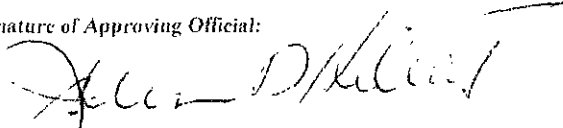
 <p style="text-align: center;">U.S. ENVIRONMENTAL PROTECTION AGENCY Office of Pesticide Programs Registration Division (7505C) 1200 Pennsylvania Ave., N.W. Washington, D.C. 20460</p> <p style="text-align: center;">NOTICE OF PESTICIDE: <u> X </u> Registration <u> </u> Reregistration (under FIFRA, as amended)</p>	EPA Reg. Number:	Date of Issuance:
	72112-7	7/10/06
	Term of Issuance: Conditional	
Name of Pesticide Product:		PROKōZ 008
Name and Address of Registrant (include ZIP Code):		
PROKOZ, Inc. c/o Pyxis Regulatory Consulting, Inc. 4110 136 th Street NW Gig Harbor, WA 98332		
<p>Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.</p>		
<p>On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act.</p> <p>Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.</p> <p>This product is conditionally registered in accordance with FIFRA section 3(c)(7)(A) provided that you:</p> <ol style="list-style-type: none"> 1. Submit and/or cite all data required for registration/reregistration of your product when the Agency requires all registrants of similar products to submit such data. 		
Signature of Approving Official:	Date:	
 John Hebert, Product Manager (07) Insecticide-Rodenticide Branch, Registration Division (7505P)	7/10/06	

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EPA Reg. No. 72112-7

2. Make the following label changes before you release the product for shipment:
 - a. Revise the EPA Registration Number to read, "EPA Reg. No. 72112-7."
3. Submit one copy of the revised final printed label for the record before you release the product for shipment.

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6(e). Your release for shipment of the product constitutes acceptance of these conditions.

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

John Hebert
Product Manager (07)
Insecticide-Rodenticide Branch
Registration Division (7505P)

Enclosure

PROKōZ 008

Insecticide for foliar and systemic insect control in turfgrass (including sod farms), landscape ornamentals, fruit and nut trees and interior plantscapes.

ACTIVE INGREDIENT:

Imidacloprid, 1-[(6-Chloro-3-pyridinyl)methyl]-N-nitro-2-imidazolidinimin 75.0%

OTHER INGREDIENTS: 25.0%

TOTAL: 100.0%

Keep water-soluble packets in this container and store in a cool dry place but not below freezing (32° F)

Do not remove packets from container except for immediate use.

KEEP OUT OF REACH OF CHILDREN

CAUTION

PRECAUCION AL USUARIO: Si usted no puede leer o entender ingles, no use este producto hasta que la etiqueta le haya sido explicada ampliamente.

(TO THE USER: If you cannot read or understand English, do not use this product until the label has been fully explained to you.)

FIRST AID	
If swallowed:	<ul style="list-style-type: none"> • Call a poison control center or doctor immediately for treatment advice. • Have person sip a glass of water if able to swallow. • Do not induce vomiting unless told to do so by a poison control center or doctor. • Do not give anything by mouth to an unconscious person.
If on skin or clothing:	<ul style="list-style-type: none"> • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15 to 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 to 20 minute. • Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. • Call a poison control center or doctor for treatment advice.
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 1-800-424-9300 for emergency medical treatment information.	
NOTE TO PHYSICIAN	
No specific antidote is available. Treat the patient symptomatically.	

See inside label booklet for additional PRECAUTIONARY STATEMENTS

EPA Reg. No. 72112-

EPA Est. No.

Manufactured for:
PROKōZ, Inc.
100 North Point Center East, Suite 330
Alpharetta, GA 30022

**ACCEPTED
with COMMENTS
in EPA Letter Dated:
JUL 10 2006**

Net Weight: Under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, for the pesticide registered under EPA Reg. No. 72112-7

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

Harmful if swallowed or absorbed through skin. Causes eye irritation. Avoid contact with skin, eyes, or clothing. Avoid breathing dust or vapor. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse. Keep children or pets off treated area until spray is dry.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Applicators and Other Handlers Must Wear:

1. Long-sleeved shirt and long pants
2. Chemical-resistant gloves made of any waterproof material such as barrier laminate, butyl rubber, nitrile rubber, neoprene rubber, natural rubber, polyethylene, polyvinylchloride (PVC) or viton.
3. Shoes plus socks

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

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 CFR 170.240(d)(4-6)], the handler PPE requirements may be reduced or modified as specified in the WPS.

USER SAFETY RECOMMENDATIONS

User should:

1. Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.
2. Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
3. Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

ENVIRONMENTAL HAZARDS

This product is highly toxic to aquatic invertebrates. 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 when disposing of equipment washwaters.

This product is highly toxic to bees exposed to direct treatment or residues on blooming crops or weeds. Do not apply this product or allow it to drift to blooming crops or weeds if bees are visiting the treatment area. This chemical demonstrates the properties and characteristics associated with chemicals detected in groundwater. The use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination.

Do not formulate this product into other end-use products.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store in a cool, dry place and in such a manner as to prevent cross contamination with other pesticides, fertilizers, food, and feed. Store in original container and out of the reach of children, preferably in a locked storage area.

Handle and open container in a manner as to prevent spillage. If the container is leaking or material spilled for any reason or cause, care-fully sweep material into a pile. Refer to Precautionary Statements on label for hazards associated with the handling of this material. Do not walk through spilled material.

Dispose of pesticide as directed below. In spill or leak incidents, keep unauthorized people away. You may contact Chemtrec at 800-424-9300 for decontamination procedures or any other assistance that may be necessary.

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

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.

Exception: If the product is applied by drenching, the Worker Protection Standard, under certain circumstances, allows workers to enter the treated area if there will be no contact with anything that has been treated.

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:

1. Coveralls
2. Chemical-resistant gloves made of any waterproof material such as barrier laminate, butyl rubber, nitrile rubber, neoprene rubber, natural rubber, polyethylene, polyvinylchloride (PVC) or viton.
3. Shoes plus socks

NON-AGRICULTURAL 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, nurseries, or greenhouses.

Keep children and pets off treated area until dry.

APPLICATION TO TURFGRASS

PROK6Z 008 will control the following soil inhabiting pests found in turfgrass

PEST	SCIENTIFIC NAME
Northern & Southern masked chafers	<i>Cyclocephala borealis</i> , <i>C. immaculata</i> , and/or <i>C. lurida</i>
Asiatic garden beetle	<i>Maladera castanea</i>

PEST	SCIENTIFIC NAME
European chafer	<i>Rhizotrogus majalis</i>
Green June beetle	<i>Cotinis nitida</i>
May or June beetle	<i>Phyllophaga spp.</i>
Japanese beetle	<i>Popillia japonica</i>
Oriental beetle	<i>Anomala orientalis</i>
Billbugs	<i>Spherophorus spp.</i>
Annual bluegrass weevil	<i>Hyperodes spp.</i>
Black turfgrass ataenius	<i>Ataenius spretulus and Aphodius spp.</i>
European Crane Fly	<i>Tipula paludosa</i>
Mole crickets	<i>Scapteriscus spp.</i>

PROKōZ 008 will suppress cutworms and chinch bugs.

PROKōZ 008 can be applied on turfgrass in the following sites:

Home lawns	Cemeteries
Business and office complexes	Parks
Shopping complexes	Playgrounds
Multi-family residential complexes	Athletic fields
Golf courses	Sod farms
Airports	

PROKōZ 008 has adequate residual activity so that applications can be made preceding the egg laying activity of the target pests. Best control is achieved when applications are made prior to egg hatch of the pests. Sufficient irrigation or rainfall is required to move the active ingredient through the thatch.

Avoid application when infested turfgrass areas are waterlogged or soil beneath turf is saturated with water. These conditions prevent thorough and consistent distribution. Best results are achieved when rainfall or irrigation after application will penetrate vertically in the soil column carrying the active ingredient into the zone where insects are normally located.

Do not exceed a total of 8.6 ounces application (0.4 lb of active ingredient) per acre per year.

APPLICATION EQUIPMENT FOR USE ON TURFGRASS

PROKōZ 008 should be diluted with enough water to provide adequate volume to promote thorough distribution into the pest zone. Use only accurately calibrated equipment for application to turfgrass. Apply a uniform, coarse droplet spray, using a low pressure setting to eliminate off target drift. Calibration should be performed on a regular basis to ensure that equipment is distributing product properly.

APPLICATION TO ORNAMENTALS

PROKōZ 008 can be applied to ornamental plants in commercial and residential landscapes and interior plantscapes. PROKōZ 008 is a systemic insecticide that is transported within the plant system from the roots to upper foliage. PROKōZ 008 must be applied into a growing area of the plant that allows absorption of the active ingredient. Adding soluble nitrogen type fertilizers to the spray solution when appropriate can promote the uptake of the active ingredient.

Application can be made by foliar application or soil applications; including soil injection, drenches, and broadcast sprays. Foliar applications offer locally systemic activity against insect pests.

The systemic translocation of active ingredient will be slower when applied to woody plants with soil applications. This delay can take 60 days or longer depending on species and size of plant. To offset

this, make applications before anticipated pest infestation.

For outdoor ornamentals, broadcast applications cannot exceed a total of 8.6 ounces (0.4 lb of active ingredient) per acre per year.

ANT MANAGEMENT PROGRAMS

Using PROKōZ 008 to control aphids, scale insects, mealybugs and other sucking pests on ornamentals will control ant populations because it removes honeydew as a food source. To enhance control of ants, supplement with residual sprays, bait placements or other ant control tactics.

NOTE: Not for use in commercial greenhouses, nurseries, or on grasses grown for seed, or on commercial fruit and nut trees.

APPLICATION EQUIPMENT FOR FOLIAR APPLICATIONS

PROKōZ 008 mixes readily with water and may be used in many types of application equipment. Add a commercial spreader/sticker to promote coverage on hard to wet foliage such as holly, pine, or ivy.

PROKōZ 008 is compatible with many commonly used fungicides, miticides, liquid fertilizers, and other insecticides. If applicator has no prior experience with a particular tank mix physical compatibility should be checked by making a small clear jar test using correct proportions of products to be tank mixed.

Do not apply through any irrigation system

RESTRICTIONS

- Do not graze treated areas or use clippings from treated areas for feed or forage.
- Avoid runoff or puddling of irrigation water following application.
- Keep children and pets off treated area until dry.
- Avoid application of PROKōZ 008 to areas that are water logged or saturated, which will not allow penetration into the root zone of the plant.
- Do not apply more than 8.6 ounces (0.4 lb of active ingredient) per acre per year.
- Treated areas may be replanted with any crop specified on an imidacloprid label, or with any crop for which a tolerance exists for the active ingredient.
- For crops not listed on an imidacloprid label, or for crops for which no tolerances for the active ingredient have been established, a 12-month plant-back interval should be observed.

Use Site: TURFGRASSES

To control Larvae of:

European Crane Fly
Annual bluegrass weevil
Green June beetle
Asiatic garden beetle
Japanese beetle
Billbug
Northern masked chafer

Black turfgrass ataenius
Oriental beetle
Cutworms (suppression)
Phyllophaga spp.
European chafer
Southern masked chafer

Apply 1.6 ounces (1 packet) per 8,250 to 11,000 sq ft). Make application prior to egg hatch of grubs, billbugs, annual bluegrass weevil, and European Crane Fly to maximize control.

For chinch bugs (suppression) and mole crickets apply 1.6 ounces (1 packet) per 8,250 sq. ft. For

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suppression of chinchbugs, make application before the hatching of the first instar nymphs.

For control of mole crickets make application before or during the peak egg hatch period. If adults or large nymphs are actively tunneling, PROKōZ 008 application should be combined with a curative insecticide. Follow label instructions for other insecticides when tank-mixing.

Consult your local turf, state Agricultural Experiment Station, or State Extension Service Specialists for more specific information regarding timing of application.

Notes and Restrictions for Turfgrass:

- Irrigation or rainfall should occur within 24 hours after application to move the active ingredient through the thatch.
- Do not apply more than 8.6 ounces (0.4 lb of active ingredient) per acre per year.
- Avoid mowing turf or lawn area, until after adequate irrigation or rainfall has occurred.

Use Site: TREES, SHRUBS, EVERGREENS, FLOWERS, FOLIAGE PLANTS, GROUNDCOVERS AND INTERIOR PLANTSCAPES

(Only in and around Industrial and Commercial Buildings and Residential Areas)

To control:

Adelgids	Leafhoppers
Aphids	(Including glassy-winged sharpshooter)
Japanese beetles	Mealybugs
Lace bugs	Psyllids
Leaf beetles	Sawfly larvae
(Including elm and viburnum leaf beetles)	Thrips (suppression)
	Whiteflies

Apply 1.6 ounces (1 packet) of PROKōZ 008 per 300 gallons of water. Make foliar applications before high pest populations become established. Reapply on an as needed basis.

To control White grub larvae, (such as Japanese beetle larvae, Chafers, Phyllophaga spp., Asiatic garden beetle, Oriental beetle) apply 1.6 ounces (1 packet) per 8,250 to 11,000 sq ft.

Make broadcast applications by mixing specified rate in enough water to uniformly cover the treated area. Do not use less than 2 gallons of water per 1000 sq ft. If necessary, irrigate thoroughly to incorporate PROKōZ 008 into the upper soil profile.

Refer to use directions specific for FLOWERS and GROUND COVERS concerning additional use directions.

Use Site: TREES, SHRUBS, FLOWERS AND GROUNDCOVERS

(Only in and around industrial and commercial buildings and residential areas, and state, national, and private wooded and forested areas)

To control:

Adelgids	Soft scales
Japanese beetles	Armored scales (suppression)
Leafminers	Leaf beetles
Sawfly larvae	(including elm and viburnum leaf beetles)
Aphids	Pine tip moth larvae
Lace bugs	Thrips (suppression)
Mealybugs	Black vine weevil larvae

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Psyllids
White grub larvae
Eucalyptus longhorned borer
Leafhoppers
(including glassywinged sharpshooter)

Royal Palm Bugs
Whiteflies
Flatheaded borers
(including bronze birch and alder borer)

For TREES, apply 1.6 ounces (1 packet) of PROKōZ 008 per 24 to 48 inches of cumulative trunk diameter.

Application Technique:

Soil Injection

GRID SYSTEM: Make applications in a grid pattern on 2.5 foot centers within the drip line of the tree.

CIRCLE SYSTEM: Make applications in holes evenly spaced approximately 2 – 3 feet apart in a circle within the drip line of the tree. Larger trees may require additional application circles.

BASAL SYSTEM; Make applications into holes evenly spaced around the base of the tree trunk no more than 6 to 12 inches out from the base.

Soil Drench

Apply in no less than 10 gallons of water per 1000 square feet as a drench around the base of the tree, directed to the root zone. Any plastic or other barrier that may prevent drench solution from reaching the root zone must be removed.

Notes and Restrictions for Trees:

- Use sufficient water to be able to inject an equal amount of solution in each hole.
- Use low pressure and sufficient solution for thorough distribution into the treatment zone.
- Maintain soil moisture for 7 to 10 days.
- Do not use less than 4 holes per tree.
- No Soil Injection Applications Allowed In Nassau or Suffolk Counties of New York.
- Application to trees already heavily infested with borers listed may not prevent the eventual loss of the trees.

For SHRUBS apply 1.6 ounces (1 packet) of PROKōZ 008 per 24 to 48 feet of shrub height.

Application Techniques:

Soil Injection:

Apply to individual plants using dosage indicated.

Soil Drench:

Uniformly apply the dosage in no less than 10 gallons of water per 1000 square feet as a drench around the base of the tree, directed to the root zone. Remove plastic or any other barrier that will stop solution from reaching the root zone.

Notes and Restrictions for Shrubs:

- Mix required dosage in sufficient water to inject an equal amount of solution in each hole.
- Maintain a low pressure and use sufficient solution for distribution of the liquid into the treatment zone. Maintain soil moisture for 7 to 10 days.
- Do not use less than 4 holes per shrub.
- No Soil Injection Applications Allowed In Nassau or Suffolk Counties of New York.

For FLOWERS and GROWDCOVERS apply 1.6 ounces (1 packet) of PROKōZ 008 per 8,250 to 11,000 sq ft.

Apply as a broadcast treatment and incorporate into the soil before planting or apply after plants are established. If application is made to established plants, best control is achieved by irrigating after application.

Use site: POME FRUITS: (only in and around residential area)
Includes: Apple, Crabapple, Loquat, Mayhaw, Pear, Pear (oriental), Quince

To control:

Aphids (except Woolly apple aphid)	Leafminer
Leafhoppers (including glassy-winged sharpshooter)	Mealybugs*
	San Jose Scale*

Apply 1.6 ounces (1 packet) per 300 gallons of water

OR

2.1 ounces per acre¹

Notes and Restrictions for residential Pome Fruits:

- Apply specified dosage as a foliar spray as needed after petal-fall is complete.
- For control of rosy apple aphid, apply prior to leafrolling caused by the pest.
- For first generation leafminer control, make first application as soon as petal fall is complete. Greatest leafminer control will result from the earliest possible application. For second and succeeding generations of leafminer, optimal control is obtained from applications made early in the adult flight against egg and early instar larvae. A second application may be required 10 days later if severe pressure continues or if generations are overlapping a single application may result in suppression only. PROKōZ 008 will not control late stage larvae.
- For San Jose Scale, time applications to the crawler stage. Treat each generation.
- For late season (preharvest) control of leafhopper species, apply PROKōZ 008 while most leafhoppers are in the nymphal stage.
- For optimal control of mealybug, ensure good spray coverage of the trunk and scaffolding limbs or other resting sites of the mealybug.
- Do not apply more than 2.1 ounces per acre in a single application. Do not make more than 5 applications.
- Allow 10 or more days between applications.
- Allow at least 7 days between last application and harvest.
- Not for use in California for control on pears.

¹The amount of PROKōZ 008 required per acre depends on tree size and/or volume of foliage. The rate per acre is based on a standard of 400 gallons of dilute spray solution per acre for large trees with full foliage.

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**PECAN (Only in and around residential area)
(Use on pecans not permitted in California unless directed by specific supplemental labeling)**

To control:

Yellow pecan aphid
Pecan spittlebug
Black margined aphid

Pecan stem phylloxera
Pecan leaf phylloxera

Apply 1.6 ounces (1 packet) per 300 gal

OR

2.1 ounces per acre¹

Make foliar applications as pest pressure begins to increase. Make a second application 10 to 14 days after first if field scouting reveals continued pest pressure. Use of an organosilicone based spray adjuvant at recommended rate can ensure thorough coverage of foliage.

Notes and Restrictions for residential Pecan Trees:

- Do not apply more than a total of 6.3 ounces of PROKōZ 008 per acre per year.
- Do not make more than 3 applications.
- Allow 10 or more days between applications.

¹The amount of PROKōZ 008 required per acre depends on tree size and/or volume of foliage. The rate per acre is based on a standard of 400 gallons of dilute spray solution per acre for large trees with full foliage.

GRAPES (For use only in and around industrial and commercial buildings and residential areas)

To control Leafhoppers (including glassy-winged sharpshooter) and Mealybugs apply 1.6 ounces (1 packet) per 300 gallons of water

OR

1.0 ounce per acre as a foliar spray using 200 gallons of water per acre.

Notes and Restrictions for residential Grapes:

- Do not apply more than a total of 2.0 ounces of PROKōZ 008 per acre per year.
- Allow at least 14 days between applications.
- Applications may be applied up to and including day of harvest.

CONDITION 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 should be followed carefully. It is impossible to eliminate all risks inherently associated with the use of this product. Ineffectiveness or other unintended consequences may result because of such factors as manner of use or application, weather, presence of other materials or other influencing factors in the use of the product, which are beyond the control of PROKōZ, INC. or Seller. All such risks shall be assumed by Buyer and User, and Buyer and User agree to hold PROKōZ, INC. and Seller harmless for any claims relating to such factors.

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PROKÖZ, INC. 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 this product contrary to label instructions, or under abnormal conditions or under conditions not reasonably foreseeable to or beyond the control of Seller or PROKÖZ, INC., and Buyer and User assume the risk of any such use. PROKÖZ, INC. 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 permitted by law, neither PROKÖZ, INC. nor Seller shall be liable for any incidental, consequential or special damages resulting from the use or handling of this product. **THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE EXCLUSIVE LIABILITY OF PROKÖZ, INC. AND SELLER FOR ANY AND ALL CLAIMS, LOSSES, INJURIES OR DAMAGES (INCLUDING CLAIMS BASED ON BREACH OF WARRANTY, CONTRACT, NEGLIGENCE, TORT, STRICT LIABILITY OR OTHERWISE) RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, SHALL BE THE RETURN OF THE PURCHASE PRICE OF THE PRODUCT OR, AT THE ELECTION OF PROKÖZ, INC. OR SELLER, THE REPLACEMENT OF THE PRODUCT.**

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