

80697-6

1/16/2011

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

OFFICE OF CHEMICAL SAFETY  
AND POLLUTION PREVENTION

Ann Tillman, Agent for  
Zhejiang Tide CropScience Company, Ltd.  
c/o Pyxis Regulatory Consulting, Inc.  
4110 136<sup>th</sup> Street, N.W.  
Gig Harbor, WA 98332

JAN 06 2011

**RE: Amendment Dated 11/17/09**  
**Decision 440818**  
**Krop-Max**  
**EPA Reg. Number 80697-6**

Dear Ms. Tillman:

The amendment referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, to respond to the EPA letter dated 10/9/09 by providing a revised label which adds a 6 month expiration date, is acceptable providing you submit one copy of a final printed label within 45 days from the date of this letter, which makes the following important change:

The "Restricted Use Pesticide" (RUP) box must be added back on the label. The EPA letter for this product dated 11/19/08 required removal of this box. However, this removal requirement was an error because the other two hydrogen cyanamide products have this box (ie. EPA Reg. Numbers 54555-2 and 84374-1) and all RUP products for the same active ingredient must be treated equally under 40 CFR 152.164.

Attach a copy of this letter with your final printed label. Enclosed please find a copy of the label stamped "Accepted With Comments". If you have questions concerning this letter, please contact me at 703-308-9443.

Sincerely,

A handwritten signature in black ink that reads "Tony Kish".

Tony Kish  
Product Manager, Team 22  
Fungicide Branch  
Registration Division (7504P)



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

Causes substantial but temporary eye injury. Causes skin irritation. May be fatal if swallowed or if absorbed through skin. Do not get in eyes, on skin, or on clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum or using tobacco.

**PERSONAL PROTECTIVE EQUIPMENT**

Some 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:**

- Coveralls worn over short-sleeved shirt and short pants
- Chemical-resistant gloves made of any waterproof material such as barrier laminate, butyl rubber ≥ 14 mils, nitrile rubber ≥ 14 mils, neoprene rubber ≥ 14 mils, natural rubber ≥ 14 mils, polyethylene, polyvinyl chloride (PVC) ≥ 14 mils, or viton ≥ 14 mils
- Chemical-resistant footwear plus socks
- Protective eyewear – persons who mix, load or transfer must wear goggles
- Chemical-resistant headgear for overhead exposure
- Chemical-resistant apron when cleaning equipment, mixing, or loading

**User Safety Requirements:**

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. Wash PPE after each day's use.

Do not consume alcoholic beverages prior to, during, or for 24 hours after handling this product.

**ENGINEERING CONTROLS STATEMENT**

Closed Systems: This product must be mixed, loaded, and transferred only in a closed system.

Closed Systems and Enclosed Cab Requirements (if applicable): This product must be applied only with the applicator in an enclosed cab. When handlers use closed systems or enclosed cabs 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.

**IMPORTANT:** When reduced PPE is worn because a closed system is being used, handlers must be provided all PPE specified above for "applicators and other handlers" and have such PPE immediately available for use in an emergency, such as a spill or equipment break-down.

The operating pressure of the spray rig shall be no more than 40 psi with the use of low pressure nozzles on dilute boom sprays and no more than 100 psi on air fan sprayers. Air fan sprayers should have the fan adjusted so that the spray mist does not greatly exceed the top of vines being sprayed.

**User Safety Recommendations**

**Users should:**

- Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.
- Remove clothing immediately, if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- 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.
- Avoid contact with spray contaminated surfaces.

**ENVIRONMENTAL HAZARDS**

Do not apply this product to any area in which an endangered species has been identified or in such a manner that drift from applications of this product could result in destroying an endangered species. This limitation applies only to areas that have been identified by and are protected by State and Federal agencies. Do not apply closer than 300 yards to the mean high water mark for intertidal areas or closer than 300 yards to surface water. Do not apply to crops growing closer than 300 yards to rivers, streams, or their flowing tributaries. Do not contaminate water by the cleaning of equipment or disposal of equipment washwater or rinsate. Do not apply when weather conditions favor drift from treated areas or where runoff is likely to occur. Do not spray when bees are active in the field.

This chemical can contaminate surface water through ground spray applications. Under some conditions it may also have a high potential for runoff into surface water after application. These include poorly draining or wet soils with readily visible slopes toward adjacent surface waters, frequently flooded areas, areas overlaying extremely shallow ground water, areas with in-field canals or ditches that drain to surface water, areas not separated from adjacent surface waters by vegetated filter strips, and areas overlaying tile drainage systems that drain to surface water. This pesticide is highly toxic to freshwater invertebrates and moderately toxic to birds and mammals. Drift and runoff may be hazardous to aquatic organisms in neighboring 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 or protected supervisors may be in the area during application. During the application, no person shall be within 100 yards of the area to be treated unless involved in application or mix/load operations. For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation. This label must be in possession of the user at the time of Krop-Max™ application.

Do not apply this product through any type of irrigation system. Aerial application of Krop-Max™ is prohibited.

**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 to workers, 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 24 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 worn over short-sleeved shirt and short pants.
- Chemical resistant gloves made of any waterproof material such as barrier laminate, butyl rubber ≥ 14 mils, nitrile rubber ≥ 14 mils, neoprene rubber ≥ 14 mils, natural rubber ≥ 14 mils, polyethylene, polyvinyl chloride (PVC) ≥ 14 mils, or viton ≥ 14 mils
- Chemical-resistant footwear plus socks
- Protective eyewear – persons who mix, load or transfer must wear goggles
- Chemical-resistant headgear for overhead exposure

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

Krop-Max™ is a plant growth regulator that will stimulate more uniform budbreak on many deciduous plants. More uniform budbreak will occur in plants that have received their full chill hour requirement or somewhat less than their full dormancy. More uniform budbreak in the spring promotes more uniform flowering and more uniform maturity at harvest. The directions provided below provide instructions on how to achieve these benefits and to avoid possible difficulties with the use of Krop-Max™.

**EQUIPMENT CONTAMINATION** – Thoroughly clean spray equipment used for Krop-Max™ application of residual spray materials. Residual spray in the tank or sprayer plumbing may react with Krop-Max™ potentially reducing the effective concentration of Krop-Max™. Sprays containing metal ions, especially copper, will form a black insoluble salt that will coat the sprayer and be difficult to remove. This will reduce the available active ingredient concentration of Krop-Max™.

**DORMANT SPRAY EFFECTIVENESS** – Delay applying Krop-Max™ for at least 30 days after early dormant sprays containing copper or the effect of the copper spray may be reduced.

**DORMANT SPRAYS CONTAINING OIL** – Do not apply dormant sprays containing oil less than 14 days before or 14 days after application of Krop-Max™ (delayed Krop-Max™ applications are recommended). Some new wood dieback may result if oil is applied sooner than this interval. When oil and copper spray mixtures must be used for insect and/or disease control, apply Krop-Max™ 30 or more days before normal budbreak and the oil and/or copper spray should be made as a delayed dormant spray, which coincides with early budbreak. This practice will give three or more weeks separation.

**COVER CROPS** – When spraying Krop-Max™ in areas of vineyards or orchards with cover crops, injury may occur from spray applications to the target crop. This injury is usually temporary, but some crops may be sensitive and defoliate. If there is concern about the cover crop, spray a small area over the cover crop to test the plant sensitivity to Krop-Max™ using the intended surfactant.

**POTENTIAL CROP LOSS** – Krop-Max™ drift to crops that are in bloom may completely remove or damage all of the flowers, resulting in complete crop loss. When spraying close to susceptible crops, such as lemons, crops in bloom, sensitive foliage, etc., use a buffer zone. Extreme care must be used to avoid contact of the spray or drift with foliage, green stems, or fruit of desirable crops as severe damage and crop loss may result.

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**SPRAY DRIFT** – Avoid spraying under conditions of a temperature inversion when drift hazard is increased. Coarse sprays are less likely to drift and are recommended to be used in Krop-Max™ applications. Do not use nozzle configurations which promote fine spray droplets. Do not increase spray volume by increasing nozzle pressure as this will increase the number of fine droplets in the spray. It is important to understand that the responsibility for control of spray drift is the responsibility of the person making the use recommendation, the applicator and the grower.

To limit drift, use a coarse droplet nozzle pressure not to exceed 40 psi for dilute boom sprayers and 100 psi for air fan sprayers, and spray only to wet. Do not exceed 4 gallons per acre of Krop-Max™ per application and make only one application per crop cycle. Do not tank mix with other materials except as listed on this label. If applied less than 30 days (35 to 40 days for apples) prior to natural budbreak, yield may be reduced. Use the minimum spray volume to achieve adequate wetting of all buds. Do not use concentrate spray.

Ethylene gas may be formed through the use of Krop-Max™. When Krop-Max™ is applied to grapes growing close to certain lemon varieties, the ethylene gas may result in some leaf drop in lemon leaves. This defoliation is characterized by the leaf lamina falling off leaving the leaf petiole still attached to the stem. Application of lime at a rate of 125 lbs. in 250-300 gals. water per acre (having a high pH, i.e. 10+), applied 2 to 24 hours after Krop-Max™ application, may result in reduced formation of ethylene gas.

**Do not use Krop-Max™ as a blossom thinner as the outcome of such use is unpredictable.**

**FROST OCCURRENCE ADVISORY** – For earlier than normal budbreak, make the application sooner than 30 days prior to normal budbreak. However, growing buds and shoots are susceptible to frost and may be killed or damaged by freezing temperatures. Following application of Krop-Max™, some yellowing on the first leaves may appear but developing growth will be normal.

**DORMANCY REQUIREMENTS** – To promote maximum effectiveness of Krop-Max™ and to avoid phytotoxicity (i.e., new wood dieback, blossom thinning), deciduous crops must be completely dormant. Krop-Max™ is not a substitute for lack of a normal dormancy. Monitor dormancy by monitoring chill hour accumulations. Negative chill hour accumulation climatologically induced incomplete dormancy must be considered, both to promote the effectiveness of Krop-Max™ at the recommended application rates and to avoid phytotoxicity.

**ENVIRONMENTAL AND DISEASE STRESS** – Plants grown in heavy soils, or in other soils affected by poor drainage, or soil borne diseases, such as phytophthora root rot, may die back as a result of treatment with Krop-Max™. This is because of increased uniform budbreak and the inability of the plant to sustain growth. Plants usually appear healthy and begin to grow normally, then collapse. Plants designated for treatment with Krop-Max™ need a healthy, viable root system.

**SPRAY EQUIPMENT CALIBRATION** – It is critical that equipment be calibrated, especially speed sprayers, for the row spacing to be treated. Double spraying and excessive drift through the vineyard/orchard will result in phytotoxicity. Proper speed sprayer calibration and/or rate reduction will provide good results.

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### CROP RECOMMENDATIONS

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**APPLES** – To promote a more uniform budbreak after all pruning activities are completed, apply a 4% (v/v) spray in not more than 200 gallons spray per acre with a nonionic surfactant not to exceed 0.5% (v/v), 30 days before normal budswell, or 35 days before normal budbreak. In orchards having more than one variety, spray according to anticipated budbreak timing of the earliest variety, unless each variety can be sprayed separately without significant drift or overspray contacting previously sprayed varieties or nontarget varieties. When budbreak begins to occur, the bloom period can be compressed to a few days depending upon the weather. In order to ensure adequate pollination, a sufficient number of beehives of suitable strength must be set in the orchard before first blossom activity is observed. When bee activity is limited, artificial pollination is advised. Increased budbreak uniformity will also facilitate chemical thinning of fruit and promote greater uniformity of fruit maturity at harvest.

Krop-Max™ is a budbreak stimulant and will promote more uniform normal and/or earlier budbreak even when the maximum chill hour requirements are met. Krop-Max™ is not a substitute for chill hours,

however, a 4% (v/v) spray will stimulate more uniform bud emergence following a minimum amount of chilling (approximately 375-500 chill hours based on the threshold temperature of 43°F to 45°F).

**BLUEBERRIES** – Use Krop-Max™ to promote more uniform budbreak, particularly in areas of marginal chilling, to reduce the period of fruit disease susceptibility and to promote more uniform harvest. Apply Krop-Max™ at a rate of 1.5% (v/v) in 50 to 100 gallons of spray per acre with a nonionic surfactant not to exceed 0.5% v/v made 30 or more days prior to natural budbreak. (Florida Only – use of Krop-Max™ in Alachua County, Florida is restricted from the area west of route 441, except that north of the intersection of route 441 and 175, use is also restricted west of 175 because of possible effects on the Squirrel Chimney cave shrimp (*Palaemonetes cummingsi*)).

**CHERRIES** – Use Krop-Max™ for more uniform natural budbreak, or for earlier budbreak, leading to more uniform normal maturity or earlier maturity. Apply a 4% (v/v) spray in not more than 200 gallons of spray per acre with a nonionic surfactant not to exceed 0.5% v/v after all pruning activities are complete. Do not use Krop-Max™ on very large trees if sufficient spray coverage cannot be achieved at the 200 gallons spray per acre rate. Make applications 30 or more days prior to normal budbreak. Spray applications should be made according to the anticipated budbreak timing required by the earliest variety within an interplanted orchard, unless each variety can be sprayed separately without significant drift or over-spray contacting previously sprayed varieties or non-target varieties. Maintain fungicide/bactericide spray activities, including dormant sprays and protect bud growth as it occurs.

Following application of Krop-Max™, when budbreak begins to occur, the bloom period can be compressed to a few days depending upon the weather. In order to ensure proper pollination, a sufficient number of beehives of suitable strength must be set in the orchard before first blossom activity is observed. When bee activity is limited, artificial pollination is advised.

Krop-Max™ is a budbreak stimulant and will promote more uniform normal and/or earlier budbreak even when the maximum chill hour requirements are met. Krop-Max™ is not a substitute for chill hours, however, a 4% (v/v) spray will stimulate growth following a minimum amount of chilling (approximately 350-500 chill hours based on the threshold temperature of 43°F to 45°F).

**GRAPES – WINE AND RAISIN** – Apply a 4% spray in not more than 100 gallons per acre 30 or more days prior to normal natural budbreak to promote increased budbreak uniformity and more uniform harvest. Application will help overcome blind bud disorder on such wine varieties as Cabernet Sauvignon. Low vigor may not be able to support the amount of budbreak and shoot growth that occurs as a result of Krop-Max™ use.

**DESERT GRAPES** – For use in desert grown grapes in the California Counties of Imperial, Riverside and San Bernardino and in the Arizona Counties of Maricopa, Pinal and Yuma.

To promote uniform budbreak, apply Krop-Max™ as a 4% (v/v) solution in water with a nonionic surfactant not to exceed 0.5% (v/v) prior to budbreak after all pruning activities are completed, including tying of canes. Use a coarse droplet spray with nozzle pressure not to exceed 40 psi. Use the minimum number of spray nozzles to achieve adequate wetting. Three to four nozzles are usually sufficient.

Do not use more than 4 gallons Krop-Max™ per acre and do not exceed 100 gallons of spray per acre. Make only one application per crop cycle. Do not tank mix with other materials except as listed above. Yield may be reduced if applied less than four weeks prior to natural budbreak.

For earlier than normal budbreak, make the application earlier than 4 weeks prior to normal budbreak but not later than January 31 and not before December 1. Some yellowing on the first leaves may appear but the developing growth will be normal. The user should be aware that growing buds and shoots are susceptible to frost and may be killed or damaged by freezing temperatures which should be taken into account in determining whether or not to make an early application of Krop-Max™.

Do not apply Krop-Max™ within 50 feet of the boundary of the Coachella Valley Preserve in order to avoid possible exposure to the endangered Coachella Valley fringe-toed lizard. This lizard is located in the vineyards located within the boundaries of the Coachella Valley Preserve.

**NON-DESERT GRAPES** – For use in California Counties of Kern, Tulare, Fresno and Madera

Apply Krop-Max™ prior to budbreak after all pruning activities are completed, including tying of canes, to promote more uniform budbreak as a 4% (v/v) solution in water with a nonionic surfactant not to exceed 0.5% v/v. In order to achieve adequate wetting, use a coarse droplet spray with a nozzle pressure not to exceed 40 psi and a minimum number, usually three or four, of spray nozzles. Do not use more than 4 gallons of Krop-Max™ per acre. Do not exceed 100 gallons of total spray per acre. Do not exceed one application per crop cycle. Tank mixing with any other materials, except those listed above, is prohibited. Yield reduction may occur if application is made less than four weeks prior to natural budbreak. For earlier than normal budbreak, apply Krop-Max™ more than four weeks prior to normal budbreak, but only after January 1 and before February 28.

Developing growth will be normal, although some yellowing on the first leaves may occur. The user should be aware that growing buds and shoots are susceptible to frost and may be killed or damaged by freezing temperatures which should be taken into account in determining whether or not to make an early application of Krop-Max™.

Krop-Max™ should be applied as late as possible to permit maximum chill hour accumulation, but not later than 25 days before budbreak, in areas where chill hour accumulation is marginal. Best results are observed when Krop-Max™ is applied after the vines have accumulated at least 50 hours of chilling.

Do not apply Krop-Max™ any earlier than 30 days prior to anticipated normal budbreak to low vigor and low capacity vines. Vines treated too soon risk reduced yield if conditions affecting growth following application are not favorable for a sustained period.

**KIWI (California Only)** – Apply Krop-Max™ to promote more uniform natural budbreak or earlier budbreak particularly in areas of marginal chilling, to reduce the period of fruit susceptibility to disease, and to promote more uniform harvest. Apply a 4% spray in no more than 100 gallons of spray per acre. Make only one application per crop cycle. This application will also reduce the cane's susceptibility to apical dominance, whereby increasing bud fruitfulness. Do not tank mix with other products except up to 0.5% (v/v) of a non-ionic surfactant. Yield may be reduced if applied less than four weeks prior to natural budbreak.

For earlier than normal budbreak, make the application earlier than four weeks prior to normal budbreak. To limit drift, use a coarse droplet nozzle. The nozzle pressure must not exceed 40 psi. Apply as a spray to wet application. Do not exceed 4 gallons of Krop-Max™ per acre per application.

Some yellowing on the first leaves may appear but the developing growth will be normal. The user should be aware that growing buds and shoots are susceptible to frost and may be killed or damaged by freezing temperatures which should be taken into account in determining whether or not to make an early application of Krop-Max™.

**PEACHES/NECTARINES (Not for use in California)** – Use Krop-Max™ for more uniform natural budbreak, earlier budbreak leading to sharper bloom, more uniform maturity or earlier maturity. Apply 1-1.5% (v/v) Krop-Max™ spray in no more than 200 gallons spray per acre with a nonionic surfactant not to exceed 0.5% (v/v) after all pruning activities are completed. Make applications 30 or more days prior to normal budbreak. Applications made less than 30 days prior to normal budbreak may result in reduced yield. In some areas, it may be possible to use lower rates if it is possible to closely monitor the accumulation of chill hours. If application rate is too low and made too close to normal budbreak, no results may occur.

Spray according to the anticipated budbreak timing of the earliest variety within an interplanted orchard, unless each variety can be sprayed separately without significant drift or over-spray contacting previously sprayed varieties or nontarget varieties. If handgun spray applications are made, take care not to over wet the lower portions of the tree as reduced fruitfulness will occur in the lower part of the tree as a result of phytotoxicity from increased spray dripping from the top of the tree. More uniform spray applications occur from speed sprayer treatment, resulting in more uniform distribution of material through the tree.

Krop-Max™ is a budbreak stimulant and will promote more uniform and/or earlier budbreak even when the maximum chill hour requirements are met. Krop-Max™ is not a substitute for chill hours however; a 1.5% (v/v) spray will stimulate growth following a minimum amount of chilling (approximately 300-500 chill hours based on the threshold temperature of 43°F to 45°F).



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Use of Krop-Max™ on any orchard historically damaged by frost, such as in Southeastern states must be done with the knowledge that Krop-Max™ treated trees are equally as frost sensitive as non-treated trees. If Krop-Max™ is used to start growth even a few days early, resulting flowers and/or fruit can be subject to frost damage.

**Note to User:** Application at rates in excess of those stated above may reduce emergence of primary buds, causing secondary bud growth that can reduce yield in the immediate crop cycle.

### STORAGE AND DISPOSAL

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

**PESTICIDE STORAGE:** Store under cool conditions not to exceed 68°F (20°C). Do not store in direct sunlight.

**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:

**5 gallon containers:** Nonrefillable container. Do not reuse or refill this container. Offer for recycling, if available. Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container ¼ full with water and recap. Shake for 10 seconds. Pour rinsate into application or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times.

**15 gallon containers:** Nonrefillable container. Do not reuse or refill this container. Offer for recycling, if available. Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container ¼ full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times.

**55 gallon containers:** Refillable container. Refill this container with pesticide only. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To clean the container before final disposal, empty the remaining contents from this container into application equipment or mix tank. Fill the container about 10 percent full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times.

### LIMITED WARRANTY AND DISCLAIMER

Our recommendations for use of this product are based upon tests believed to be reliable. The use of this product being beyond control of the manufacturer, no guarantee, expressed or implied, is made as to the effects of such use or the results to be obtained if not used in accordance with printed directions and established safe practice. To the extent consistent with applicable law, buyer's exclusive remedy and manufacturer's or seller's exclusive liability for any and all claims, losses, damages or injuries resulting from the use or handling of this product, whether or not based in contract, negligence, strict liability in tort or otherwise shall be limited, at the manufacturer's option to replacement of, or the repayment of the purchase price for, the quantity of product with respect to which damages are claimed.