

# UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

August 31, 2023

Ariana Shorey Regulatory Consultant UPL NA, Inc. c/o Pyxis Regulatory Consulting Inc. 4110 136th St. Ct. NW Gig Harbor, WA 98332

Subject: Notification per PRN 98-10 – Updating company information and minor revisions

Product Name: RANCONA 3.8 FS EPA Registration Number: 70506-585 Application Date: January 18, 2022

Decision Number: 584398

# Dear Ariana Shorey:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 for the above referenced product. The Registration Division (RD) 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 label submitted with the application has been stamped "NOTIFICATION" and placed in our records.

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 (FIFRA) 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) lists 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.

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If you have any questions, please contact Thomas Harty at 202-566-0394 or at harty.thomas@epa.gov.

Sincerely,

Kristy Crews, Ph.D., Product Manager 22

Fungicide Branch, Registration Division (7505T)

Office of Pesticide Programs

Knisty Crews

U.S. Environmental Protection Agency

**Enclosure- Stamped Label** 

{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]

# Rancona® 3.8 FS

#### SEED TREATMENT FUNGICIDE

ACTIVE INGREDIENT:	% BY WT.
Ipconazole (CAS No. 125225-28-7)	
OTHER INGREDIENTS:	59.3%
TOTAL:	100.0%
*Contains 3.77 pounds of active ingredient per gallon.	
*Contains 452 grams of active ingredient 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.)

{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.] See [back][side] Panel for First Aid Instructions and [Leaflet][Booklet] for Complete Precautionary Statements and Directions for Use.]

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#### IF SWALLOWED:

- Call a poison control center or doctor immediately for treatment advice.
- Have person sip a glass of water if able to swallow.
- Do not induce vomiting unless told to by a poison control center or doctor.
- Do not give anything by mouth to an unconscious person.

EMERGENCY ASSISTANCE: Have the product container or label with you when calling a poison control center or doctor, or going for treatment.

FOR 24-HOUR MEDICAL EMERGENCY ASSISTANCE CALL ROCKY MOUNTAIN POISON AND DRUG SAFETY: 1-866-673-6671.

FOR 24-HOUR CHEMICAL EMERGENCY (Spill, leaks, fire, exposure or accident) CALL CHEMTREC: 1-800-424-9300 or +1-703-527-3887. FOR 24-HOUR MEDICAL EMERGENCY ASSISTANCE CALL PROPHARMA:

1-866-303-6952 or +1-651-603-3432.

FOR 24-HOUR CHEMICAL EMERGENCY (Spill, leaks, fire, exposure or accident) CALL CHEMTREC: 1-800-424-9300 or +1-703-527-3887.

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

For Product Use Information Call 1-866-761-9397

EPA Reg. No. 400-54470506-585

[xxxxxxV0<u>0X22]</u>

[Batch Code will be placed on the container.]

Produced for:

<u>UPL NA Inc.</u> MacDermid Agricultural Solutions, Inc. 630 Freedom Business Center, Suite 402

030 Freedom Dusiness Center, Suite 402

c/o ARYSTA LIFESCIENCE NORTH AMERICA, LLC

King of Prussia, PA 1940615401 Weston Parkway, Suite 150Cary, NC 27513

# NOTIFICATION

**EPA Est. No.:** 

**NET CONTENTS:** 

70506-585

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:

08/31/2023

## PRECAUTIONARY STATEMENTS

#### HAZARDS TO HUMANS AND DOMESTIC ANIMALS

**CAUTION:** Harmful if swallowed.

## PERSONAL PROTECTIVE EQUIPMENT (PPE):

Some materials that are chemical-resistant to this product are listed below.

## Applicators and other handlers must wear:

- Long-sleeved shirt and long pants.
- Socks and shoes,
- Chemical-resistant gloves, such as barrier laminate, butyl rubber, nitrile rubber, or Viton.

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

#### **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 put on 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**

Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Cover or incorporate spilled treated seed. This fungicide may persist in soil and long-term use in the same field may result in an accumulation of active ingredient. Do not contaminate water when disposing of equipment washwater or rinsate.

# DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. Read all label directions carefully before use.

Do not apply this product in a way that will contact workers or other persons. 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.

#### GENERAL

Rancona® 3.8 FS is a systemic broad-spectrum fungicide seed treatment specifically for protection against a wide variety of soil borne and seed borne diseases as listed in the Application Instructions table for the specific crops. Rancona 3.8 FS does not provide activity against *Pythium* spp. or *Phytophthora* spp. To provide best seedling protection against these specific fungal pathogens, use Rancona 3.8 FS in combination with a product containing metalaxyl (such as Belmont® 2.7 FS) at the label rate registered for your crop and disease complex. Consult the label for appropriate use rate and follow all use instructions and precautions for both products. For broader spectrum control, Rancona 3.8 FS may be mixed in a water-based slurry with other registered seed treatment insecticides and fungicides, however, do not use with other seed treatment products unless previous experience assures compatibility.

NOTE: **This product is undyed.** The purchaser of this product is responsible for ensuring that all seed treated with this product are adequately colored with a suitable colorant to prevent its accidental use as food for man or feed for animals. Refer to 21CFR, Part 2.25. Any colorant added to treated seed must be cleared for use under 40CFR, Part 153.155.

#### **SEED TREATMENT EQUIPMENT**

**Rancona 3.8 FS** may be applied with standard mechanical, slurry, or mist-type commercial seed treating equipment only, provided that the equipment can be calibrated to accurately and uniformly apply the product to seed. *Do not use Rancona 3.8 FS* on agricultural establishments in hopper-box, planter-box, slurry-box or other seed treatment applications at or immediately before planting.

Uniform application to seed is necessary to ensure best disease protection and optimum performance. Seed should be sound and well-cured before treatment. Refer to the label rates in **APPLICATION INSTRUCTIONS**. Product requires dilution prior to application. Contact your local <u>UPL NA Inc. Arysta LifeScience North America, LLC</u> representative or supplier for specific recommendations.

## TREATED SEED LABELING

Seed that has been treated with this product that is then packaged or bagged for future use must contain the following labeling on the outside of the seed package or bag:

"This bag contains seed treated with ipconazole. Do not use for Food, Feed, or Oil Purposes. Persons opening this bag or loading/pouring the treated seed must wear a long-sleeved shirt, long pants, shoes, socks and chemical-resistant gloves. After seeds have been planted, do not enter or allow worker entry into treated areas during the restricted entry interval (REI) of 12 hours. *Exception:* Once seeds are planted and covered by soil or other planting media, the Worker Protection Standard (WPS) allows workers to enter the treated area without restriction."

"Do not graze or feed livestock on treated areas or hay grown from treated peanut seed."

# APPLICATION INSTRUCTIONS FAILURE TO FOLLOW DIRECTIONS ON THIS LABEL MAY RESULT IN CROP INJURY OR POOR DISEASE CONTROL

Crop	Application Rate	Diseases Controlled	<sup>1</sup> Diseases Partially Controlled
Wheat	0.051 - 0.085 fl oz per 100 lb seed To deliver 0.0005 - 0.0009 mg ai	Seed rots (seed- and soil-borne Aspergillus spp. and Penicillium spp.)	Common Root Rot (Cochliobolus sativus)
	per seed, apply 0.004 - 0.007 fl oz per 100,000 seeds (Based on average of 13,000 seeds per lb)	Seed rot, damping off and seedling blights (seed- and / or soil-borne Fusarium spp., Rhizoctonia solani and Cochliobolus sativus)	Crown and Foot Rot (Fusarium spp.)
		Loose Smut ( <i>Ustilago tritici</i> )	
		Common bunt ( <i>Tilletia caries, T. foetida</i> )	
Barley	0.051 - 0.085 fl oz per 100 lb seed To deliver 0.0005 - 0.0009 mg ai	Seed rots (seed- and soil-borne Aspergillus spp. and Penicillium spp.)	Common Root Rot (Cochliobolus sativus)
	per seed, apply 0.004 - 0.007 fl oz per 100,000 seeds (Based on average of 13,000 seeds per lb)	Seed rot, damping off and seedling blights (seed- and / or soil-borne Fusarium spp., Rhizoctonia solani and Cochliobolus sativus)	Crown and Foot Rot (Fusarium spp.) Leaf stripe (Pyrenophora graminea)
		True Loose Smut ( <i>Ustilago nuda</i> )	,
		Covered Smut ( <i>U. hordei</i> )	
		False Loose Smut ( <i>U. nigra</i> )	
Oats	0.051 - 0.085 fl oz per 100 lb seed To deliver 0.0005 - 0.0009 mg ai	Seed rots (seed- and soil-borne Aspergillus spp. and Penicillium spp.)	Common Root Rot (Cochliobolus sativus)
	per seed, apply 0.004 - 0.007 fl oz per 100,000 seeds (Based on average of 13,000 seeds per lb)	Seed rot, damping off and seedling blights (seed- and / or soil-borne Fusarium spp., Rhizoctonia solani and Cochliobolus sativus)	Crown and Foot Rot (Fusarium spp.)
		Loose Smut (Ustilago avenae)	
		Covered Smut (U. kolleri)	
Rye, Triticale	0.051 - 0.085 fl oz per 100 lb seed To deliver 0.0004 - 0.0006 mg ai per seed, apply 0.003 – 0.005 fl	Seed rots (seed- and soil-borne  Aspergillus spp. and Penicillium spp.)  Seed rot, damping off and seedling	Common Root Rot (Cochliobolus sativus) Crown and Foot Rot
	oz per 100,000 seeds (Based on average of 18,850 seeds per lb)	blights (seed- and / or soil-borne Fusarium spp., Rhizoctonia solani and Cochliobolus sativus)	(Fusarium spp.)

Crop	Application Rate	Diseases Controlled	<sup>1</sup> Diseases Partially Controlled
Buckwheat, Millet	0.051 - 0.085 fl oz per 100 lb seed	Seed rots (seed- and soil-borne Aspergillus spp. and Penicillium spp.)	
		Seed rot, damping off and seedling blights (seed- and / or soil-borne Fusarium spp. and Rhizoctonia solani)	
Field Corn, Sweet Corn, Popcorn	0.044 - 0.085 fl oz per 100 lb seed	Seed rots (seed- and soil-borne Aspergillus spp. and Penicillium spp.)	Root Rot ( <i>Fusarium</i> spp.)
	For field corn: To deliver 0.0035 - 0.0067 mg ai per seed, apply 0.021 - 0.040 fl oz per 80,000 seeds (Based on average of 1,680 seeds per lb)	Seed rot, damping off and seedling blights (seed- and / or soil-borne Fusarium spp. and Rhizoctonia solani)	
	For sweet corn: To deliver 0.0019 - 0.0036 mg ai per seed, apply 0.011 - 0.022 fl oz per 80,000 seeds (Based on average of 3,150 seeds per lb)		
	For popcorn: To deliver 0.0019 - 0.0037 mg ai per seed, apply 0.012 - 0.022 fl oz per 80,000 seeds (Based on average of 3,060 seeds per lb)		
	0.34 fl oz per 100 lb seed	[*]Corn head smut (seed- and soilborne Sphacelotheca reiliana)	
	For field corn: To deliver 0.0269 mg ai per seed, apply 0.16 fl oz per 80,000 seeds (Based on average of 1,680 seeds per lb)		
	For sweet corn: To deliver 0.0144 mg ai per seed, apply 0.086 fl oz per 80,000 seeds (Based on average of 3,150 seeds per lb)		
	For popcorn: To deliver 0.0148 mg ai per seed, apply 0.089 fl oz per 80,000 seeds (Based on average of 3,060 seeds per lb)		
Sorghum	0.051 - 0.17 fl oz per 100 lb seed	Seed rots (seed- and soil-borne Aspergillus spp. and Penicillium spp.)	
		Seed rot, damping off and seedling blights (seed- and / or soil-borne Fusarium spp. and Rhizoctonia solani)	
Soybeans	0.085 fl oz per 100 lb seed	Seed rots (seed- and soil-borne Aspergillus spp. and Penicillium spp.)	Root rot caused by Fusarium spp.
	To deliver 0.0040 mg ai per seed, apply 0.043 fl oz per 140,000 seeds (Based on average of 2,800 seeds per lb)	Seed rot, damping off and seedling blights (seed- and / or soil-borne Fusarium spp., Rhizoctonia solani and Phomopsis (Diaporthe)	opp.
		Seed-borne Botrytis and Sclerotinia	

Crop	Application Rate	Diseases Controlled	<sup>1</sup> Diseases Partially Controlled
Beans (dried or succulent shelled and edible podded)	0.085 fl oz per 100 lb seed To deliver 0.0071 mg ai per seed, apply 0.053 fl oz per 100,000 seeds (Based on average of 1,600 seeds per lb)	Seed rots (seed- and soil-borne Aspergillus spp. and Penicillium spp.) Seed rot, damping off and seedling blights (seed- and / or soil-borne Fusarium spp. and Rhizoctonia solani) Seedling blight (seed-borne	Root rot ( <i>Fusarium</i> spp.) Anthracnose (seed-borne Colletotrichum lindemuthianum)
Peas (dried or succulent shelled and edible podded)	0.085 fl oz per 100 lb seed To deliver 0.0035 mg ai per seed, apply 0.027 fl oz per 100,000 seeds (Based on average of 3,200 seeds per lb)	Ascochyta spp.) Seed-borne Botrytis and Sclerotinia Seed rots (seed- and soil-borne Aspergillus spp. and Penicillium spp.) Seed rot, damping off and seedling blights (seed- and / or soil-borne Fusarium spp. and Rhizoctonia solani)	Root rot (Fusarium spp.)
		Seedling blight (seed-borne  Ascochyta spp.)  Seed-borne Botrytis and Sclerotinia	
<sup>2</sup> Peanuts	0.085 fl oz per 100 lb seed	Seed rots (seed- and soil-borne Aspergillus spp. and Penicillium spp.) Seed rot, damping off and seedling blights (seed- and / or soil-borne Fusarium spp., Rhizoctonia solani and Cylindrocladium spp.)	
Root Vegetables, except potatoes (seed, tubers, or propagating material)	0.34 fl oz per 100 lb seed	Seed rots (seed- and soil-borne Aspergillus spp. and Penicillium spp.) Seed rot, damping off and seedling blight (seed- and / or soil-borne Fusarium spp. and Rhizoctonia solani)	
Sunflower	0.051 - 0.085 fl oz per 100 lb seed	Seed rots (seed- and soil-borne Aspergillus spp. and Penicillium spp.) Seed rot, damping off and seedling blights (seed- and / or soil-borne Fusarium spp. and Rhizoctonia solani)	
Leafy Vegetables (Brassica)	0.051 - 0.34 fl oz per 100 lb seed	Seed rots (seed- and soil-borne Aspergillus spp. and Penicillium spp.) Seed rot, damping off and seedling blights (seed- and / or soil-borne Fusarium spp. and Rhizoctonia solani)	
Leafy Vegetables (non- Brassica)	0.051 - 0.34 fl oz per 100 lb seed	Seed rots (seed- and soil-borne Aspergillus spp. and Penicillium spp.) Seed rot, damping off and seedling blights (seed- and / or soil-borne Fusarium and Rhizoctonia solani)	
Spinach	0.34 fl oz per 100 lb seed	Seed rots (seed- and soil-borne Aspergillus spp. and Penicillium spp.) Seed rot, damping off and seedling blights (seed- and / or soil-borne Fusarium spp. and Rhizoctonia solani) Seed-borne Verticillium dahliae	

Crop	Application Rate	Diseases Controlled	<sup>1</sup> Diseases Partially Controlled
Cucurbits	0.051 - 0.34 fl oz per 100 lb seed	Seed rots (seed- and soil-borne Aspergillus spp. and Penicillium spp.)	
		Seed rot, damping off and seedling blights (seed- and / or soil-borne Fusarium spp. and Rhizoctonia solani)	
Cotton	0.051 - 0.34 fl oz per 100 lb seed	Seed rots (seed- and soil-borne Aspergillus spp. and Penicillium spp.)	
		Seed rot, damping off and seedling blights (seed- and / or soil-borne Fusarium spp. and Rhizoctonia solani)	
Mustard, Rape,	0.051 - 0.34 fl oz per 100 lb seed	Seed rots (seed- and soil-borne Aspergillus spp. and Penicillium spp.)	
Canola		Seed rot, damping off and seedling blights (seed- and / or soil-borne Fusarium spp. and Rhizoctonia solani)	
		Phoma stem canker / blackleg (Leptoshaeria maculans)	
Ornamental Flowers	0.051 - 0.34 fl oz per 100 lb seed	Seed rots (seed- and soil-borne Aspergillus spp. and Penicillium spp.)	
Flowers		Seed rot, damping off and seedling blights (seed- and / or soil-borne Fusarium spp. and Rhizoctonia solani)	
Conifers	0.051 - 0.34 fl oz per 100 lb seed	Seed rots (seed- and soil-borne Aspergillus spp. and Penicillium spp.)	
		Seed rot, damping off and seedling blights (seed- and / or soil-borne Fusarium spp. and Rhizoctonia solani)	
Turfgrass	0.051 - 0.085 fl oz per 100 lb seed	Seed rots (seed- and soil-borne Aspergillus spp. and Penicillium spp.)	
		Seed rot, damping off and seedling blights (seed- and / or soil-borne Fusarium spp. and Rhizoctonia solani)	

<sup>&</sup>lt;sup>1</sup>Partial control can either mean erratic control from good to poor, or consistent control at a level below that generally considered acceptable for commercial disease control.

[\*Not registered for use in California.]

# STORAGE AND DISPOSAL

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

**PESTICIDE STORAGE:** Store in original container only. After partial use, replace lid and close tightly. Store in a secure place that is temperate, dry and out of direct sunlight. Avoid excess heat. Do not freeze. ALWAYS SHAKE OR STIR WELL BEFORE USE.

**PESTICIDE DISPOSAL:** Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility. Cover or incorporate spilled treated seeds.

**EQUIPMENT CLEANING:** Following applications, all seed treatment equipment should be thoroughly rinsed with water. Do not contaminate water by disposal of equipment washwater or rinsate.

 $<sup>{\</sup>bf ^2}{\rm Do}$  not graze or feed livestock on treated areas or on hay grown from treated peanut seed.

#### CONTAINER HANDLING:

#### Nonrefillable Container

**Plastic Containers**: Do not reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying. Then offer container for recycling if available, reconditioning if appropriate, or puncture and dispose of in a sanitary landfill, by incineration, or if allowed by State and local authorities, by burning. If burned, stay out of smoke.

# Triple rinse as follows:

For containers with capacity equal to or less than 5 gallons: Empty the remaining contents into application equipment or a mix-tank and drain for 10 seconds after the flow begins to drip. Add water - at least 2% of the container volume, and up to 1/3 of the volume of water needed to make the proper slurry composition with a maximum of 1/4 of the container volume - and recap. Shake for 30 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. If used in application equipment, adjust the slurry volume application rate to account for any added rinsate water.

For containers with capacities greater than 5 gallons: Triple rinse as follows: Empty the remaining contents into application equipment or a mix-tank. Add water - at least 2% of the container volume, and up to 1/3 of the volume of water needed to make the proper slurry composition, with a maximum of 1/4 of the container volume. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 60 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other 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. If used in application equipment, adjust the slurry volume application rate to account for any added rinsate water.

#### **Refillable Container**

Refill this container with pesticide only. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller.

**To clean the container before final disposal**, empty the remaining contents into application equipment or mix-tank. Add water – at least 2% of the container volume, and up to 1/3 of the volume of water needed to make the proper slurry composition, with a maximum of 10% of the container volume. Replace and tighten closure. Agitate vigorously or recirculate the rinsate with a pump for at least 2 minutes, ensuring that the rinsate rinses the walls of the container. Empty the rinsate into application equipment or rinsate collection system, for later use or disposal. Repeat this procedure two more times. If used in application equipment, adjust the slurry volume application rate to account for any added rinsate water.

#### Recycling

Once cleaned, some agricultural plastic pesticide containers can be taken to a container collection site or picked up for recycling. To find the nearest site, contact your chemical dealer or manufacturer, or contact the Ag Container Recycling Council (ACRC) at 1-877-952-2272 (toll free) or www.acrecycle.org.

#### **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 MacDermid Agricultural Solutions, Inc. ("MacDermid"), 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.

MacDermid 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 MacDermid, and is subject to the inherent risks described above.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, MACDERMID DISCLAIMS ALL OTHER WARRANTIES, EXPRESSED OR IMPLIED, INCLUDING ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, MACDERMID, MANUFACTURER, AND SELLER DISCLAIM AND SHALL NOT BE LIABLE FOR ANY SPECIAL, INCIDENTAL, INDIRECT, OR CONSEQUENTIAL DAMAGES RESULTING FROM THE USE, HANDLING, APPLICATION, STORAGE, OR DISPOSAL OF THIS PRODUCT OR FOR DAMAGES

IN THE NATURE OF PENALTIES, AND THE USER AND BUYER WAIVE ANY RIGHT THAT THEY MAY HAVE TO SUCH DAMAGES. NO AGENT, REPRESENTATIVE OR EMPLOYEE OF MACDERMID IS AUTHORIZED TO MAKE ANY WARRANTY, GUARANTEE OR REPRESENTATION BEYOND THOSE CONTAINED HEREIN OR TO MODIFY THE WARRANTIES CONTAINED HEREIN.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE TOTAL LIABILITY OF MACDERMID, MANUFACTURER, AND SELLER, SHALL BE LIMITED TO THE PURCHASE PRICE PAID, OR AT MACDERMID'S ELECTION, THE REPLACEMENT OF THE PRODUCT.

#### **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 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 for any claims relating to such factors.

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To the extent consistent with applicable law, UPL NA 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 UPL NA 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 UPL NA INC OR SELLER, THE REPLACEMENT OF THE PRODUCT.

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