

	United States Environmental Protection Agency Washington, DC 20460	<input type="checkbox"/> Registration	OPP Identifier Number
		<input type="checkbox"/> Amendment	
		<input checked="" type="checkbox"/> Other	

Application for Pesticide - Section I

1. Company/Product Number 71711-15	2. EPA Product Manager Marion Johnson	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Applaud 70 WP Insect Growth Regulator	PM# 10	
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 _____	NOTIFICATION FEB 19 2003
<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 submit Applaud 70WP master label with spray volume gallonage for all crops removed from "Use Precautions" Box and listed with individual crops
Attachments: ^{two (2)} copies of label, identified as APP15G-011703; Certification Statement for Notification per PR Notice 98-10; letter M.A. Maks to M. Johnson, dated Jan. 17, 2003

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Metal	<input type="checkbox"/> Plastic
* Certification must be submitted	If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt	<input checked="" type="checkbox"/> Paper	<input type="checkbox"/> Other (Specify) _____
			5, 1.08lb	5x1lb. 3x 0.36	
3. Location of Net Contents Information <input type="checkbox"/> Label <input checked="" type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions	
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph Paper glued 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)
Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.		6. Date Application Received (Stamped)
2. Signature 	3. Title Manager, Regulatory Affairs	
4. Typed Name Marie A. Maks	5. Date January 17, 2003	

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Certification Statement

NOTIFICATION

FEB 19 2003

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

**Nichino America, Inc. Applaud® 70 WP Insect Growth Regulator
(EPA Reg. No. 71711-15)**

“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, Regul. Affairs
Title

Jan. 17, 2003
Date

SEARCHED
SERIALIZED
INDEXED
FILED
FEB 19 2003
FBI - MEMPHIS

3/10

January 17, 2003

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

RE: Notification to EPA of Submission of Revised Section 3 Label with Accurate
Spray Gallonage Reference
Nichino America, Inc. Applaud® 70 WP Insect Growth Regulator
(EPA Reg No. 71711-15)
(ref. Letter A. Layne to M. A. Maks, dated September 19, 2001)

Attention: Mr. Marion Johnson (PM-10)

Dear Mr. Johnson:

Per the referenced letter, EPA required that we include a revised minimum spray volume of 2 gallons for use by air on tomatoes, to reflect the residue data generated to support the tolerance. In error, this statement was placed in the "Use Precautions" box, inaccurately reflecting that all uses on the Applaud® 70 WP label needed to follow this aerial gallonage. This is in conflict with individual crops, such as cotton, which requires more volume than to tomatoes. The EPA also requested a statement that spray volume be sufficient to attain good coverage and this statement has already been placed under the "General Information" section. The change in the attached label is permitted under "Notification" (II.N.), other minor revisions.

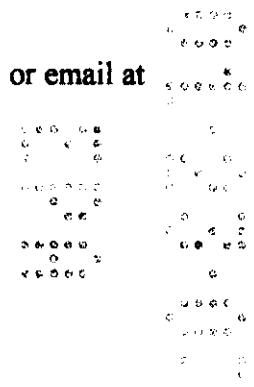
Attached are the following:

- Two (2) copies of final printed label, identified as APP15G-011703
- EPA application form
- "Notification of Minor Revision Change per PR Notice 98-10"
EPA letter, A. Layne to M. A. Maks, dated September 19, 2001)

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

Sincerely,

Marie A. Maks
Manager, Regulatory Affairs



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Nichino America, Inc.

APPLAUD® 70WP Insect Growth Regulator The Intelligent Choice™

FOR Almonds, Bananas, Citrus, Cotton, Cucumbers, Grapes, Lettuce, Melons, Pumpkins, Squash, and Tomatoes

ACTIVE INGREDIENT:

Buprofezin: 2-*tert*-butylimino-3-isopropyl-5-phenylperhydro-1,3,5-thiadiazin-4-one..... 70.00%

OTHER INGREDIENTS:..... 30.00%

TOTAL 100.00%

Contains 0.70 lbs. buprofezin per pound of product

EPA Reg. No. 71711-15

EPA Est. No. _____

NOTIFICATION

FEB 19 2003

**KEEP OUT OF REACH OF CHILDREN
CAUTION**

FIRST AID

If inhaled	<ul style="list-style-type: none"> • Move person to fresh air. • If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth to-mouth, if possible. • Call a poison control center or doctor for further treatment advice.
If on skin or clothing	<ul style="list-style-type: none"> • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15-20 minutes. • Call a poison control center or doctor for treatment advice.
If in eyes	<ul style="list-style-type: none"> • Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. • Call a poison control center or doctor for treatment advice.
If swallowed	<ul style="list-style-type: none"> • Call 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 do so by the poison control center or doctor. • Do not give anything by mouth to an unconscious person.

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.

NOTE TO PHYSICIAN: There is no specific antidote. All treatment should be based on observed signs and symptoms of distress in the patient. Overexposure to materials other than this product may have occurred.

For product information use internet website www.nichino.net

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; Formulated and Packaged in U.S.A.

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

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PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS CAUTION

Harmful if swallowed. Wash thoroughly with soap and water after handling. Harmful if absorbed through skin. Causes moderate eye irritation. Avoid contact with skin, eyes, or clothing. Harmful if inhaled. Avoid breathing spray mist. Remove contaminated clothing and wash before reuse.

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Waterproof gloves
- Shoes plus socks

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 before eating, drinking, chewing gum, using tobacco, or using the toilet.

ENGINEERING CONTROLS 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.

ENVIRONMENTAL HAZARDS

For terrestrial uses, do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water by cleaning of equipment or disposal of equipment washwaters.

IMPORTANT – Read the entire **Directions for Use** and **Disclaimer of Warranties** before using this product.

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 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 restricted entry interval (REI) of 12 hours.

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

- Coveralls over long-sleeved shirt and long pants
- Waterproof gloves
- Socks and chemical-resistant footwear

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GENERAL INFORMATION

APPLAUD® 70WP insect growth regulator contains the active ingredient, buprofezin. It is effective against the nymph stages of whitefly, scales, mealybugs, planthoppers, and leafhoppers by inhibiting chitin biosynthesis, suppressing oviposition of adults, and reducing viability of eggs. Treated susceptible pests may remain alive on the plant for 3-7 days, but feeding damage during this time is typically very low. APPLAUD 70WP is not disruptive to beneficial insects and mites.

Good coverage is essential. Apply by ground or air in sufficient water volume. Orient nozzles to assure good coverage. Use of higher volume of water will assure better coverage, especially under adverse conditions such as hot, dry weather, and/or a dense canopy. The entire field should be treated.

Apply when economic infestations occur based on local information.

INSECTS CONTROLLED

Whiteflies: Silverleaf whitefly (*Bemisia argentifolii*); Sweet potato whitefly (*Bemisia tabaci*); Greenhouse whitefly (*Trialeurodes vaporariorum*); Ash whitefly (*Siphoninus phillyreae*)

Mealybugs: Longtailed mealybug (*Pseudococcus longispinus*); Citrus mealybug (*Planococcus citri*); Mexican mealybug (*Phenacoccus gossypii*); Comstock mealybug (*Pseudococcus comstocki*); Obscure mealybug (*Pseudococcus affinis*)

Leafhoppers and Planthoppers: Cherry leafhopper (*Fieberiella florii*); Potato leafhopper (*Empoasca fabae*); Brown planthopper (*Nilaparvata lugens*)

Scales:

Soft Scales: Black scale (*Saissetia oleae*); Barnacle scale (*Ceroplastes cirripediformis*); Indian wax scale (*Ceroplastes ceriferus*) and other wax scales; Hemispherical scale (*Saissetia coffeae*); Tessellated scale (*Eucalymnatus tessellatus*); Brown soft scale (*Coccus hesperidum*); White peach scale (*Pseudaulacaspis pentagona*); False oleander scale (*Pseudaulacaspis cockerelli*)

Armored Scales: Cactus scale (*Diaspis echinocacti*); Coconut scale (*Aspidiotus destructor*); California red scale (*Aonidiella aurantii*); Florida red scale (*Chrysomphalus aonidum*); Fern scale (*Pinnaspis aspidistrae*); Boisduval scale (*Diaspis boisduvali*); Oystershell scale (*Lepidosaphes ulmi*); San Jose scale (*Quadraspidotus perniciosus*)

Margarodid Scale: Cottony cushion scale (*Icerya purchasi*)

MIXING, LOADING, AND HANDLING INSTRUCTIONS

USE PRECAUTIONS

DO NOT use APPLAUD 70WP water-soluble bags in a tankmix with products that contain boron, chromium, or other micronutrients.

GENERAL HANDLING INSTRUCTIONS

APPLAUD 70WP insect growth regulator is sealed in 1.0 lb. water-soluble bags. Do not open the foil-lined outer box until time of use. Do not use a knife or other sharp object to open the foil-lined outer box. Once the outer protective box has been opened, the water-soluble bag inside can be dropped into the spray tank at the appropriate time.

SPECIFIC MIXING INSTRUCTIONS: To ensure proper mixing of the soluble bags, follow the instructions below:

- APPLAUD 70WP ALONE:** Begin by filling the spray tank with clean water to prime the system (about 6 to 8 inches for most sprayers). Turn off the fill valve and drop the recommended number of soluble bags into the tank, distributing them across the bottom but not covering the circulation and outlet holes. After the bags have soaked for 2 minutes, start the agitation and agitate thoroughly for 2 minutes. With the agitation on, continue to fill the spray tank to the desired level. Agitate during spraying. If spraying must be stopped before emptying the sprayer, resume agitation before spraying the remainder of the load.
- APPLAUD 70WP TANK MIXTURES:** Follow all use directions as listed above under **APPLAUD 70WP ALONE** with the following exception: after the APPLAUD 70WP bags are thoroughly mixed and the water is added to fill the tank ½ full, add the recommended amount of wettable powder, soluble powder, flowable, emulsifiable concentrate, or soluble liquid product, while maintaining agitation. If a spray additive is needed, add a liquid fertilizer (except fertilizers containing boron, chromium or other micronutrients: see **USE PRECAUTIONS**), surfactant, or crop oil concentrate to the spray tank. Then continue adding water to the tank to achieve the desired level, while maintaining agitation.
- APPLAUD 70WP TANK MIXTURES WITH PRODUCTS IN WATER-SOLUBLE PACKAGING:** Follow all use directions as listed above under **APPLAUD 70WP ALONE** with the following exception: add the desired number of other water-soluble bags to the tank (if allowed by their label instructions) at the same time the APPLAUD 70WP bags are added to the spray tank.

HANDLING PRECAUTIONS FOR WATER-SOLUBLE BAGS

- Do not allow the foil-lined outer box or portions thereof to fall into spray tank as they are not water-soluble and may clog the sprayer.
- Do not handle the soluble bag with wet gloves, as the bag will begin to dissolve on contact with even a small amount of water.
- Do not open the soluble bag or attempt to remove the APPLAUD 70WP from it. The product is not designed to be remeasured or subdivided; the entire contents of the water-soluble bag must be used.

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Refer to the charts below for the proper application rate of APPLAUD 70WP insect growth regulator.

RESISTANCE MANAGEMENT

APPLAUD 70 WP belongs to a class of chemicals not previously used as pesticides and not known to be cross-resistant to other classes of insecticides. However, insect pests are known to develop resistance to products used repeatedly. Because resistance development cannot be predicted, the use of this product should conform to resistance management strategies established for the crop and use area. Such strategies may include rotating with insecticides with different modes of action. Consult your local pest control advisor or extension office for details. If resistance to this product develops in your area, it may not provide adequate control. If you experience difficulty with control, and resistance is a likely cause, consult your local state university horticultural specialist or local agricultural authorities for the best alternative method of control. To preserve the usefulness of APPLAUD 70WP, do not make more than two consecutive applications. Use an alternative chemistry with a different mode of action between applications. If a different crop in an adjacent field has been treated with APPLAUD 70WP against silverleaf whitefly within the past 28 days, do not apply APPLAUD 70WP as the first silverleaf whitefly application. Always consult your local crop advisor for the most appropriate control decision for your area. Resistance management strategies advise against applying rates lower than those recommended on the label.

**APPLICATION RATE CHART FOR
APPLAUD 70WP INSECT GROWTH REGULATOR**

Crop	Pest	Rate	DOSAGE RATES	
			lb Formulated Product	
Almonds ¹	San Jose scale	1.5-2.0 lb ai/A	2.14-2.86	(35 to 46 oz)
Bananas ²	Whiteflies, leafhoppers, mealybugs, scales	0.31 lb ai/A	0.44	(7 oz)
Citrus ³	California red scale	1.5-2.0 lb ai/A	2.14-2.86	(35 to 46 oz)
Cotton ⁴	Whiteflies	0.35 lb ai/A	0.5	(8 oz)
Cucumbers ⁵	Whiteflies	0.25 - 0.38 lb ai/A	0.36 - 0.54	(6 to 9 oz)
Grapes ⁶	Leafhoppers	0.38-0.5 lb ai/A	0.54 - 0.71	(9 to 12 oz)
Lettuce (head and leaf) ⁷	Whiteflies	0.25 - 0.38 lb ai/A	0.36 - 0.54	(6 to 9 oz)
Melons (cantaloupe, honeydew melons, watermelons, muskmelons) ⁸	Whiteflies	0.25 - 0.38 lb ai/A	0.36 - 0.54	(6 to 9 oz)
Pumpkins ⁸	Whiteflies	0.25 - 0.38 lb ai/A	0.36 - 0.54	(6 to 9 oz)
Squash ⁸	Whiteflies	0.25 - 0.38 lb ai/A	0.36 - 0.54	(6 to 9 oz)
Tomatoes ⁹	Whiteflies	0.25-0.38 lb ai/A	0.36 - 0.54	(6 to 9 oz)

1 Almonds

Treatment should be applied when peak crawler emergence occurs. Consult local or State agricultural authorities for details. Good coverage is essential. Apply by ground application using a minimum of 400 gallons of water per acre. Apply no more than one application per season. Do not apply within 60 days of harvest.

2 Bananas

Treatment should be applied when population level reaches economic threshold. Consult local or State agricultural authorities for details. Good coverage is essential. Apply by ground in a minimum of 15 gallons of water per acre. Use of a higher volume of water will assure better coverage, especially under adverse conditions, such as hot, dry weather and/or a dense canopy. Apply no more than four applications per season. Allow at least 14 days between applications. Do not apply within one day of harvest.

3 Citrus

Treatment should be made when peak crawler emergence occurs. Consult local and State agricultural authorities for details. Good coverage is essential. Apply by ground application using 750 to 2000 gallons of water per acre. Apply no more than two applications per season. Allow at least 60 days between applications. Do not apply within 60 days of harvest.

4 Cotton

Do not apply within 21 days of harvest in California and 14 days of harvest outside California. Treatment should be applied when population level reaches economic threshold. Consult local and State agricultural authorities for details. Good coverage is essential. With ground application, use 10 to 50 gallons of water per acre. For aerial application, use a minimum of 5 gallons per acre. Orient nozzles to assure good coverage. Use of a higher volume of water will assure better coverage, especially under adverse conditions, such as hot, dry weather and/or a dense canopy. The entire field should be treated. Apply no more than two applications per season. Allow at least 28 days between applications. See the **RESISTANCE MANAGEMENT** section.

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5 Cucumbers

Allow at least 7 days between applications to cucurbits.

Do not apply within 7 days of harvest.

Do not make more than 2 applications per crop cycle. Do not make more than 4 applications per year.

6 Grapes

Treatment should be applied when population level reaches economic threshold. Consult local and State agricultural authorities for details.

Good coverage is essential. Apply by ground application using 50 to 200 gallons of water per acre, depending on the size of the grapes. Orient nozzles to assure good coverage. Use of a higher volume of water will assure better coverage, especially under adverse conditions, such as hot, dry weather and/or a dense canopy.

Apply no more than two applications per season. Allow at least 14 days between applications.

Do not apply within 30 days of harvest.

7 Lettuce (Head and Leaf)

Do not apply within 10 days of harvest in California and 7 days outside California.

Allow at least 7 days between applications to lettuce.

Do not make more than 2 applications per crop cycle. Do not make more than 4 applications per year.

8 Melons (cantaloupe, honeydew melons, watermelons, muskmelons); Pumpkins; Squash

Do not apply within 10 days of harvest in California and 7 days outside California.

Allow at least 7 days between applications to cucurbit crops.

Do not make more than 2 applications per crop cycle. Do not make more than 4 applications per year.

9 Tomatoes

Treatment should be applied when population level reaches economic threshold. Consult local and State agricultural authorities for details.

Good coverage is essential. Apply in a minimum finished spray volume of 5 gallons per acre by air or 20 gallons per acre by ground to accommodate for the size of the tomato plants. Orient nozzles to assure better coverage. Use of a higher volume of water will assure better coverage, especially under adverse conditions, such as hot, dry weather and/or a dense canopy. The entire field should be treated.

Apply no more than two applications per season. Allow at least 28 days between applications.

Do not apply within 7 days of harvest.

See the **RESISTANCE MANAGEMENT** section.

USE PRECAUTIONS

Do not plant food crops not listed on this label within 120 days following application.

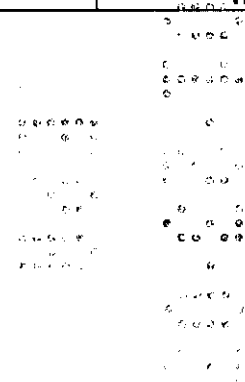
Do not apply this product through any type of irrigation system.

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**Application Chart for Determining Dosage Rate of Applaud 70WP
Using 5 X 1 lb Water-Soluble Bags or 1.08 lb Boxes**

Rate lb ai/A	lb Formulated/A	Number of 1 lb Water-Soluble Pkgs. (within 5 lb outer bag)	Number of 1.08 lb Boxes (containing 3 X 0.36 lb WSP ¹)	Number of Acres Treated
0.25	0.36	1		2.8
		3		8.4
		5		14.0
			1	3.0
			3	9.0
			5	15.0
0.31	0.44	1		2.3
		3		6.8
		5		11.4
			1	2.5
			3	7.4
			5	12.3
0.35	0.50	1		2.0
		3		6.0
		5		10.0
			1	2.2
			3	6.5
			5	10.8
0.38	0.54	1		1.8
		3		5.5
		5		9.2
			1	2.0
			3	6.0
			5	10.0
0.50	0.71	1		1.4
		3		4.2
		5		7.0
			1	1.5
			3	4.6
			5	7.6
1.5	2.14	1		0.5
		3		1.4
		5		2.3
			1	0.5
			3	1.5
			5	2.5
2.0	2.86	1	1	0.4
		3	3	1.1
		5	5	1.8

¹ water-soluble packages



STORAGE AND DISPOSAL

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

STORAGE: Store in original container, unopened, 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 DISPOSAL: Remove inner water-soluble bag from outer packaging and place inner bag into application equipment. Then dispose of empty outer packaging in a sanitary landfill, or by incineration, or, if allowed by State or 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.

01/17/03

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

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