

U.S. ENVIRONMENTAL PROTECTION AGENCY
Office of Pesticide Programs

Registration Division (7505P)
Ariel Rios Building
1200 Pennsylvania Ave., NW
Washington, D.C. 20460

EPA Reg. Number:

Date of Issuance:

79676-59

MAY 3 1 2007

NOTICE OF PESTICIDE:

x Registration

Reregistration (under FIFRA, as amended)

Term of Issuance: Conditional

Name of Pesticide Product:

ETI 106 02 G

Name and Address of Registrant (include ZIP Code):

Etigra<sup>IN</sup>

501 Cascade Pointe Lane, Suite 103

Cary, NC 27513

c/o Michael Kellogg, Agent Pyxis Regulatory Consulting, Inc. 4110 136<sup>th</sup> St. NW Gig Harbor, WA 98332

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.

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. 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.

This product is conditionally registered in accordance with FIFRA sec. 3(c)(7)(A) provided that you:

- 1. Submit and/or cite all data required for registration of your product under FIFRA Section 3(c)(5) when the Agency requires all registrants of similar products to submit such data; and submit acceptable responses required for re-registration of your product under FIFRA section 4.
- 2. You must submit the following conditional data listed below, before the due date of October 12, 2007:

Storage Stability (830.6317) and Corrosion Characteristics (830.6320) studies.

You must submit two copies of a final printed label within 45 days from the date of this notice.

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 copy of the label stamped "Accepted" is enclosed for your records.

Signature of Approving Official:

Date:

MAY 3 1 2007

Tony Kish

Product Manager 22

Fungicide Branch

Registration Division (7505P)

ACCEPTED and COMMENTS
In EPA Letter Dated

### ETI 106 02 G

MAY 3 1 2007 Under the Federal Insecticide, Fundicide, and Redenticide Act as amended, for the pesticide

For USE ON Cotton and Tobaccoregistered under EPA Reg. No.

Not for Use in Residential Areas

<del>7</del>9676-59

ACT	n/c	INGF	CDI	ENT.
70 I	IVE	INGF	くこひに	⊆IN   ;

Ethephon: (2-Chloroethyl) phosphonic acid*	55.4%
	44.6%
	100.0%

<sup>\*1</sup> gallon contains 6 lbs, ethephon.

## KEEP OUT OF REACH OF CHILDREN DANGER / PELIGRO

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle. (If you do not understand the label, find someone to explain it to you in detail.)

	r you do not understand the label, find someone to explain it to you in detail.)
	FIRST AID
If in eyes:	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.
lf on skin or	Take off contaminated clothing.
clothing:	Rinse skin immediately with plenty of water for 15-20 minutes.
	Call a poison control center or doctor for treatment advice.
if swallowed:	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 the poison control center or doctor.
	Do not give anything by mouth to an unconscious person.
	HOT LINE NUMBER
	container or label with you when calling a poison control center or doctor, or going for treatment.
You may also cor	ntact 1-800-424-9300 for emergency medical treatment information.
	NOTE TO PHYSICIAN
	cally. Consideration should be given to the possibility that overexposure to materials other than this
	e occurred. No specific antidote is available. Probable mucosal damage may contraindicate the use
of gastric lavage.	

# PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS DANGER

CORROSIVE. Causes skin burns and irreversible eye damage. Harmful if swallowed and/or absorbed through skin. Do not get in eyes, on skin or on clothing. Wear protective eyewear such as goggles, face shield or safety glasses. Wash hands thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Remove and wash contaminated clothing before reuse.

EPA Reg. No. 79676-59

EPA Est. No.

Manufactured for: Etigra™ 501 Cascade Pointe Lane, Suite 103 Cary, NC 27513 www.etigra.com

ETI 106 02 G contains ethephon, the active ingredient used in Prep<sup>®</sup> brand Ethephon for Cotton and Tobacco.

#### PERSONAL PROTECTIVE EQUIPMENT (PPE)

#### Applicators and other handlers must wear:

- · Coveralls over long-sleeved shirt and long pants
- Chemical-resistant gloves made of any waterproof material such as nitrile, butyl, neoprene or barrier laminate
- · Chemical-resistant footwear plus socks
- Protective eyewear (goggles, face shield or safety glasses)
- Chemical-resistant headgear for overhead exposure
- Chemical-resistant apron when cleaning equipment, mixing, or loading

Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them. 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.

When handlers use closed systems, enclosed cabs, or aircraft in a manner that meets the requirements listed in the Worker Protection Standard (WPS) or 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**

#### Users should:

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

#### **ENVIRONMENTAL HAZARDS**

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. Do not contaminate water used for irrigation or domestic purposes.

#### **SPRAY DRIFT**

AVOIDING SPRAY DRIFT AT THE APPLICATION SITE IS THE RESPONSIBILITY OF THE APPLICATOR. The interaction of many equipment-and-weather-related factors determines the potential for spray drift. The applicator is responsible for considering all these factors when making decisions. The following drift management requirements must be followed to avoid off-target drift movement from aerial applications to agricultural field crops. These requirements do not apply to forestry applications, public health uses or to applications using dry formulations.

- 1. The distance of the outer most nozzles on the boom must not exceed 3/4 the length of the wingspan or rotor.
- 2. Nozzles must always point backward parallel with the air stream and never be pointed downwards more than 45 degrees.

Where states have more stringent regulations, they should be observed. The applicator should be familiar with and take into account the information covered in the <u>Aerial Drift Reduction Advisory Information</u>, below.

#### **Aerial Drift Reduction Advisory Information**

[This section is advisory in nature and does not supersede the mandatory label requirements].

**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 rate 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.

**Boom Length:** For some use patterns, reducing the effective boom length to less than 3/4 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 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 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:** This 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, non-target crops) is minimal (e.g., when wind is blowing away from the sensitive areas).

#### **USE PRECAUTIONS**

- Do not apply ETI 106 02 G through any type of irrigation system.
- Do not allow spray to drift to nearby crops as this product will affect plant growth resulting in injury or reduced yields.
- Do not prepare more spray solution than can be used in one day. Clean out the spray tank after use and do not allow the spray solution to remain in the sprayer overnight.

#### **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. Read the entire label before using this product.

#### 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), notification of workers and restricted-entry intervals. 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 48 hours. The REI is 72 hours in areas where average rainfall is less than 25 inches per year.

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
- Chemical-resistant gloves made of any waterproof material, such as nitrile, butyl, neoprene, or barrier laminate.
- Chemical-resistant footwear plus socks
- Protective eyewear (goggles, face shield or safety glasses)
- Chemical-resistant headgear for overhead exposure

Notify workers of the application by warning them orally and posting warning signs at entrances to treated areas.

#### **GENERAL INFORMATION**

ETI 106 02 G is a plant growth regulator which penetrates plant tissues and degrades to ethylene which affects the growth process of the plant. ETI 106 02 G can be applied as foliar applications to cotton to accelerate boll opening and improve defoliation. These features permit harvest to occur sooner and more efficiently, and may increase yields compared to untreated cotton fields. When ETI 106 02 G is applied as foliar sprays to mature tobacco (flue-cured), the leaves uniformly turn yellow. This feature provides flexibility in scheduling harvest and also reduces curing time.

#### MIXING DIRECTIONS

Caution: Do not prepare more spray solution than required for one day's use. Do not allow the spray solution to stand overnight. Avoid spilling the concentrated product on any spray equipment or on airplane parts (a nurse tank is recommended to help prevent spills). CLEAN UP SPILLS IMMEDIATELY BY FLUSHING WITH PLENTY OF WATER.

- Fill the spray tank with ½ to ¾ full with of water. Agitate the water and continue agitation though mixing and spraying operations.
- Add ETI 106 02 G to the tank followed by the remaining amount of water.
- Add any other tank mix partner products. Do not allow the spray solution to sit without agitation longer than 5 to 10 minutes.

**EQUIPMENT CLEANING:** This product is very acidic and can damage acrylic plastics, certain paints, and metals after prolonged exposure. Therefore, ensure that any exposed acrylic plastic-type materials (e.g., aircraft windshields) are washed thoroughly with soap and water within 1 hour of exposure to the spray droplets. When the application is completed, all metal parts of the aircraft and other spray equipment which were exposed to the spray solution should be washed thoroughly with soap and water.

#### COTTON

Follow the application instructions in the tables below for use of ETI 106 02 G on cotton alone or in combination with other products.

#### RESTRICTIONS

Do not harvest cotton until 7 days after an application of ETI 106 02 G.

- Do not apply more than 2.0 lbs. ethephon Al per acre per year.
- Do not apply ETI 106 02 G if rain is expected within 6 hours as product performance may be reduced.
- Rotation Crop Restrictions: Do not plant back another crop within 30 days after application. If small
  grains are planted earlier than 1 month after an ETI 106 02 G application or are planted between the
  cotton plant rows which were treated with ETI 106 02 G, these crops can only be used as cover
  crops. Do not harvest the grain crops for food or feed. Small grain plants grown under these
  conditions may turn yellow and their growth may be stunted.

#### WHEN TO HARVEST COTTON

Monitor the treated crop to determine when the optimum number of bolls are open before the cotton is harvested. Lint quality and yield may be reduced if the crop is harvested too late.

Mature bolls are determined by squeezing the boll between thumb and finger: if the boll cannot be dented then it is mature. Other signs of boll maturity include when the boll is too hard to be sliced with a sharp knife, and when the seed coat has changed color to light brown.

#### APPLICATION OF ETI 106 02 G ALONE (Boll Opening Application)

Canditions:	ETI 106 02 G Pints/A (lb. Al/A)	No. Acres treated by 1 gal of ETI 106 02 G	Additional Instructions
Hot and dry 80°F or higher	1 1/3 (1.0)	6	Select the type of equipment (ground or air) and spray volumes which will ensure thorough coverage of bolls and foliogo
Dry and 75 to 80°F	2.0 (1.5)	4	Apply ETI 106 02 G when a sufficient number of unopened bolls have matured to give the desired yield. Bolls will open 7-14 days earlier than without treatment.
Cool but above 65°F or Rank cotton	2 2/3 (2.0)	3	By ground: apply in a minimum spray volume of 10 gal/A By air: apply in a minimum spray volume of 2 gal/A (5 gal/A in AZ and CA) Cotton bolls and plants which are overly rank or not standing will not be thoroughly covered by an ETI 106 02 G application. It is recommended that an application of a defoliant be made BEFORE an ETI 106 02 G application to facilitate boll and foliage coverage by ETI 106 02 G.

#### TANK MIX APPLICATIONS OF ETI 106 02 G

**USING ETI 106 02 G WITH DEFOLIANTS AND INSECTICIDES:** ETI 106 02 G may be applied as a tank mixture or in sequence with the following products: Def®, Folex®, Dropp®, Dropp® Ultra, Ginstar®, Harvade®, Methyl Parathion, Guthion®, and Malathion®. Refer to the label of the tank mix partner for use precautions and use rates.

#### Precautions:

- Use caution when ETI 106 02 G is applied as a tank mix with defoliants as a slight reduction in boil opening could occur.
- Only apply ETI 106 02 G as a tank mix with desiccants if plant desiccation is required.
- Do not use a defoliant unless sufficient mature unopened bolls are present to produce the desired yield.
- DO NOT TANK MIX ETI 106 02 G WITH DESICCANTS IF COTTON IS TO BE SPINDLE HARVESTED.

- UNDER CERTAIN CONDITIONS, TANK MIXTURES OF ETI 106 02 G WITH DESICCANTS CONTAINING SODIUM CHLORATE COULD RESULT IN THE FORMATION OF HYPOCHLOROUS ACIDS WHICH ON HEATING WILL EMIT TOXIC CHLORIDE FUMES.
- DO NOT MIX ETI 106 02 G WITH AMMONIUM THIOSULFATE AS THESE MIXTURES MAY RESULT IN FORMATION OF TOXIC FUMES.

	ETI 106 02 G Plus Folex Defoliant Tank Mix OR Dropp Defoliant Tank Mix		Pre-Conditioner Prior to Defoliant Tank Mix Application	
	ETI 106 02 G Pints/A (lb. Al/A)	No. Acres treated by 1 gal tank mix	ETI 106 02 G Pints/A (lb. Al/A)	No. Acres treated by 1 gal tank mix
Conditions:				
Hot and dry 80°F or higher			2/3 (0.5)	12
Cool but above	1/3	24	1 1/3	6
65°F or Rank cotton	(0.25)		(1.0)	
High soil moisture			NR	NR
or High fertility level				
or				
Rank cotton				<u> </u>
Additional Instructions	Make application 4-7 days before the ETI 106 02 G boll-opening application. Defoliant tank mix applications are to be used as a sequential treatment with, not in place of the ETI 106 02 G boll opening treatment.		tank mix is applied. T	crop and preserves the
	A full label rate of Folex or Dropp is permitted.		By ground: apply in a minimum spray volume of 10 gal/A	
	By ground: apply in a minimum spray volume of 10 gal/A		By air: apply in a min gal/A (5 gal/A in AZ a	imum spray volume of 2 nd CA)
	For ETI 106 02 G Plus Folex: apply by air in a minimum spray volume of 5 gal/A			
	For ETI 106 02 G Plus Dropp: apply by air in a minimum spray volume of 3 gal/A (5 gal/A in AZ and CA)			
	In all tank mix options, select the type of application equipment (air or ground) and spray volumes which will ensure thorough coverage of bolls and foliage.			
	Do not exceed a maximum of 2.0 lbs. Al/A (2 2/3 pints/A) ETI 106 02 G per year through combined or repeated uses of any ethephon products.			

NR = Not recommended

#### TOBACCO (Flue-Cured Only)

Follow the application instructions in the tables below for use of ETI 106 02 G on tobacco.

#### RESTRICTIONS

- Do not apply ETI 106 02 G if rain is expected within 6 hours as product performance may be reduced.
   If a major storm is expected, delay application of ETI 106 02 G.
- Use only the recommended additives with ETI 106 02 G which are mentioned on this label.
- Do not plant another crop within 30 days after ETI 106 02 G application.
- Do not exceed more than of 2 lbs. ethephon Al per acre per year.

#### WHEN TO HARVEST TOBACCO

Within 24 to 72 hours after the ETI 106 02 G application, mature, sprayed leaves will begin to turn yellow, but the exact timing is dependent on the weather so that under cooler temperatures, yellowing will be delayed while under warm, sunny conditions, yellowing occurs faster. Monitor weather conditions and intensity of tobacco leaves color to determine timing of harvest. Usually within 48 hours after the ETI 106 02 G application, the leaves have reached the desired color intensity and can be harvested.

To avoid reduced yields and quality, harvest the tobacco before it over-ripens in the field after an ETI 106 02 G application.

#### **APPLICATION TIMING**

For best results, apply ETI 106 02 G to mature leaves. Treatment of immature leaves can lead to leaves that are not acceptable in color, quality or dryness. The correct timing for application can be tested by spraying a few plants in several different locations of the field. If the leaves begin to yellow within 24-72 hours, the leaves are mature. If some treated leaves do not change color within 72 hours, do not apply ETI 106 02 G until another test is carried out to determine if the leaves are mature. To prepare a test spray solution, add 1 tsp. ETI 106 02 G to 1 qt. water. Apply about 1 oz of the test spray solution as a fine mist and thoroughly cover the leaves. Immature leaves won't change color.

When the desired number of leaves per plant change in the test, the number of acres to treat in order to fill the barn can be calculated.

Remove yellowed leaves before making an ETI 106 02 G application as this will help yields and prevent leaf drop. Typical growing conditions will required the lower rates specified in the table below. If the higher rates are used, only apply if temperatures are below 65 degrees F on the day of application.

#### **CURING ETI 106 02 G TREATED TOBACCO**

A number of factors must be considered when curing treated tobacco. These factors include, but are not limited to tobacco condition, timing between application of ETI 106 02 G and harvest, weather conditions, and type of curing. Best quality tobacco is obtained when the curing process is closely monitored during late leaf coloring and early leaf drying stages.

Applications of ETI 106 02 G to tobacco begins the coloring process before harvest, so the amount of time required in the coloring phase and drying phase may be reduced. Harvested green leaves will need to be colored for a few hours. Harvested yellow leaves will require adjustment of temperature and ventilation so the tobacco dries as quickly as possible without scalding. At the point of 75% dried state, the leaves can be treated using normal procedures for curing. However, ETI 106 02 G-treated leaves cure faster, so cure treated and untreated leaves in separate barns.

Crop Situation	ETI 106 02 G Pints/A	Additional Instructions
Directed Spray Application	1 1/3	Apply ETI 106 02 G in a minimum spray volume of 50 gal/A.
		Apply ETI 106 02 G with drop nozzles and TG or OC spray tips

Crop Situation	ETI 106 02 G Pints/A	Additional instructions
		designed to apply 50-60 gal/A at 35-40 psi and at tractor speed of 2-3 mph. Best results are obtained when thorough sprays are directed to the leaves to be ripened. Adjust the sprayer so that there are 2 nozzles per row placed low enough to direct the spray to the leaves. For this type of application, harvest when 20% or more of the leaves have yellowed.
Over-The-Top Application	1 1/3 – 2 2/3	Apply ETI 106 02 G in a minimum spray volume of 40 gal/A.
		Make applications only to the mature leaves left on the stalk. Use the test procedure described in the Application Timing section above to determine if remaining leaves are mature and will respond to applications of ETI 106 02 G.
	ł	Apply the lower rate of ETI 106 02 G for mature crop or if experience indicates that a minimum ripening inducement is required. The higher rate is used for heavy, more rank crops or when temperatures are lower than normal.
		Apply over-the-top spray as a fine mist using three nozzles (one nozzle tip over the center of the plant, and one on each side) so all leaves are thoroughly covered, similar to the application pattern of systemic sucker control agents. Use a spray pressure of 40 to 60 psi.

#### STORAGE AND DISPOSAL

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

**PESTICIDE STORAGE:** Store in a tightly closed container in a cool, dry place. If container is broken or contents have spilled, follow all precautions provided on this label and clean up immediately. Before cleaning up, put on full-length trousers, long-sleeved shirt, protective gloves, and goggles or face shield. Soak up spill with absorbent media such as sand, earth or other suitable material and dispose of waste at an approved waste disposal facility.

**PESTICIDE DISPOSAL:** Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide, spray mixture, 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:** Triple rinse (or equivalent) empty containers. Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

#### 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 must 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 Etigra or Seller. All such risks shall be assumed by Buyer and User, and Buyer and User agree to hold Etigra and Seller harmless for any claims relating to such factors.

Etigra 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 the Directions for Use. This warranty does not extend to the use of this product contrary to label instructions, or under conditions not reasonably foreseeable to or beyond the control of Seller or Etigra, and Buyer and User assume the risk of any such use. TO THE EXTENT CONSISTENT WITH APPLICABL LAE, ETIGRA MAKES NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY EXCEPT AS STATED ABOVE.

To the extent consistent with applicable law, neither Etigra nor Seller shall be liable for any incidental, consequential or special damages resulting from the use or handling of this product. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE EXCLUSIVE LIABILITY OF ETIGRA 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 ETIGRA OR SELLER, THE REPLACEMENT OF THE PRODUCT.

Etigra 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 Etigra.

ETI 106 02 G is not manufactured or distributed by Bayer CropScience, seller of Prep®.

Folex<sup>®</sup> is a trademark of AMVAC Chemical Corporation.

Def<sup>®</sup>, Dropp<sup>®</sup>, Ginstar<sup>®</sup>, Guthion<sup>®</sup>, and Prep<sup>®</sup> are trademarks of Bayer.

Harvade<sup>®</sup> is a registered trademark of Chemtura USA Corporation.

Malathion<sup>®</sup> is a trademark of OMS Investments, Inc.

Etigra<sup>™</sup> is a trademark of Etigra.