

06-17-2009

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

OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

Marie A Maks Nichino America 4550 New Linden Hill Road - Suite 501 Wilmington, DE 19808

JUN 17 2009

Dear Ms. Maks:

Subject:

Revised Labeling

NNH-950-4 Herbicide

EPA File Symbol 71711-29

Your Notification submitted on May 14, 2009

The amendment referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended is acceptable provided that you submit one (1) copy of your final printed labeling before you release the product for shipment.

A stamped copy of the labeling is enclosed for your records.

If you have any questions concerning this letter, please contact me at 703-305-6224.

Sincerely yours,

Joanne I. Miller Product Manager (23) Herbicide Branch Registration Division (7505P)

Enclosure

ACCEPTED with COMMENTS In EPA Letter Dated:

NNH-950-4 051409Page 1 of 14

NNH-950-4 Herbicide

(Not for homeowner use)

JUN 1 7 2009 Under the Federal Insecticide, Fungicide, and Rodenticide Act as amended, for the pesticide registered under EPA Reg. No.

71711-20

Contains 0.015 lb pyraflufen ethyl and 2.8 lbs glyphosate acid equivalent per U.S. gallon

EPA Reg. No. 71711- 29 EPA Est. No. 37429-GA-1

Altnernate Brand: Thunderbolt Herbicide

KEEP OUT OF REACH OF CHILDREN CAUTION

| FIRST AID | | | |
|---|---|--|--|
| If on skin | Take off contaminated clothing. | | |
| or clothing | Rinse skin immediately with plenty of water for 15-20 minutes. | | |
| _ | Call a poison control center or doctor for treatment advice. | | |
| lf | Immediately call a poison control center or doctor. | | |
| swallowed | • Do not induce vomiting unless told to do so by a poison control center or doctor. | | |
| | Do not give any liquid to the person. | | |
| • Do not give anything by mouth to an unconscious person. | | | |
| | HOTLINE NUMBER | | |
| • | duct container or label with you when calling a poison control center or doctor, or atment. You may also contact 1-800-348-5832 for emergency medical treatment | | |

Net Contents: 2.5 gal (9.46 L)

Active Ingredientss Made in Japan and China; Formulated and Packaged in U.S.A. ror.

Nichino America, Inc.

4550 New Linden Hill Road, Suite 501

Wilmington, DE 19808

information. In case of fire or spills, information may be obtained by calling 1-800-424-9300.

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS CAUTION

Harmful if absorbed through skin. Harmful if swallowed. Avoid contact with skin, eyes or clothing. Wear long-sleeved shirt and long pants, socks, shoes, and chemical resistant gloves.

Personal Protective Equipment (PPE)

Some of the materials that are chemical-resistant to this product are listed below. If you want more options, follow the instructions for Category A on an EPA chemical-resistance category selection chart.

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Chemical resistant (such as nitrile or butyl) gloves
- Shoes plus socks
- Protective eyewear
- · For overhead exposure, wear chemical resistant headgear

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, 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. Remove and wash contaminated clothing before reuse.

ENGINEERING CONTROLS STATEMENTS

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 (40,44,40,44,40), the handler PPE requirements may be reduced or modified as specified in the WPS.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish and aquatic invertebrates. This product may contaminate water through drift of spray in wind or via runoff events. Use care when applying in aleas adjacent to any body of water. Do not apply directly 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 washwater or rinsate. Do not apply when weather conditions favor drift from treated areas.

SPRAY DRIFT

Avoid spray drift to all other crops and nontarget areas. Do not apply when weather conditions may cause drift. Do not allow this product to drift onto nontarget areas. Drift may result in illegal residues or injury to adjacent crops and vegetation, in the form of leaf yellowing and defoliation. To avoid spray drift, DO NOT apply aerially when wind speed is greater than 10 mph or during periods of temperature inversions. Use of larger droplet size will also reduce spray drift.

AVOIDING SPRAY DRIFT AT THE APPLICATION SITE IS THE RESPONSIBILITY OF THE APPLICATOR.

The interaction of equipment and weather-related factors determines the potential for spray drift. The applicator is responsible for considering all these factors when making decisions. Droplet size, boom height, and wind speed are the primary factors determining drift. The specific application conditions required for the use of this product are described below.

Information on Droplet Size

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

Controlling Droplet Size

Volume – Use high flow rate nozzles to apply the highest practical spray volume. Nozzles with higher rated flows produce larger droplets.

Pressure – Do not exceed the nozzle manufacturer's recommended pressures. For many nozzle types, lower pressure produces larger droplets. When higher flow rates are needed, use higher flow ate nozzles instead of increasing pressure.

Number of Nozzles – Use the minimum number of nozzles that provide uniform coverage. **Nozzle Orientation** – Orienting nozzles so that the spray is released parallel to the airstream produces larger droplets than other orientations and is the recommended practice. Significant deflection from horizontal will reduce droplet size and increase drift potential.

Nozzle Type – Use a nozzle type that is designed for the intended application. With most nozzle types, narrower spray angles produce larger droplets. Consider using low-drift nozzles. Solid stream nozzles oriented straight back produce the largest droplets and the lowest drift.

Maintenance of Nozzles – Periodic inspection and subsequent replacement of nozzles to ensure proper chemical application is recommended.

Boom Length

For some use patterns, reducing the effective boom length to less than ¾ of the wingspan or rotor length may further reduce drift without reducing swath width.

Application Height

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

Swath Adjustment

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

Wind

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

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

Temperature and Humidity

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

Temperature Inversions

Applications should not occur during a temperature inversion because drift potential is high. Temperature inversions restrict vertical air mixing, which causes small suspended droplets to remain in a concentrated cloud. This cloud can move in unpredictable directions due to the light and variable winds common during inversions. Temperature inversions are characterized by increasing temperatures with altitude and are common on nights with limited cloud cover and light to no wind. They begin to form as the sun sets and often continue into the morning. Their presence can be indicated by ground fog; however, if fog is not present, inversions can also be identified by the movement of smoke from a ground source or an aircraft smoke generator. Smoke that layers and moves laterally in a concentrated cloud (under low wind conditions) indicates an inversion, while smoke that moves upward and rapidly dissipates indicates good vertical air mixing.

Sensitive Areas

The pesticide should only be applied when the potential for drift to adjacent sensitive areas (e.g. residential areas, bodies of water, known habitat for threatened or endangered species, nontarget crops) is minimal (e.g. when wind is blowing away from the sensitive areas).

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 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 (such as nitrile or butyl) gloves
- Shoes plus socks
- Protective eyewear

NONAGRICULTURAL USE REQUIREMENTS

The requirements in this box apply to uses of this product that are NOT within the scope of the Worker Protection Standard for agricultural pesticides (40 CFR Part 170). The WPS applies when this product is used to produce agricultural plants on farms, forests, of greenhouses. For other uses, including interiorscapes and other nonagricultural uses, do not enter treated areas without protective clothing until sprays have dried.

GENERAL INFORMATION

NNH-950-4 is designed for nonselective grass and broadleaf weed control. This product contains two active ingredients; one of which provides systemic grass and broadleaf control and one which provides contact activity against broadleaf weeds.

Only certified applicators are permitted to apply **NNH-950-4** for turf and ornamental sites. This product is nonselective and should not be applied to sensitive crops or foliage, including turfgrass.

USE RESTRICTIONS

- Do not apply more than 32 fl oz/acre for preplant burndown use prior to seeding crops listed on this label (corn, wheat, soybean, cotton, root and tuber vegetables, leafy vegetables, cole crops, legumes, fruiting vegetables, cucurbits, and small grains).
- Do not apply more than 76 fl oz/acre for preplant fallow and crop stubble.
- Do not apply more than 76 fl oz/acre for nonbearing and bearing deciduous fruit and nut trees and vines.
- Do not apply more than 76 fl oz/acre for noncrop land and uncultivated agricultural areas per year.
- Do not apply more than 96 fl oz/acre per growing season for noncrop weeds per year.
- Do not apply this product through any type of irrigation system.

WEEDS CONTROLLED

The following broadleaf and grass weed species can be controlled up to 4 inches in height or less, or rosettes of 3 inches in diameter or less, by applications of NNH-950-4 at rates of 24-38 fl oz per acre. Tankmixes of NNH-950-4 with other herbicides may be needed for control of these weed species if larger than 4 inches tall or rosettes of greater than 3 inches in diameter.

Crabgrass Barley London rocket Dwarf dandelion **Bedstraw** Mustard, blue Beggartick, hairy Fall panicum Mustard, tansy Bindweed, field (suppression) Field pennycress Mustard, tumble Bittercress Fleabane, annual Mustard, wild Bluegreass, annual Fleabane, rough Sandbur, field Bluegrass, bulbous Foxtail, giant Shepherd's-purse Brome, downy Foxtail, green Sprangletop Brome, Japanese Foxtail, yellow Sunflower, common Browntop panicum Goatgrass, jointed Texas panicum Cheatgrass Grain sorghum Wild oats Cocklebur Johnsongrass, seedling Little barley Corn speedwell

Wild proso millet

Woolly cupgrass

Yellow rocket

The following broadleaf and grass weed species can be controlled up to 4 inches in height or less, or rosettes of 3 inches in diameter or less, by applications of NNH-950-4 at rates of 32-38 fl oz per acre. Tankmixes of NNH-950-4 with other herbicides may be needed for control of these weed species if larger than 4 inches tall or rosettes of greater than 3 inches in diameter.

Anoda, spurred Goosegrass Prickly sida Barnvardgrass Groundcherry Ragweed, common Beggarweed, Florida Groundsel, common Ragweed, giant Buckwheat, wild Hemp sesbania Sicklepod Bur cucumber Henbit Signalgrass, broadleaf Canola Marestail (Horseweed) Smelimelon Carolina geranium Jimsonweed Smartweed (ladysthumb) Knotweed Carpetweed Smartweed, Pennsylvania Celery, wild Kochia Sowthistle, annual Chickweed Lambsquarters Spurge, leafy (suppression) Copperleaf, hornbeam Mallow, common Spurge, prostrate Copperleaf, Virginia Mayweed Spurge, spotted Morningglory Cutleaf eveningprimrose Swinecress Dandelion Nightshade, black Thistle, Russian Dock, curly Nightshade, hairy Toadflax, dalmation Eclipta Nettle, stinging Velvetleaf False dandelion **Pigweeds** Virginia pepperweed Fiddleneck Poinsettia, wild Waterhemp, tall Filaree Poison-ivy

MIXING DIRECTIONS

Fleabane, hairy

Florida pusley

Add ½ to ¾ of the required amount of water to the spray tank. Start agitation. Add the required amount of NNH-950-4 and the remaining amount of water. Mix only as much spray solution as can be sprayed within four hours. Storage and use of the previous day's spray mix may result in reduced activity.

Use an approved agricultural buffering agent buffering to pH 7.0 or less if using NNH-950-4 in a water source of greater than pH 7.0.

Prickly lettuce

Purslane

TANK MIXTURES

NNH-950-4 may be applied as a tankmix or in sequential application with other herbicide products. Weather, crop conditions, or the presence of certain weeds, crop damaging insects, or diseases will indicate the inclusion of other pesticides in the defoliation or desiccation ' application.

Read and follow all label directions for each tankmix product. Always use in accordance with the most restrictive of label precautions and limitations.

Note: It is recommended that the compatibility of NNH-950-4 in any tankmix combination be tested before use. To determine the physical compatibility with other products, use a jar test, as described below:

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

EQUIPMENT CLEANING

Do not allow the spray solution to dry in the application equipment. After application and

before using the sprayer equipment for any other applications, the sprayer must be thoroughly cleaned. Applicators must ensure proper equipment clean-out for any other products mixed with NNH-950-4 as provided on the other product label(s). Immediately following application, clean all equipment thoroughly with detergent or a spray tank cleaner and water as described below. Should residues of NNH-950-4 remain in inadequately cleaned equipment, they may be released in subsequent applications and cause injury to crops.

- 1. Drain sprayer tank, hoses, and spray boom and thoroughly rinse with clean water the inside of the spray tank, sprayer hoses, boom, and nozzles to remove any sediment or residues.
- 2. Fill the tank ½ full with clean water, add the appropriate detergent (follow manufacturer's directions for use). Fill tank to capacity and operate the sprayer with agitation for 15 minutes to flush hoses, boom, and nozzles.
- 3. Drain the sprayer tank, lines, and booms. Rinse the tank with clean water and flush through the hoses, boom, and nozzles. Remove and clean spray nozzles, tips, and screens.
- 4. Dispose of all cleaning solutions, rinsate, and washwaters in accordance with Federal, state, and local regulations.

ROTATIONAL CROP RESTRICTIONS

Do not plant rotational crops other than crops listed on this label for at least 30 days after application.

APPLICATION AND DOSAGE

PREPLANT BURNDOWN

NNH-950-4 may be used for weed control preplant to the following crops:

Field Corn, Wheat, Soybeans, Cotton, Root and Tuber Vegetables, Leafy Vegetables, Cole Crops, Legumes, Fruiting Vegetables, Cucurbits, and Small Grains (Limited to Preplant Burndown)

For best results, use NNH-950-4 herbicide for control of annual or perennial herbaceous broadleaf or grass weeds less than 4" in height, or rosettes less than 3" in diameter. Thorough, uniform spray coverage is essential for good control. NNH-950-4 herbicide may be applied preplant burndown to control weeds or in tank mixtures with other labeled herbicides.

Read and follow all label directions for each tankmix product. Always use in accordance with the most restrictive of label precautions and limitations.

| Crop | Pest | Rate/Acre | Use Restrictions and Comments |
|---|---|--|--|
| Field Corn Cotton Soybeans Wheat | Annual grass and/or broadleaf weeds | 24-32 fl oz/A in a minimum of 5 gallons water per acre by air or 10 gallons water per acre by ground*. | Use the higher rate and spray volumes for control of larger weeds (4" tall). Control may be reduced with weeds larger than 4 inches tall. Allow a minimum of 30 days between applications. Treated areas may be replanted immediately with any crop listed in this section. Do not plant any other rotational food crops for 30 days after the last application. Do not apply more than 32 fl oz/A for this use. |
| Root and Tuber Vegetables, Leafy Vegetables Cole Crops, Legumes, Fruiting Vegetables, Cucurbits, Small Grains | | | Use the higher rate and spray volumes for control of larger weeds (4" tall). Control may be reduced with weeds larger than 4 inches tall. Allow a minimum of 30 days between applications. Do not apply within 2 days of planting for crops listed in this section. Do not plant any other rotational food crops for 30 days after the last application. Do not apply more than 32 fl oz/f. for this use. |

*Refer to Weeds Controlled section for specific rate recommendations. NNH-950-4 may be tank mixed with other labeled herbicides, including residual products for expanded weed control.

PREPLANT FALLOW BEDS AND CROP STUBBLE

This product may be applied preplant to fallowland in preparation for planting or postharvest to crop stubble. Preplant applications may be made prior to planting during the fallow period for any crop listed on this label. For crops not listed on this label, applications must be made at least 30 days prior to planting.

For best results, use NNH-950-4 herbicide for control of annual or perennial broadleaf and grass weeds less than 4" in height, or rosettes less than 3" in diameter. Thorough, uniform spray coverage is essential for good control. NNH-950-4 herbicide may be applied after the harvest of any crop to control late emerging broadleaf weeds or in tank mixtures with other labeled herbicides for broad spectrum weed control.

Read and follow all label directions for each tankmix product. Always use in accordance with the most restrictive of label precautions and limitations.

| Crop | Pest | Rate/Acre | Use Restrictions and Comments |
|---|--|---|--|
| Preplant Fallowbeds and Crop Stubble | Annual grass and/or broadleaf weeds | 24-32 fl oz/A in a minimum of 10 gallons water per acre by ground; 5 gallons water per acre by air* | Use the higher rate and spray volumes for control of larger weeds (4" tall). Control may be reduced with weeds larger than 4 inches tall. Allow a minimum of 30 days between applications. For crops not listed on this label, applications must be made at least 30 days prior to planting. |



NONCROP LAND AND UNCULTIVATED AGRICULTURAL AREAS (nonfood producing)

NNH-950-4 herbicide may be used for broad spectrum weed control in noncrop situations. For best results, use NNH-950-4 herbicide for control of annual or perennial broadleaf and grass weeds less than 4" in height, or rosettes less than 3" in diameter. Thorough, uniform spray coverage is essential for good control.

Read and follow all label directions for each tankmix product. Always use in accordance with the most restrictive of label precautions and limitations.

| Crop | Pest | Rate/Acre | Use Restrictions and Comments |
|--|---|--|--|
| Noncrop Land and Uncultivated Agricultural Areas | Annual grass and/or broadleaf weeds | 24-32 fl oz/A plus other labeled herbicides in a minimum of 5 gallons water per acre by air or 10 gallons water per acre by ground | Use the higher rates and spray volumes for control of larger weeds (4" tall). Control may be reduced with weeds larger than 4 inches tall. Allow a minimum of 30 days between applications. |

NONCROP WEED CONTROL (Not for homeowner use)

For use in noncrop areas where control of weeds is desired, such as airports; commercial plants; storage and lumber yards; barrier strips and firebreaks; equipment areas; nurseries and ornamental plantings; sodfarms; Christmas trees; established ornamental turf; railroad, roadside and utility rights-of-way; fuel tank farms and pumping stations; other similar industrial noncrop areas.

For applications to ornamental turf and plantings, do not allow people (other than the applicator) or pets on treatment area during application and until sprays have dried (refer to Nonagricultural Use Requirements box). Apply NNH-950-4 at rates specified in the dosage table below for control of broadleaf and grass weeds. **Avoid contact with desirable vegetation.**

Addition of a nonionic surfactant or crop oil concentrate (COC) is recommended for control. Follow manufacturer's use rates.

Read and follow all label directions for each tankmix product. Always use in accordance with the most restrictive of label precautions and limitations.

| 13 | |
|----|--|
| (E | |

| Use | Rate/Acre | Use Restrictions and Comments |
|---|---|---|
| (See directions for use above for explanation of appropriate use sites) | 24-38 fl oz/A in 20 to 40 gpa using ground or backpack or similar spray equipment or 5 gpa by air | Do not make more than 3 applications. Allow a minimum of 30 days between applications. |

NONBEARING DECIDUOUS FRUIT AND NUT TREES AND VINES (EXCLUDING CITRUS)

For best results, apply NNH-950-4 Herbicide for control of annual or perennial broadleaf and grass weeds less than 4" in height or rosettes less than 3" in diameter. Thorough, uniform spray coverage is essential for adequate control.

Read and follow all label directions for each tankmix product. Always use in accordance with the most restrictive of label precautions and limitations.

| Crop | Pest | Rate/Acre | Comments and Restrictions |
|---|---|--|---|
| Nonbearing Tree Fruit, Nut, and Vine Crops | Annual grasses and/or broadleaf weeds | 24-32 fl oz/A in a minimum of 10 gallons of water per acre by ground | Use the higher rate and spray volumes for control of larger weeds (4" tall). Control may be reduced with weeds larger than 4 inches tall. Allow a minimum of 30 days between applications. Do not harvest edible crops for 12 months following application. Addition of labeled residual herbicides to extend weed control is permissible. Do not apply by air. |

DECIDUOUS FRUIT AND NUT TREES AND VINES (EXCLUDING CITRUS) (Postharvest, Dormant and Prebloom applications)

[dates, feijoa, figs, grapes, kiwi fruit, mango, olives, persimmons, pome fruit, pomegranates, stone fruit, and tree nuts] (excluding citrus)

NNH-950-4 may be applied as a postharvest or preplant burndown treatment for control of emerged winter and summer annual broadleaf and grass weeds and burndown or suppression of certain perennial broadleaf and grass weeds during the dormant period prior to bloom. NNH-950-4 should be applied to emerged weeds less than 4" in height or rosettes less than 3" in diameter. Thorough coverage of target weeds is essential for optimum performance. Addition of a nonionic surfactant or crop oil concentrate (COC) is recommended for optimum control. Follow manufacturer's use rates. Read and follow all label directions for each tankmix product. Always use in accordance with the most restrictive of label precautions and limitations.

| Crop | Pest | Rate/Acre | Use Restrictions and Comments |
|--|---|---|--|
| Dates, Feijoa, Figs, Grapes, Kiwi Fruit, Mango, Olives, Persimmons, Pome and Stone Fruit, Pomegranates Tree Nuts | Annual grass and broadleaf weeds | 24-32 fl oz/A in a minimum of 10 gallons water per acre in a broadcast or band directed application | Use the higher rate and spray volumes for control of larger weeds (4" tall). Control may be reduced with weeds larger than 4 inches tall. Allow a minimum of 30 days between applications. Do not allow spray to contact green bark of trunk area on young grape vines and fruit or nut trees. Do not apply by air. |

STORAGE AND DISPOSAL

DO NOT contaminate water, food, or feed by storage or disposal. Open dumping is prohibited.

Pesticide Storage: Store in a cool place.

Pesticide Disposal: Pesticide wastes are toxic. Improper disposal of excess pesticide, pesticide spray or rinsate is a violation of Federal law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

Container Disposal: DO NOT reuse empty container. Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in sanitary landfill, or incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

14/15

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 must 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. To the extent consistent with applicable law, all such risks are assumed by the user or buyer.

DISCLAIMER OF WARRANTIES: TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, 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. To the extent consistent with applicable law, 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: TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, 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.

© 2009. Nichino America, Inc.

051409