li>Do not apply more than 6.8 fl oz (0.09 lb ai tetraconazole, 0.09 lb ai fluoxastrobin) of <b>ZOLERA FX FUNGICIDE</b> per acre per application.</li> <li>Do not apply more than 6.8 fl oz (0.09 lb ai tetraconazole, 0.09 lb ai fluoxastrobin) of <b>ZOLERA FX FUNGICIDE</b> per acre per year.</li> <li>Do not apply more than 0.36 lb ai fluoxastrobin per acre per year (total of all applications of fluoxastrobin products and application methods).</li> <li>Do not apply more than 0.09 lb ai tetraconazole per acre per year (total of all applications of tetraconazole products and application methods).</li> <li>Do not make more than 1 application of <b>ZOLERA FX FUNGICIDE</b> per year.</li> <li>Do not apply after corn growth stage R3 (brown silk/milk).</li> <li>Do not use adjuvants in sprays made between V8 (8 leaf collar) and VT (lowest branch of the tassel visible but silks have not emerged) growth stage. An adjuvant may be used at any other growth stage.</li> <li>Pre-Harvest Interval (PHI): Do not apply <b>ZOLERA FX FUNGICIDE</b> within 30 days of harvest.</li> </ul>		

# SOYBEAN

Disease Control	Rate (fl oz product/A) (lb ai/A)	Application Timing and Information
<b>Asian Soybean Rust</b> <i>(Phakopsora pachyrhizi)</i> <b>Alternaria Leaf Spot</b> <i>(Alternaria spp.)</i> <b>Anthracnose</b> <i>(Colletotrichum truncatum)</i> <i>(Colletotrichum spp.)</i> <b>Brown Spot</b> <i>(Septoria glycines)</i> <b>Cercospora Blight and Purple Seed Stain</b> <i>(Cercospora kikuchii)</i> <b>Frogeye Leaf Spot</b> <i>(Cercospora sojina)</i> <b>Pod and Stem Blight</b> <i>(Diaporthe phaseolorum)</i> <b>Rhizoctonia Aerial Blight</b> <i>(Rhizoctonia solani)</i> <b>Rust</b> <i>(Phakopsora spp.)</i> <b>White Mold/Sclerotinia Stem Rot</b> <i>(Sclerotinia sclerotiorum)</i> <b>Powdery Mildew</b> <i>(Microsphaera diffusa)</i>	4.4 - 6.8  (0.06 - 0.09 fluoxastrobin + 0.06 - 0.09 tetraconazole)	For optimum results, begin applications preventively.  Under severe disease conditions the higher specified rate should be used.  Apply by ground in a minimum of 10 GPA, by air in a minimum of 2 GPA (5 GPA for White Mold and Asian Soybean Rust), or through chemigation in sufficient water to obtain thorough coverage of plants.
<b>RESTRICTIONS:</b> <ul style="list-style-type: none"> <li>Do not apply more than 6.8 fl oz (0.09 lb ai tetraconazole, 0.09 lb ai fluoxastrobin) of <b>ZOLERA FX FUNGICIDE</b> per acre per single application.</li> <li>Do not apply more than 5.7 fl oz (0.07 lb ai tetraconazole, 0.07 lb ai fluoxastrobin) per single application of <b>ZOLERA FX FUNGICIDE</b> when 2 applications are applied sequentially.</li> <li>Do not apply more than 11.4 fl oz (0.15 lb ai tetraconazole, 0.15 lb ai fluoxastrobin) of <b>ZOLERA FX FUNGICIDE</b> per acre per year.</li> <li>Do not make applications of <b>ZOLERA FX FUNGICIDE</b> less than 14 days apart.</li> <li>Do not apply more than 0.36 lb ai fluoxastrobin per acre per year (total of all applications of fluoxastrobin products and application methods).</li> <li>Do not apply more than 0.15 lb ai tetraconazole per acre per year (total of all applications of tetraconazole products and application methods).</li> <li>Do not make more than 2 applications of <b>ZOLERA FX FUNGICIDE</b> per year.</li> <li>Do not apply <b>ZOLERA FX FUNGICIDE</b> after soybean growth stage R5 (beginning seed).</li> <li>Do not use on vegetable soybean varieties grown for their immature pods.</li> <li>Do not harvest immature soybeans for consumption once plants are treated with <b>ZOLERA FX FUNGICIDE</b>.</li> <li>Do not graze or feed treated forage or hay to livestock.</li> <li>Pre-Harvest Interval (PHI): Do not apply <b>ZOLERA FX FUNGICIDE</b> within 30 days of seed harvest.</li> </ul>		

# **BARLEY AND WHEAT (SPRING AND WINTER)**

Disease Control	Rate (fl oz product/A) (lb ai/A)	Application Timing and Information
<b>Barley Stripe</b> <i>(Drechslera graminea = Pyrenophora graminea)</i> <b>Net Blotch</b> <i>(Pyrenophora teres)</i> <b>Leaf Rust</b> <i>(Puccinia recondita f. sp. tritici)</i> <b>Stripe Rust</b> <i>(Puccinia striiformis)</i> <b>Stem Rust</b> <i>(Puccinia graminis)</i> <b>Scald</b> <i>(Rhynchosporium secalis)</i> <b>Powdery Mildew</b> <i>(Blumeria graminis tritici, Erysiphe graminis)</i> <b>Septoria Leaf and Glume Blotch</b> <i>(Septoria tritici, Septoria nodorum)</i> <b>Spot Blotch</b> <i>(Cochliobolus sativus)</i> <b>Stagonospora Blotch</b> <i>(Stagonospora nodorum)</i> <b>Tan Spot</b> <i>(Pyrenophora tritici-repentis)</i>	2.5 - 5.0  (0.03 - 0.07 fluoxastrobin + 0.03 - 0.07 tetraconazole)	Early season leaf disease suppression: Apply product at 2.5 - 5.0 fl oz/A for control of early season Septoria, Tan Spot, and Powdery Mildew and suppression of rust. A second application (minimum interval of 14 days) may be made if needed, but do not exceed 5 fl oz product per acre per year. Use the higher specified rate when disease pressure is high.
	3.0 – 5.0  (0.04 - 0.07 fluoxastrobin + 0.04 - 0.07 tetraconazole)	Protecting the flag leaf is important for maximizing yield potential. Apply product at 3.0 – 5.0 fl oz/A when the flag leaf is 50% to fully emerged. Product should be applied preventively when conditions are favorable for disease development.  An adjuvant may be added to the tank. Follow the directions of the tank-mix partner label when used in tank-mixtures.  Apply by ground in a minimum of 10 GPA or by air in a minimum of 2 GPA. Use sufficient water to obtain thorough coverage of plants.

## **RESTRICTIONS:**

- Do not apply more than 5.0 fl oz (0.07 lb ai tetraconazole and 0.07 lb ai fluoxastrobin) of **ZOLERA FX FUNGICIDE** per acre per single application.
- Do not apply more than 5.0 fl oz (0.07 lb ai tetraconazole and 0.07 lb ai fluoxastrobin) of **ZOLERA FX FUNGICIDE** per acre per year.
- Do not apply more than 0.24 lb ai of fluoxastrobin per acre per year (total of all applications of fluoxastrobin products and application methods).
- Do not apply more than 0.2 lb ai of tetraconazole per acre per year (total of all applications of tetraconazole products and application methods).
- Do not make more than 2 applications of **ZOLERA FX FUNGICIDE** per year.
- Do not make applications of **ZOLERA FX FUNGICIDE** less than 14 days apart.
- Do not make more than one application of **ZOLERA FX FUNGICIDE** prior to harvest of wheat forage.
- Do not apply later than Feekes growth stage 10.5 (Zadoks 59).
- Pre-Harvest Interval (PHI): Do not apply **ZOLERA FX FUNGICIDE** within 40 days of grain harvest and 7 days for forage and hay harvest.

# **DRY PEAS and DRY BEANS (EXCEPT SOYBEAN)**

**(Subgroup 6C: Bean (*Lupinus* Spp.)** Grain Lupin, Sweet Lupin, White Lupin, and White Sweet Lupin); **Bean (*Phaseolus* Spp.)** (Field Bean, Kidney Bean, Lima Bean (Dry), Navy Bean, Pinto Bean, Runner Bean, Snap Bean, Tepary Bean, Wax Bean); **Bean (*Vigna* Spp.)** (Adzuki Bean, Asparagus Bean, Blackeyed Pea, Cowpea, Catjang, Chinese Longbean, Crowder Pea, Moth Bean, Mung Bean, Rice Bean, Southern Pea, Urd Bean, Yardlong Bean; Immature Seed (Edamame); **Broad Bean** (Fava Bean - Dry) (*Vicia faba*); **Chickpea**; **Guar** (*Cyamopsis tetragonoloba*); **Lablab Bean** (Hyacinth Bean) (*Lablab purpureus*); **Lentil** (*Lens esculenta*); **Pea** (*Pisum* spp.) (Dwarf Pea, Ediblepod Pea, English Pea, Garden Pea, Green Pea, Field Pea, Snow Pea, Sugar Snap Pea); **Pigeon Pea** (*Cajanus cajan*).

Disease Control	Rate (fl oz product/A) (lb ai/A)	Application Timing and Information
<b>Alternaria Blight</b> ( <i>Alternaria</i> spp.)	5.5 - 7.7	For optimum results, begin applications preventively and continue as needed on a 7- to 14-day interval.
<b>Alternaria Leaf Spot</b> ( <i>Alternaria alternata</i> )	(0.07 - 0.10 fluoxastrobin +	For management of Ascochyta use the highest specified rate.
<b>Anthrachnose</b> ( <i>Colletotrichum lindemuthianum</i> )	0.07 - 0.10 tetraconazole)	To limit the potential for development of disease resistance follow the guidelines outlined in the <b>RESISTANCE MANAGEMENT</b> section.
<b>Ascochyta Blight</b> ( <i>Mycosphaerella pinodes</i> )		An adjuvant may be added to the tank.
<b>Ascochyta Leaf and Pod Spot</b> ( <i>Ascochyta</i> spp.)		Apply by ground in a minimum of 10 GPA or by air in a minimum of 2 GPA. Use sufficient water to obtain thorough coverage of plants.
<b>Ascochyta Leaf Spot</b> ( <i>Ascochyta phaseolomm</i> )		
<b>Bean Rust</b> ( <i>Uromyces appendiculatus</i> )		
<b>Rust</b> ( <i>Phakopsora</i> spp.)		
<b>Southern Blight</b> ( <i>Sclerotium rolfsii</i> )		
<b>Web Blight</b> ( <i>Rhizoctonia solani</i> )		
<b>Powdery Mildew of pea</b> ( <i>Erysiphe pisi</i> )		
<b>Suppression</b>		
<b>Sclerotinia White Mold/ Stem Rot</b> ( <i>Sclerotinia sclerotiorum</i> )		

## **RESTRICTIONS:**

- Do not apply more than 7.7 fl oz (0.1 lb ai tetraconazole and 0.1 lb ai fluoxastrobin) of **ZOLERA FX FUNGICIDE** per acre per single application.
- Do not apply more than 15.4 fl oz (0.2 lb ai tetraconazole and 0.2 lb ai fluoxastrobin) of **ZOLERA FX FUNGICIDE** per acre per year.
- Do not apply more than 0.3 lb ai of fluoxastrobin per acre per year (total of all applications of fluoxastrobin products and application methods).
- Do not apply more than 0.2 lb ai of tetraconazole per acre per year (total of all applications of tetraconazole products and application methods).
- Do not make more than 2 applications of **ZOLERA FX FUNGICIDE** per year.
- Do not make applications of **ZOLERA FX FUNGICIDE** less than 7 days apart.



- To be grown for pea and bean, dry seed only. Do not feed or harvest field pea or cowpea forage and hay.
- Pre-Harvest Interval (PHI): Do not apply **ZOLERA FX FUNGICIDE** within 14 days of harvest.

#### RAPSEED (CANOLA)

(Crop Subgroup 20A: Borage; Crambe; Cuphea; Flax Seed; Gold of Pleasure; Hare's Ear Mustard; Lesquerella; Lunaria; Meadowfoam; Milkweed; Mustard Seed; Oil Radish; Poppy Seed; Rapeseed; Sesame; Sweet Rock. Cultivars, varieties and/or hybrids of these crops.).

Disease Control	Rate (fl oz product/A) (lb ai/A)	Application Timing and Information
<b>Alternaria Blackspot</b> ( <i>Alternaria</i> spp.)  <b>Blackleg</b> ( <i>Leptosphaeria maculans</i> )  <b>Suppression</b>  <b>Sclerotinia Stem Rot</b> ( <i>Sclerotinia sclerotiorum</i> )	5.0 – 7.7  (0.07 - 0.10 fluoxastrobin + 0.07 - 0.10 tetraconazole)	For optimum results, begin applications preventively and continue as needed on a 7- to 14-day interval. Use the higher rate and shorter interval when disease pressure is high.  Specifically for blackleg, applications should be made at the 2 to 4 leaf stage.  For Alternaria or Sclerotinia, applications should be made at 10 to 25% flowering (3 to 7 days following first flower).  Apply by ground in a minimum of 10 GPA or by air in a minimum of 2 GPA. Use sufficient water to obtain thorough coverage of plants.

#### RESTRICTIONS:

- Do not apply more than 7.7 fl oz (0.1 lb ai tetraconazole and 0.1 lb ai fluoxastrobin) of **ZOLERA FX FUNGICIDE** per acre per single application.
- Do not apply more than 15.4 fl oz (0.2 lb ai tetraconazole and 0.2 lb ai fluoxastrobin) of **ZOLERA FX FUNGICIDE** per acre per year.
- Do not apply more than 0.3 lb ai of fluoxastrobin per acre per year (total of all applications of fluoxastrobin products and application methods).
- Do not apply more than 0.2 lb ai of tetraconazole per acre per year (total of all applications of tetraconazole products and application methods).
- Do not make more than 2 applications of **ZOLERA FX FUNGICIDE** per year.
- Do not make applications of **ZOLERA FX FUNGICIDE** less than 7 days apart.
- Pre-Harvest Interval (PHI): Do not apply **ZOLERA FX FUNGICIDE** within 21 days of harvest.

## STORAGE AND DISPOSAL

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

### PESTICIDE STORAGE

Store in original container and keep tightly closed. Store in a cool dry place.

### 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

**Rigid, Non-refillable containers small enough to shake (i.e., with capacities equal to or less than 5 gallons).**

**Nonrefillable container. Do not reuse or refill this container.** Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows, empty the remaining contents into application equipment or a mix-tank and drain for 10 seconds after the flow begins to drip. 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 other procedures approved by state and local authorities.

**Rigid Non-refillable containers that are too large to shake (i.e., with capacities greater than 5 gallons or 50 lbs)**

**Non-refillable container. Do not reuse or refill this container.** Triple rinse or pressure rinse container (or equivalent) promptly after emptying. **Triple rinse as follows:** Empty the remaining contents into application equipment or a mix-tank. Fill the container 1/4 full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Empty the rinsate into application equipment or a mix-tank or store rinsate for later use or disposal. Repeat this procedure two more times. **Pressure rinse as follows:** Empty the remaining contents into application equipment or a mix-tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or mix-tank or collect rinsate for later use or disposal. Insert pressure rinsing nozzle in the side of the container, and rinse at about 40 PSI for at least 30 seconds. Drain for 10 seconds after the flow begins to drip.

Once container is rinsed, then offer for recycling if available, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.

### **Warranty and Disclaimer Statement**

~~The directions for use of this product are believed to be adequate and must be followed carefully. However, it is impossible to eliminate all risks associated with the use of this product. Such risks may arise from weather conditions, soil factors, off-target movement, unconventional farming techniques, the presence of other materials, the manner of use or application, or other unknown factors, all of which are beyond the control of Arysta LifeScience North America, LLC ("Arysta"), and can cause crop injury, injury to non-target crops or plants, ineffectiveness of the product, or other unintended consequences. All such risks shall be assumed by the user or buyer.~~

~~Arysta 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 described above, when used in accordance with the Directions for Use under normal conditions. This warranty does not extend to the use of this product contrary to label instructions or under conditions not reasonably foreseeable to Arysta, and is subject to the inherent risks described above.~~

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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 by Buyer or User are beyond the control of UPL NA Inc or Seller. Handling, storage, and use of the product by Buyer or User are beyond the control of UPL NA inc and Seller. To the extent consistent with applicable law, all such risks shall be assumed by Buyer and User, and Buyer and User agree to hold UPL NA Inc and Seller harmless any claims relating to such factors.

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