

71711-14

03/05/2004

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Please read instructions on reverse before completing form. Form Approved, OMB No. 2070-0060, Approval expires 7-28-95



United States  
Environmental Protection Agency  
Washington, DC 20460

 Registration  
 Amendment  
 Other

OPP Identifier Number

### Application for Pesticide - Section I

1. Company/Product Number 71711-14	2. EPA Product Manager Mary Waller	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Moncut 70-DF Fungicide	PM# 21	
5. Name and Address of Applicant (Include ZIP Code) Nichino America, Inc. 4550 New Linden Hill Road, Suite 501 Wilmington, DE 19808 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____	

### Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____	<b>NOTIFICATION</b>  MAR 5 - 2004
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.	
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.	

**Explanation:** Use additional page(s) if necessary. (For section I and Section II.)

To add in-furrow use on peanuts on section 3 label  
 Attachments: one copy of labeling with changes highlighted; three (3) copies of labeling identified as 021204; "Certification Statement" Letter M.A. Maks to M. Waller, dated Feb. 17, 2004

### Section - III

1. Material This Product Will Be Packaged In:					
Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		2. Type of Container <input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input checked="" type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____	
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt	No. per container
3. Location of Net Contents Information <input type="checkbox"/> Label <input checked="" type="checkbox"/> Container		4. Size(s) Retail Container 5 lb.		5. Location of Label Directions <input type="checkbox"/> on attached label	
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled <input type="checkbox"/> Other _____					

### Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Marie A. Maks	Title Manager, Regulatory Affairs	Telephone No. (Include Area Code) (302) 636-9001
<b>Certification</b> I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.		6. Date Application Received  (Stamped)
2. Signature <i>Marie A. Maks</i>	3. Title Manager, Regulatory Affairs	
4. Typed Name Marie A. Maks	5. Date Feb. 17, 2004	

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NOTIFICATION  
MAR 5 - 2004

**Certification Statement**

**NOTIFICATION OF MINOR REVISION CHANGE  
PER PR NOTICE 98-10**

**Nichino America, Inc. Moncut 70-DF Fungicide  
(EPA Reg. No. 71711-14)**

“This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to the EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.”

Marie A. Maks

Marie A. Maks

Manager, Regulatory Affairs

Title

Feb. 17, 2004

Date

**Nichino America, Inc.**

Hand-Delivered to EPA Mailroom February 18, 2004

February 17, 2004

Document Processing Desk (NOTIF)  
Office of Pesticide Programs (7504-C)  
Registration Division-H7505C  
U.S. Environmental Agency  
Room 266 A, Crystal Mall 2  
1921 Jefferson Davis Highway  
Arlington, VA 22202

Attention: Ms. Mary Waller, Product Manager 21

RE: Submission of Amended Section 3 Moncut® 70-DF Label in Conjunction with  
Notification PR Notice 98-10  
Nichino America, Inc.  
Moncut® 70-DF Fungicide (EPA Reg No. 71711-14)

Dear Ms. Waller:

Nichino America, Inc. (NAI) herein submits an application for a notification to the Moncut® 70-DF label. All changes to the label have been highlighted and include the following change per PR Notice 98-10 Section M 3. "Addition of similar application methods." We have added the in-furrow use on peanuts to the broadcast spray application on peanuts. We believe that this additional method of application meets the following criteria: no greater exposure (in fact, less exposure by in-furrow application), no change in dosage, concentration or timing, and product is not registered for public health related uses or termiticides.

Attached are the following documents to facilitate this notification:

- Five (5) copies of labeling, identified as 021204
- One (1) copy of label with changes highlighted
- Completed EPA Application form, 8570-1
- Notification of Minor Revision Change Per PR Notice 98-10

If you have any questions, you are welcome to call me at (302) 636-9001 or email at [mmaks@nichino.net](mailto:mmaks@nichino.net). Thank you.

Sincerely,



Marie A. Maks  
Manager, Regulatory Affairs

NICHINO AMERICA, INC.

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MON14c-021204  
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# Moncut<sup>®</sup> 70-DF FUNGICIDE

NOTIFICATION

MAR 5 - 2004

For Use on Peanuts\*, Rice\*, and Potatoes  
(\*Not for Use on Peanuts and Rice in California)

<b>ACTIVE INGREDIENT:</b>		<b>% By Wt.</b>
N-[3-(1-methylethoxy) phenyl]-2-(trifluoromethyl) benzamide .....		70.0%
<b>OTHER INGREDIENTS.....</b>		<b>30.0%</b>
<b>TOTAL</b>		<b>100.0%</b>

EPA Reg. No. 71711-14  
EPA Est. No. 67545-AZ-1

## KEEP OUT OF REACH OF CHILDREN CAUTION

FIRST AID	
<b>If on skin or clothing</b>	<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>
<b>If in eyes</b>	<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>
HOT LINE NUMBER	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-800-348-5832 for emergency medical treatment information. In case of fire or spills, information may be obtained by calling 1-800-424-9300.	

See (back, side, inside) label for First Aid and Precautionary Statements and attached booklet for complete Directions for Use.

Net Contents:

Active Ingredient Made in Japan; Manufactured and Packaged in USA

**Nichino America Inc.**  
4550 New Linden Hill Rd., Suite 501  
Wilmington, DE 19808  
www.nichino.net

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

**CAUTION**

Causes moderate eye irritation. Harmful if absorbed through the skin. AVOID contact with eyes, skin, or clothing.

**Personal Protective Equipment (PPE)**

**Applicators and other handlers must wear:**

- Long-sleeved shirt and long pants
- Chemical resistant gloves made of any waterproof material such as polyethylene or polyvinyl chloride
- Shoes plus socks

If you want more options for chemical-resistant materials, follow the instructions for category A on an EPA chemical-resistance category selection chart.

**User Safety Recommendations**

Do not eat, drink, smoke, or chew gum or tobacco while handling this product and until hands and face are thoroughly washed with soap and water. Do not use the toilet before thoroughly washing hands. If this product penetrated through your clothing or personal protective equipment, stop handling this product immediately, remove the clothing and equipment, wash your body thoroughly, and put on clean clothing and equipment before resuming the handling activity. After handling this product, remove personal protective equipment immediately. Wash the outside of gloves before taking them off. Shower or wash thoroughly and change into clean clothing as soon as possible. Discard clothing and personal protective equipment that cannot be reused, including clothing and other absorbent materials that have been drenched or thoroughly contaminated with this product's concentrate. Otherwise, wash clothing and personal protective equipment (including both the inside and outside of gloves) before each day of reuse according to manufacturer's directions or, if no such directions, in detergent and hot water. Keep and wash them separately from other laundry.

**ENVIRONMENTAL HAZARDS**

This pesticide is toxic to shrimp. For terrestrial uses, do not apply to water, to areas where surface water is present, or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment washwaters.

**DIRECTIONS FOR USE**

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

Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application. For any requirements specific to your State or Tribe, consult the agency in your state responsible for pesticide regulation.

**AGRICULTURAL USE REQUIREMENTS**

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR Part 170. This Standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE) and restricted-entry interval. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

Do not enter or allow worker entry into treated areas during the restricted-entry interval (REI) of 12 hours.

PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil, or water is:

- Coveralls
- Chemical-resistant gloves made of any waterproof material such as polyethylene or polyvinyl chloride
- Shoes plus socks

**GENERAL INFORMATION**

Moncut® 70-DF is a systemic fungicide for control of Southern stem rot (white mold) *Sclerotium rolfsii*, and the limb/pod rot complex, *Rhizoctonia solani*, in peanuts\*; for control of sheath blight, *Rhizoctonia solani*, in rice\*; and for control of black scurf, *Rhizoctonia solani*, in potatoes.

(\*not for use on peanuts and rice in California)

**MIXING INSTRUCTIONS**

- Buffer the water in the spray tank
- Fill the spray tank  $\frac{3}{4}$  full. Turn on spray tank agitation. Pour recommended amount of this material on the surface of water in the spray tank.
- Add balance of water to spray tank.
- Keep agitation running during filling and spraying operations.

## USE PRECAUTIONS

Do not use oil as carrier or add other additives to the finished spray.

Do not plant rotational crops other than peanuts\*, rice\*, or potatoes for 12 months following last application of Moncut 70-DF, with the following exceptions:

- Leafy vegetables (such as lettuce, spinach, or celery), or small grain crops (such as wheat, barley, rye, or oats) may be planted 150 days after the last application.
- Corn (such as field, sweet, or popcorn), sorghum, soybeans, or cotton may be planted 240 days following the last application of Moncut 70-DF.

(\*not for use on peanuts and rice in California)

## APPLICATION DIRECTIONS FOR PEANUTS (Not for Use in California)

Apply Moncut 70-DF as a broadcast foliar application using spray equipment commonly used to apply leafspot fungicide treatments. In fields with a history of high disease, or under prolonged conditions conducive to disease infection and development, higher labeled rates (1.43 lb./A or more) should be used for the most effective control. In such situations, sequential applications will provide more effective control than a single application. Moncut 70-DF may be applied in tankmix with leafspot treatments that fall within the recommended timing for Moncut 70-DF application.

Moncut 70-DF may be applied to peanuts through chemigation. (See application techniques below).

### Chemigation Application:

1. Determine the size of the area to be treated.
2. Determine the time required to apply  $\frac{1}{4}$  to  $\frac{1}{2}$  inch of water over the area to be treated when the system and injection equipment are operated at normal pressures as recommended by the equipment manufacturer.
3. Using water, determine the injection pump output when operated at normal line pressure.
4. Determine the amount of Moncut 70-DF required to treat the area covered by the irrigation system.
5. Add the required amount of Moncut 70-DF to the solution tank with sufficient water to meet the injection time requirements.
6. Make certain the system is fully charged with water before starting injection of the Moncut 70-DF solution. Time the injection to last at least as long as it takes to bring the system to full pressure.
7. Maintain constant solution tank agitation during the entire injection period.
8. Stop injection equipment after treatment is completed. Continue to operate the system until the Moncut 70-DF solution has cleared the last sprinkler head. (Also see APPLICATION AND CALIBRATION TECHNIQUES FOR SPRINKLER IRRIGATION section below.

**NICHINO AMERICA, INC.**

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**Ground Application:** By ground, apply recommended rate in 10-40 gallons of water per acre.

**Aerial Application:** By air, apply recommended rate in 5-10 gallons of water per acre.

Crop	Disease	Rate Per Acre (lb./a)	Application Directions
Peanuts	Southern stem rot (white mold, <i>Sclerotium rolfsii</i> ); limb/pod rot complex ( <i>Rhizoctonia solani</i> )	1.43 - 2.86	<b>One application program:</b> Apply 1.43 - 2.86 lbs. Moncut 70-DF per acre about 50-70 days after planting. Use the higher rates in fields known to have high disease incidence.
		0.71 - 1.43	<b>Two application program:</b> Apply 0.71 - 1.43 lbs. Moncut 70-DF per acre. Apply 50-70 days after planting and repeat with a second application of 0.71 - 1.43 lbs. Moncut 70-DF per acre about 30 days later. Use the higher rate in fields known to have high disease incidence.
		0.36 - 0.71	<b>Four application program:</b> Apply 0.36 - 0.71 lbs. Moncut 70-DF per acre. Begin when conditions are favorable for soilborne disease development, generally 50-70 days after planting. Repeat application at 10 to 14 day intervals for a total of four applications.
<ul style="list-style-type: none"> <li>• Apply no more than a combined total of 2.86 lbs. Moncut 70-DF per acre to peanuts as a broadcast application or through chemigation during a single growing season.</li> <li>• Do not apply later than 40 days prior to digging of peanuts.</li> <li>• Do not feed hay or threshings from rotational crops of soybeans or cotton planted following the harvest of treated peanuts (more than 1.43 lbs. Moncut 70-DF per acre), and do not allow cattle to graze soybean or cotton forage in these previously treated peanut fields.</li> </ul>			

**In-Furrow Application:**

**Use Rate And Method Of Application (to control *Rhizoctonia*)**

Apply 1.1 lbs of Moncut 70-DF per acre (see referenced chart) as an in-furrow spray by directing spray uniformly over the seed, bottom and walls of the seed furrow and soil that is used to cover the seed in a 4-8 inch band prior to covering with soil. Use a minimum of 3 gallons of spray volume per acre. Use highest rate when disease conditions are expected to be severe, or if field has a history of *Rhizoctonia* infestation.

**In-Furrow Application Rates**

Row Spacing	1.1 lb. rate per acre
	Ounces Product/ 1000 Row Ft.
40" Row	1.31 oz.
38" Row	1.24 oz.
36" Row	1.18 oz.
32" Row	1.11 oz.
30" Row	1.04 oz.

**USE PRECAUTIONS**

Rotational crops may be planted 365 days after the last application of Moncut 70-DF, with the following exceptions:

- Leafy vegetables (such as lettuce, spinach or celery), small grains (such as wheat, barley, oats, or rye) may be planted 180 days after the last application.
- Corn (such as field, sweet, or popcorn), soybeans, or cotton may be planted 240 days after the last application.



**APPLICATION DIRECTIONS FOR RICE (Not for Use in California)**

Apply Moncut 70-DF aerially in 5-10 gallons of water per acre, using one of the following schedules:

Crop	Disease	Rate Per Acre (lb./a)	Application Directions
Rice	Sheath blight ( <i>Rhizoctonia solani</i> )	0.5 – 0.71	Apply 0.5 - 0.71 lbs. Moncut 70-DF per acre at first internode elongation, and follow with a second application at the same rate 10 to 14 days later. Use the higher rate where disease pressure is expected to be heavy.
		0.5 – 1.0	In fields where close scouting is practiced to detect and monitor sheath blight, apply Moncut 70-DF when 5 -10% of the tillers of a susceptible variety or 10-15% of a moderately susceptible variety have sheath blight lesions. Apply Moncut 70-DF at 0.5 - 1.0 lbs. per acre. Continue scouting and reapply if disease begins to move up the rice stem again.
<ul style="list-style-type: none"> <li>• Do not apply more than 1.43 lbs. of Moncut 70-DF per acre per year.</li> <li>• Do not apply later than 30 days prior to rice harvest, or beyond 75% heading development stage, whichever occurs first.</li> <li>• This pesticide is toxic to shrimp. Do not apply this product within three miles of any estuarine/marine waterways or watershed.</li> <li>• Flooded fields may be used for aquaculture of crayfish only following rice harvest.</li> </ul>			

**APPLICATION DIRECTIONS FOR POTATOES (In-furrow Use Only)**

Do not apply this product through any type of irrigation system on potatoes.

Crop	Disease	Rate Per Acre (lb./a)	Application Directions
Potatoes	Black scurf ( <i>rhizoctonia solani</i> )	0.71 – 1.1 (see reference chart below)	Apply 0.71 - 1.1 lbs. Moncut 70-DF per acre (see reference chart) as an in-furrow spray by directing spray uniformly around and over the seed piece in a 4 to 8 inch band prior to covering with soil. Use a minimum of 3 gallons of spray volume per acre. Use the higher rate where disease pressure is expected to be severe, or if field has a history of <i>Rhizoctonia</i> infestation.

**IN-FURROW APPLICATION RATES**

Row Spacing	0.71 lb/acre	1.1 lb/acre
	Ounces Product/ 1000 Row Ft.	Ounces Product/ 1000 Row Ft.
40" Row	0.87 oz	1.31 oz
38" Row	0.83 oz	1.24 oz
36" Row	0.79 oz	1.18 oz
34" Row	0.74 oz	1.11 oz
32" Row	0.70 oz	1.04 oz

## APPLICATION AND CALIBRATION TECHNIQUES FOR SPRINKLER IRRIGATION

Apply this product only through center pivot, motorized lateral move, traveling gun, solid set, or portable (wheel move, side roll, end tow, or hand move) irrigation system(s). Do not apply this product through any other type of irrigation system. Crop injury, lack of effectiveness, or illegal pesticide residues in the crop can result from nonuniform distribution of treated water. If you have questions about calibration, you should contact State Extension Service specialists, equipment manufacturers, or other experts.

Do not apply this product through irrigation systems connected to a public water system. '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 per year.

Controls for both irrigation water and pesticide injection systems must be functionally interlocked, so as to automatically terminate pesticide injection when the irrigation water pump motor stops. A person knowledgeable of the irrigation system and responsible for its operation shall be present so as to discontinue pesticide injection and make necessary adjustments, should the need arise.

The irrigation water pipeline must be fitted with a functional, automatic, quick-closing check valve to prevent the flow of treated irrigation water back toward the water source. The pipeline must also be fitted with a vacuum relief valve and low pressure drain, located between the irrigation water pump and the check valve, to prevent back-siphoning of treated irrigation water into the water source.

Always inject this product into irrigation water after it discharges from the irrigation pump and after it passes through the check valve. Never inject pesticides into the intake line on the suction side of the pump.

Pesticide injection equipment must be fitted with a functional, normally closed, solenoid-operated valve located on the intake side of the injection pump. Interlock this valve to the power system, so as to prevent fluid from being withdrawn from the chemical supply tank when the irrigation system is either automatically or manually turned off.

The pesticide injection pipeline must contain a functional, automatic, quick-closing check valve to prevent the flow of fluid back toward the injection pump. 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.

Spray mixture in the chemical supply tank must be agitated at all times, otherwise settling and uneven application may occur. Do not apply when wind speed favors drift beyond the area intended for treatment.

This product may be used through two basic types of sprinkler irrigation systems as outlined in Sections A and B below. Determine which type of system is in place, then refer to the appropriate directions provided for each type.

### **A. Center Pivot, Motorized Lateral Move, and Traveling Gun Irrigation Equipment:**

For injection of pesticides, these continuously moving systems must use a positive displacement injection pump, of either diaphragm or piston type, constructed of materials that are compatible with pesticides and capable of being fitted with a system interlock and capable of injection at pressures approximately 2-3 times those encountered within the irrigation water line. Venturi applicator units cannot be used on these systems. Thoroughly mix recommended amount of this product for acreage

to be covered into same amount of water used during calibration and inject into system continuously for one revolution or run. Mixture in the chemical supply tank must be continuously agitated during the injection run. Shut off injection equipment after one revolution or run, but continue to operate irrigation system until this product has been cleared from last sprinkler head.

**B. Solid Set and Portable (Wheel Move, Side Roll, End Tow, or Hand Move) Irrigation Equipment:**

With stationary systems, an effectively designed in-line venturi applicator unit is preferred which is constructed of materials that are compatible with pesticides; however, a positive-displacement pump can also be used. Determine acreage covered by sprinkler. Fill tank of injection equipment with water and adjust flow to use contents over a 30 to 45 minute period. Mix desired amount of this product for acreage to be covered with water so that the total mixture of this product plus water in the injection tank is equal to the quantity of water used during calibration, and operate entire system at normal pressures recommended by the manufacturer of injection equipment used, for amount of time established during calibration. Agitation is recommended. This product can be injected at the beginning or end of the irrigation cycle or as a separate application. Stop injection equipment after treatment is completed and continue to operate irrigation system until this product has been cleared from last sprinkler head.

**ENDANGERED SPECIES**

**Restrictions in the State of Arkansas:**

The use of Moncut 70-DF (flutolanil) on rice is restricted to protect the endangered fat pocketbook pearly mussel (*Potamilus capax*) and its habitat. Use is prohibited in the following areas of Arkansas:

**Mississippi County:** Within the basin that drains directly into the Right Hand Chute of Little River, south of Big Lake National Refuge.

**Poinsett County:** Between Crowley's Ridge and the levee east of the Right Hand Chute of Little River and the St. Francis Floodway. Use is also prohibited west of Rt. 140 and north of Rt. 63 at the SIPHON near Marked Tree, except that the prohibited area does not include the area bounded by Arkansas Highway 373 on the west, Highway 63 on the east, and Highway 14 on the south.

**Cross, St. Francis, and Lee Counties:** Between Crowley's Ridge and the levee east of the Right Hand Chute of Little River and the St. Francis Floodway as far south as the confluence of L'Anguille River (Lee County).

**STORAGE AND DISPOSAL**

**Storage:** Store in a cool, dry place.

**Pesticide Disposal:** Do not contaminate water, food or feed by storage or disposal. Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

**Container Disposal:** Completely empty bag into application equipment. Then dispose of empty bag in a sanitary landfill or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

**IMPORTANT: READ BEFORE USE**

By using this product, user or buyer accepts the following conditions, warranty, disclaimer of warranties, and limitations of liability.

**CONDITIONS:** The directions for use of this product are believed to be accurate and should be followed carefully. However, because of extreme weather and soil conditions, use methods and other factors beyond the control of Nichino America, Inc. (NAI), it is impossible for NAI to eliminate all risks associated with the use of this product. As a result, crop injury or ineffectiveness is always possible. All such risks are assumed by the user or buyer.

**DISCLAIMER OF WARRANTIES:** THERE ARE NO WARRANTIES, EXPRESS OR IMPLIED, OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE OR OTHERWISE, WHICH EXTEND BEYOND THE STATEMENTS MADE ON THIS LABEL. No agent of NAI is authorized to make any warranties beyond those contained herein or to modify the warranties contained herein. NAI disclaims any liability whatsoever for incidental or consequential damages, including, but not limited to, liability arising out of breach of contract, express or implied warranty (including warranties of merchantability and fitness for a particular purpose), tort, negligence, strict liability, or otherwise.

**LIMITATIONS OF LIABILITY:** THE EXCLUSIVE REMEDY OF THE USER OR BUYER FOR ANY AND ALL LOSSES, INJURIES OR DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, WHETHER IN CONTRACT, WARRANTY, TORT, NEGLIGENCE, STRICT LIABILITY, OR OTHERWISE, SHALL NOT EXCEED THE PURCHASE PRICE PAID, OR AT THE ELECTION OF NICHINO AMERICA, THE REPLACEMENT OF PRODUCT.

021204

**Nichino America, Inc.  
4550 New Linden Hill Rd., Suite 501  
Wilmington, DE 19808**

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Moncut® is a trademark of Nichino America, Inc.