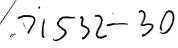
02-19-2010





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

OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

Mr. Matthew Brooks Ag-Chem Consulting Consultant for LG Life Science 12208 Quinque Lane Clifton, VA 20124

FEB 1 9 2010

Dear Mr. Brooks:

Subject: Amendment- deletion of combustible statement and addition of warranty statement Esfenvalerate 3.5% EC EPA Registration Number 71532-30 Your submission dated January 27, 2010

The application referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, is acceptable.

A stamped label is enclosed for your records.

If you have any questions regarding this action, please contact Linda A. DeLuise of my team at (703) 305-5428.

Sincerely yours,

Led A Che Leven

Richard Gebken

Product Manager (10)

Insecticide Branch

Registration Division (7505P)

Enclosure

# **ESFENVALERATE 3.5% EC**

# Dilute with water or Oil CONTROLS OR KILLS LISTED PESTS IN AND AROUND STRUCTURES

[] indicates alternate or optional wording.

For Use in and Around the Home and Food and Non-Food Areas of: Schools, Warehouses, Office Buildings, Apartment Buildings, Theatres, Hotels, Motels, Kennels, Food Processing Plants, Food Service Establishments, Truck Trailers, Railroad Cars, and Food Manufacturing and Warehousing Establishments.

Also for Use on Lawns to Kill Fleas and Ticks.

[Guaranteed to work or your money back] [Kills pests on indoor & outdoor surfaces.] [Mixes with water.] [Makes up to \_\_\_\_ Gallons.]

#### **ACTIVE INGREDIENT:**

Esfenvalerate (CAS #66230-04-4) .....

- OTHER INGREDIENTS.....
  - Contains petroleum distillates

# enticide Ac as amerated, for the postio refletored unda Era Reg. No.

3.48%

# KEEP OUT OF REACH OF CHILDREN

# **CAUTION**

|                         | FIRST AID   |  |  |
|-------------------------|---|--|--|
| IF SWALLOWED:           | <ul> <li>Immediately call a poison control center or doctor.</li> <li>Do not induce vomiting unless told to do so by a poison control center or a doctor.</li> <li>Do not give any liquid to the person.</li> </ul>   |  |  |
| IF ON SKIN OR CLOTHING: | <ul> <li>Do not give anything by mouth to an unconscious person.</li> <li>Take off contaminated clothing.</li> <li>Rinse skin immediately with plenty of water for 15-20 minutes.</li> </ul>  |  |  |
|                         | Call a poison control center or doctor for treatment advice.  |  |  |
| IF INHALED:             | <ul> <li>Move person to fresh air.</li> <li>If person is not breathing, call 911 or an ambulance. 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> |  |  |

NOTE TO PHYSICIAN: Contains petroleum distillate – vomiting may cause aspiration pneumonia. Have the product container or label with you when calling a poison control center or doctor, or going for treatment. For information regarding medical emergencies or pesticide incidents, call the International Poison Center at 1-888-740-8712.

> Manufactured by: LG Life Sciences, Ltd 910 Sylvan Avenue Englewood Cliffs, NJ 07632

EPA Reg. No

71532-30

EPA Est. No.

5905-AR-01

5905-GA-01

5905-IA-01

44616-MO-01 66196-CA-01

71532-KOR-01

01-27-10

# PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

# **CAUTION**

Harmful if swallowed, inhaled or absorbed through skin. Avoid contact with skin, eyes or clothing. Avoid breathing vapor or spray mist. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Remove and wash contaminated clothing before reuse.

#### **ENVIRONMENTAL HAZARDS**

This product is toxic to fish, birds and other 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 ornamental fish ponds. Do not contaminate water when disposing of equipment wash waters or rinsate. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product into sewer systems without previously notifying the sewage treatment plant authority. For guidance, contact your State Water Board or Regional Office of the EPA.

# PHYSICAL OR CHEMICAL HAZARDS

Do not apply this product around electrical equipment due to the possibility of shock hazard.

#### DIRECTIONS FOR USE

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

#### SHAKE WELL BEFORE USE

Do not apply directly to food. Cover or remove all food and food-processing equipment during application. After spraying in meat packing plants, bakeries, and other food processing plants, wash all equipment, benches, shelving, etc. where exposed food will be handled with an effective cleaning compound, and then rinse with potable water.

In the home, all food processing surfaces and utensils should be covered during treatment or thoroughly washed before use following treatment.

Cover exposed food.

Do not spray plants used for food or feed.

Remove pets and birds and cover fish aquariums before spraying.

Do not allow children or pets to contact treated surfaces until spray has dried.

Do not apply this product in occupied patient rooms or in any rooms/areas while occupied by patients, the elderly or infirm. Do not apply to classrooms while in use.

Do not apply in institutions (including libraries, sports facilities, etc.) in the immediate area where occupants are present.

Do not tank mix this product with dichlorvos-(DDVP)-containing products.

Esfenvalerate 3.5%EC can be mixed with an EPA-registered insect growth regulator (IGR) or pyrethrin-containing product in areas where these products are allowed to be sprayed. Please check product- specific label directions before using.

The physical compatibility of Esfenvalerate 3.5%EC with tank mix partners should be tested before use. To determine the physical compatibility of Esfenvalerate 3.5%EC with other products use a 1 pint jar and add the proportionate amounts of the products and solvent. 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 acceptable, use the same procedure for adding required ingredients to the spray tank, If the combination proves not to be physically compatible, do not use these products in a tank mix. Observe the most restrictive of the labeling limitations and precautions of all products used in mixtures. Label Dosage Rates: No label dosage rates should be exceeded. This product cannot be mixed with any product containing a label prohibition against such mixing.

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### **INDOOR USE:**

GENERAL MIXING AND USE INSTRUCTIONS.: Use Esfenvalerate 3.5%EC insecticide to control the pests indicated in the listed

| Amount of Esfenvalerate 3.5%EC to use. | Mix with Water or Oil*  | % of active ingredient   | Application Information  |
|--|---|--------------------------|--|
| Mix one (1) fluid ounce                | with one (1) gallon of water (or oil and mix thoroughly before use. | 0.027% active ingredient | For maintenance control or light infestations use one (1) fluid ounce of concentrate per gallon      |
| Mix 7.9 mLs                            | with one (1) Liter of water or oil and mix thoroughly before use.   | _                        | For maintenance control or light infestations use 7.9 mls of concentrate per Liter                   |
|  | , , ,   |                          | For initial clean out of heavy infestations use two (2) fluid ounces of concentrate per gallon spray |
|  | with one(1) Liter of water or oil and mix thoroughly before use.    | 0.05% active ingredient. | For initial clean out of heavy infestations use 15.9 mLs of concentrate per Liter spray              |

For all applications of contact sprays, use at the rate of one (1) gallon (diluted spray) per 1,000 square feet (one (1) Liter of diluted spray / 25m<sup>2</sup>) of surface area.

#### **APPLICATION ONLY IN FOOD AREAS OF FOOD HANDLING ESTABLISHMENTS:**

#### DO NOT TREAT ESTABLISHMENTS WHERE LIVESTOCK FEED IS PRESENT

A food handling establishment is an area or place other than a private residence in which food is held, processed, prepared, and/or served.

Food areas of food handling establishments include areas for receiving, serving, storage (dry, cold, frozen, raw), packaging (canning, bottling, wrapping, boxing), preparing (cleaning, slicing, cooking, grinding), edible waste storage, enclosed processing systems (mills, dairies, edible oils, syrups).

Non-food areas of food handling establishments include garbage rooms, lavatories, floor drains (to sewers), entries and vestibules, offices, locker rooms, machine rooms, boiler rooms, garages, mop closets, and storage (after canning or bottling)

Serving areas are places where prepared foods are served, such as dining rooms, but excluding areas where foods may be prepared or held.

#### As a Surface Spray:

Do not apply when food processing facility is in operation or foods are exposed.

Do not apply this spray to surfaces or utensils that may come into contact with food; excessive residues in food may result.

To Kill the Accessible Stages of Granary Insects: Rice Weevils, Confused Flour Beetles, Rust Red Flour Beetles, Saw-Toothed Grain Beetles, Cadelles, Meal Moth Larvae and Adults, Cigarette Beetles, Drug Store Beetles, and Granary Weevils: Apply as a coarse wet spray to surfaces where these pests are normally found, such as floors and baseboards and around walls, benches, and pieces of equipment. Use at a dosage of one (1) gallon of spray dilution per 1,000 square feet (40ml/L). Pay particular attention to cracks, crevices, and similar protected locations in floors and walls. Spray thoroughly around and into floor drains, non-food conveyors, where granary insects may be found. Repeat Application as needed, but do not exceed more than one (1) application every fourteen (14) days.

<sup>\*(</sup>When using oil as the diluent, an odorless light petroleum hydrocarbon as defined by CFR Title 21, Sec. 172.884 must be used for all food areas and food related applications).

To Kill Ants, Centipedes, Cockroaches, Crickets, Earwigs, Millipedes, Psocids, Scorpions, Silverfish, Sowbugs, Spiders, and Waterbugs: Apply diluted spray with a sprayer that produces coarse, wetting droplets into all cracks and crevices in woodwork and floors, underneath sinks, areas behind pipes, and in all non-food contact places where these insects shelter. Use a dosage of one (1) gallon of spray dilution per 1,000 square feet (40ml/L). Contact as many insects as possible with direct spray. Repeat applications as needed, but do not exceed more than one (1) application every seven (7) days in restaurants and similar food service establishments or more than one application every fourteen (14) days in all types of food handling establishments.

### As A Space Spray:

To Kill Houseflies Mosquitoes, Gnats and Small Flying Moths: Close room and shut off all air conditioning or ventilating equipment. For space spray applications use a maximum of ten (10) ounces of concentrate diluted in one (1) gallon(79 mLs/L) of oil only to make a 0.25% spray. Use diluted spray in a mechanical aerosol fogger or generator which produces particles of aerosol size thirty (30 microns, or less). Direct spray first into all cracks and crevices, behind all equipment, appliances, cupboards, or any dark harborage areas, then treat as a space spray directing the spray towards the ceiling and upper corners of the room at the rate of one (1) ounce(30 mLs) (diluted spray) per 1,000 cubic feet (28.3 cubic meters) of space. Do not remain in treated area. Keep area closed for at least 1/2 hour and ventilate thoroughly before re-entry. Do not repeat application more than once every three (3) days.

To Kill The Adult and Accessible Forms of Insect Pests\* Of Stored Food (Stored In Multi-Walled Paper Bags Or In Cloth Bags) In Warehouses, Storage Rooms and Similar Locations: Do not apply when food processing facility is in operation or foods are exposed. Do not apply this spray to surfaces or utensils that may come in contact with food. Food contact surfaces and equipment should be thoroughly cleaned with an effective cleaning compound and rinsed with potable water before using.

Infested stored products should be removed and destroyed, furnigated or treated with other products approved for this use.

Use as above in mechanical aerosol foggers at the rate of one (1) ounce (30 mLs) per 1,000 cubic feet (28.3 cubic meters) of space. Keep area closed for at least 1/2 hour. Do not remain in treated area and ventilate thoroughly before re-entry. Do not repeat application more than once every three (3) days.

\*Rice Weevil, Yellow Meal Worm, Cadelle, Confused Flour Beetle, Saw-Toothed Grain Beetles, Angoumois Grain Moth, Mediterranean Four Moth, Indian Meal Moth, Cigarette Beetle, Grain Mites and Cockroaches.

To Treat Voids in Equipment and Structures: To kill Ants (including Carpenter Ants), Centipedes, Cockroaches, Crickets, Earwigs, Psocids, Scorpions, Silverfish, Spiders, Waterbugs, and Insect Pests of Stored Food: To kill insects harboring in wall voids and other inaccessible spaces in equipment and structures, use injection equipment designed for deep void ULV (Ultra Low Volume) applications. Follow the injection equipment manufacturer's recommendations for proper set up and air pressures. Place the applicator tip at or into the void space to be treated. For inaccessible voids, it may be necessary to drill an access hole(s). Inject product into the void space in short bursts, allowing the air pressure to push insecticide deep into the space. Avoid applying to the point of runoff or drip. Ventilate area thoroughly before re-entry. Do not reapply more than every fourteen (14) days.

# **RESIDENTIAL/COMMERCIAL USE INDOORS:**

Application within residential and non-residential buildings including homes, apartment buildings, kennels, and non-food areas of industrial, institutional, and commercial buildings, such as hospitals, hotels, warehouses, truck trailers, railroad cars, theatres, office buildings, and schools.

Non-food areas of food handling establishments include garbage rooms, lavatories, floor drains (to sewers), entries and vestibules, offices, locker rooms, machine rooms, boiler rooms, garages, mop closets, and storage (after canning or bottling).

Apply as a coarse wet spray to thoroughly treat hiding places, such as cracks, crevices, and moist areas around pipes, under refrigerators, and along baseboards to control pests listed below. Use at the rate of one (1) gallon of spray mixture per 1,000 square feet (40ml/m2). Spray directly on insects when possible. Do not permit humans or pets to contact treated surfaces until the spray has dried. Repeat as necessary. Do not treat establishments where livestock feed is present.

To Kill Ants, Centipedes, Cockroaches, Crickets, Earwigs, Millipedes, Psocids, Scorpions, Silverfish, Sowbugs, Spiders, and Waterbugs: Spray areas where these pests are found or may hide, including dark corners of rooms and closets; cracks and crevices in walls; along baseboards and door and window frames; behind and beneath sinks, stoves, refrigerators and cabinets; and around garbage cans, plumbing and other utility installations. Pests driven out of hiding places should be sprayed directly. For Ants, apply to ant trails, around doors and windows, and wherever these pests may find entrance. Repeat as necessary.

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To Kill Brown Dog Ticks and Fleas: For Control of Brown Dog Ticks, thoroughly apply as a spot treatment to infested areas such as pet beds and resting quarters; nearby cracks and crevices; along and behind baseboards, window and door frames; and localized areas of floor and floor coverings where these pests may be present. For control of Fleas, thoroughly apply a fine particle broadcast spray using the one (1) ounce per gallon (7.9 mL/L) of water dilution for infested rugs, carpets, and pet resting areas. Prior to treatment, aquariums and fish bowls should be covered and birds, such as canaries, removed from the area. Do not permit humans or pets to contact treated surfaces until the spray has dried. Old bedding should be removed and replaced with clean, fresh bedding after treatment. Do not spray pets with this product. Treat dogs and cats with a product registered for use on animals.

To Kill Carpenter Ants: Apply two (2) ounces per one (1) gallon of water (15.9 mL/L) as a coarse spray around doors, door frames, windows, and other areas where these ants enter the premises or hide. Spray into cracks and crevices and through openings or small newly drilled holes into wall voids where these ants or their nests are present.

# **OUTDOOR USE:**

GENERAL OUTDOOR USE INSTRUCTIONS: Use Esfenvalerate 3.5%EC at the rate of two (2) fluid ounces per one (1) gallon of water (15.9mL/L) to control on contact Ants, Cockroaches, Crickets, Sowbugs, Spiders, and Ticks.

Use at the rate of one (1) gallon diluted product per 1,000 square feet (one (1) L diluted product/ 25 m<sup>2</sup>) to outside surfaces of buildings, porches, patios, garages and other areas where these pests have been seen or are found. Avoid soaking young or flowering plants.

| Amount of product to use | Amount of Water to use | Area to be treated |
|--------------------------|------------------------|--------------------|
| 2 Fluid Ounces           | 1 Gallon               | 1000 sq ft.        |
| 15.9 mL                  | 1 Liter                | 25 m <sup>2</sup>  |

# Do not spray in or near fish ponds or other bodies of water.

Building Perimeter Treatment: To help prevent infestations of buildings by Ants, Crickets, Spiders, Centipedes, and Sowbugs (Pillbugs), treat a 12-18 inch (0.30-0.46 m) band of soil or other substrate adjacent to buildings and the building foundation to a height of 2 to 3 feet (0.6-0.9 m) where these pests are active and may find entrance. Use two (2) fluid ounces of concentrate per gallon (15.9 mL/L) of water and apply as a coarse wet spray at the rate of one (1) gallon per 1,000 square feet (one (1) L of diluted product  $/ 25\text{m}^2$ ).

## WOOD DESTROYING INSECTS OUTDOORS ONLY:

TO KILL EXPOSED/SWARMING TERMITES: Use two (2) fluid ounces of Esfenvalerate 3.5%EC per one (1) gallon (15.9 mL/L) of water and apply as a coarse, wetting spray where swarming termites are seen emerging from wood piles, wooden fence posts, wooden structures, or from the ground. Swarming usually occurs in the spring or at other times when a termite colony becomes overcrowded and new reproductive termites with wings emerge and fly away to mate and establish new colonies. This treatment will control the swarming termites but will not protect the structure from which the swarm is coming. Use only as a contact spray to kill emerging reproductive (winged) and worker termites emerging from infested wood.

Esfenvalerate 3.5%EC will kill workers and/or winged reproductive forms of subterranean termites present at time of application only. Application of this product will not provide structural protection or substitute for mechanical alteration, soil or foundation treatment with termiticides, as it is not designed to offer structural protection and will not prevent future infestations. A professional inspection is recommended.

Carpenter Bees, Carpenter Ants, Old House Borers, Powder Post Beetles, Furniture Beetles, Round-Headed House Borers, and Deathwatch Beetles: Use two (2) fluid ounces of Esfenvalerate 3.5%EC per gallon (15.9 mL/L) of water and apply as a coarse, wetting spray to exposed pests and to the damaged areas of wood, spraying into galleries or tunnels in the exposed wood. Also spray around doors, door frames, windows, and other areas where these pests may enter the house or hide. Spray into cracks and crevices and, if necessary, drill small holes and spray into inaccessible wooden structural voids where these pests are suspected.

# **LAWN FLEA AND TICK CONTROL:**

To Kill Fleas and Ticks Harboring in Lawns and Backyards: For power sprayers, dilute and apply as shown in the table below.

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[Hose End Sprayer Instructions]

[Use this concentrate in a hose-end sprayer. Place required amount of concentrate in sprayer jar (see chart below) and fill with water to the recommended level. Mix well. Attach to sprayer and spray as recommended.]

For best results, lawn should be mowed one to two (1-2) days before spraying. Spray using a slow, even sweeping motion, being sure to cover the entire lawn surface where the pets will normally frequent. Spray under ornamentals and trees, but avoid soaking young or flowering plants. Repeat treatments may be necessary at 7 to 14 day intervals. Kills the <u>Ixodes dammini</u> tick (deer tick), which transmits Lyme disease, on contact. Also kills foraging fire ants upon direct contact. A registered fire ant mound treatment should also be used in conjunction with this product.

Keep pets and children out of the treated area until after the spray has dried. Do Not Spray Animals. Also, treat dogs and cats and their kennel or bedding area with a registered flea control product in conjunction with this application.

| Amount of Product to Use<br>Fluid Ounces | Amount of Water to Use | Area of Lawn to be Treated |
|--|------------------------|----------------------------|
| 1/6 Fluid Ounce                          | 3 gallons              | 500 sq. ft. (50' X 10')    |
| (5 mL)                                   | (11.34L)               | $(46.5 \text{ m}^2)$       |
| 1/3 Fluid Ounce                          | 6 gallons              | 1,000 sq. ft. (50' X 20')  |
| (10 mL)                                  | (22.68L)               | $(93.0 \text{ m}^2)$       |
| 2/3 Fluid Ounce                          | 12 gallons             | 2,000 sq. ft. (50' X 40')  |
| (20 mL)                                  | (45.36L)               | (186 m²)                   |

OUTDOOR CONTROL OF ASIAN COCKROACHES: Dilute ten (10) teaspoons (fifty (50) mL) of Esfenvalerate 3.5%EC in 30 gallons (113.4L) of water to treat 5,000 sq. ft. (465 m<sup>2</sup>) Repeat as needed. Keep children and pets off treated areas for 24 hours or until the grass has completely dried.

#### STORAGE AND DISPOSAL

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

<u>PESTICIDE STORAGE</u>: Store in a warm, dry area. Always store pesticides in the original container. Store away from food and pet food.

# PESTICIDE DISPOSAL:

To avoid wastes, use all material in this container by application according to label directions. If wastes cannot be avoided, offer remaining product to a waste disposal facility or pesticide disposal program (often such programs are run by stator or local governments or by industry.)

Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility. In case of spill or leak, soak up with sand, earth or synthetic absorbents. Do not use alkaline absorbents or clean area of spill with alkaline detergents.

PESTICIDE DISPOSAL AND CONTAINER HANDLING [RESIDENTIAL USE]: Nonrefillable container. Do not reuse or refill this container. If empty: Place in trash or offer or recycling if available. If partly filled: Call your local solid waste agency for disposal instructions. Never placed unused product down nay indoor or outdoor drain.

#### CONTAINER HANDLING:

Nonrefillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying. Then offer for recycling if available, or puncture and dispose of in a sanitary landfill.

Triple Rinse as follows [for containers of 5 Gallons (18.9 L) or less]: 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.

Triple Rinse as follows [for containers greater than 5 Gallons (18.9 L)]: Empty the remaining contents into application equipment or a mix tank. Fill the container ¼ 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. Turn the container over onto its other end and tip 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.



#### 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 must be followed carefully. It is impossible to eliminate all risks inherently 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 LG LIFE SCIENCES, LTD. or 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 LG LIFE SCIENCES, LTD. and Seller harmless for any claims relating to such factors.

LG LIFE SCIENCES, LTD. 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 the product contrary to label instructions, or under abnormal conditions or under conditions not reasonably foreseeable to or beyond the control of Seller or LG LIFE SCIENCES, LTD., and Buyer and User assume the risk of any such use. To the extent consistent with applicable law LG LIFE SCIENCES, LTD. 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 LG Life Sciences, Ltd. or seller shall not 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 LG LIFE SCIENCES, LTD. 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 LG LIFE SCIENCES, LTD. OR SELLER, THE REPLACEMENT OF THE PRODUCT.

LG LIFE SCIENCES, LTD. and Seller offer this product, and Buyer and User accept it, subject to the foregoing Conditions of Sale and Limitation of Warranty and of Liability, which may not be modified except by written agreement signed by a duly authorized representative of LG LIFE SCIENCES, LTD.

LG Life Sciences, Ltd. 910 Sylvan Avenue Englewood Cliffs, NJ 07632

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