



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

OFFICE OF  
CHEMICAL SAFETY AND  
POLLUTION PREVENTION

Ms. Sherry B. Hutcheson  
Phoenix Environmental Care LLC  
PO Box 370  
Valdosta, GA 31603-0370

OCT 14 2010

Subject: Registration Amendment  
Product Name: GoldWing  
EPA Reg. No. 81943-12  
Decision No.: 434255

Dear Ms. Hutcheson,

The basic formulation amendment (dated 5/19/10 and submitted on 8/18/10) of the product referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, is acceptable. The basic CSF dated 5/19/10 will supercede all previously accepted basic CSF's and will be added to your file.

As a condition of this amended registration, you must submit the following data:

1. Within one year of the date on this registration notice, Storage Stability (830.6317) and Corrosion Characteristics (830.6320) studies must be submitted. The observations should be made at 0, 3, 6, 9, and 12 month intervals.

The label amendment of this product, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended is acceptable provided that you make the following changes to the product labeling:

1. Include the pounds of active ingredient per gallon of product under the ingredient statement.
2. Add the word, "exist" after "washables" in the User Safety Requirements section on page 2.
3. Revise the section heading, "General Information" to "Product Information." The word, "General" is an implied safety claim that makes all associated text unenforceable.
4. Move the 'Do NOT' statements currently under the 'Use Precautions' section to a 'Use Restrictions' section heading.

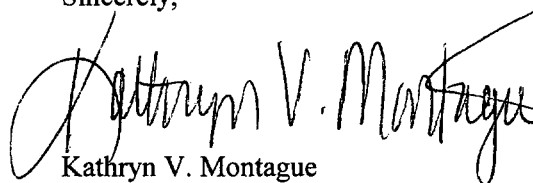
In addition, add the statement, "DO NOT exceed a total of 7.0 fl. oz/1,000 sq. ft. (305 fl. oz./A; 19.0 pts/A) per year" to a 'Use Restrictions' section.

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5. Add the statement, "To the extent consistent with applicable law" before the ALL CAPS sentence in the third paragraph and before the **BOLD FONT** text in the fourth paragraph of the 'Condition of Sale and Limitation of Warranty and Liability section. In addition, revise "To the extent allowed by state law" with "To the extent consistent with applicable law" in the first sentence of the fourth paragraph in this section.

Amended labeling will supersede all previously accepted ones. A stamped copy of labeling is enclosed for your records. Submit one (1) copy of final printed labeling before you release the product for shipment.

Sincerely,



Kathryn V. Montague  
Product Manager 23  
Herbicide Branch  
Registration Division (7505P)

**GoldWing™**  
**Plant Growth Regulator for Turf Growth Management**

A microemulsion concentrate for managing growth, improving quality, and stress tolerance and edging of warm- and cool- season turfgrasses

**ACTIVE INGREDIENT:**

Trinexapac-ethyl (CAS No. 95266-40-3):..... 11.3%

**OTHER INGREDIENTS:**..... 88.7%

**TOTAL:**..... 100.0%

**ACCEPTED**  
**with COMMENT.**  
 In EPA Letter Dated  
**OCT 14 2010**  
 Under the Federal Insecticide  
 Fungicide, and Rodenticide Act  
 as amended, for the pesticide  
 registered under EPA Reg. No

**KEEP OUT OF REACH OF CHILDREN**  
**CAUTION**

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

81943-12

**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 **1-800-875-1724** for emergency medical treatment information.

**NOTE TO PHYSICIAN**

If a large amount has been ingested, lavage stomach. An aqueous suspension of activated charcoal can be given to absorb remaining toxicant. Treat symptomatically.

**See inside label booklet for additional PRECAUTIONARY STATEMENTS**

Net Contents: \_\_\_\_\_

Phoenix Environmental Care, LLC  
 P.O. Box. 370 • Valdosta, GA 31603-0370

EPA Reg. No.: 81943-12  
 EPA Est. No.: \_\_\_\_\_

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

**CAUTION**

Harmful if absorbed through skin, swallowed or inhaled. Causes moderate eye irritation. Avoid breathing vapor or spray mist. Avoid contact with skin, eyes or clothing.

**ENVIRONMENTAL HAZARDS**

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. Do not apply when weather conditions favor drift from treated areas.

**PERSONAL PROTECTIVE EQUIPMENT (PPE)**

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

**Applicators and other handlers must wear:**

- Long-sleeved shirt and long pants
- Chemical-resistant gloves (such as nitrile, butyl, neoprene, or barrier laminate).
- Shoes plus socks

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, use detergent and hot water. Keep and wash PPE separately from other laundry.

**Engineering Control Statements**

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.

**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.

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**DIRECTIONS FOR USE**

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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.

Observe all precautions and limitations on this label and on the labels of each product used in tank mixture with this product.

**FAILURE TO FOLLOW THE DIRECTIONS FOR USE AND PRECAUTIONS ON THIS LABEL  
MAY RESULT IN UNEVEN GROWTH REDUCTION OR SEVERELY STUNTED TURF.**

### 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.

The restricted-entry interval (REI) for this product is 0 days.

**Do not enter treated areas without footwear until sprays have dried.**

### 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.

**Do not enter treated areas without footwear until sprays have dried.**

### GENERAL INFORMATION

GoldWing is a microemulsion concentrate (MEC) for management of the growth of warm- and cold-season turfgrasses, reducing the frequency of mowing and the amount of grass clippings generated. Applications of GoldWing also frequently result in increased turf density, increased color, and increased turf quality.

Apply GoldWing to turfgrass areas such as residential and commercial lawns, golf courses, sod farms, sports fields, cemeteries and other similar areas that are well-maintained. GoldWing is useful in the management of difficult-to-mow areas and can be used to minimize the need for edging turfgrass along sidewalks, curbs, parking lots, driveways, flower beds, fences and around posts, storage sheds, and trees.

GoldWing is absorbed by foliar uptake and is rainfast after one hour. Watering-in is not necessary for activation. Environmental conditions, management and cultural practices that affect turf growth and vigor will influence the response of the turf to GoldWing applications. Fertility level, moisture availability, plant vigor, height and frequency of mowing, etc. have all been shown to influence the activity of GoldWing. Full growth regulation by GoldWing begins at about 3-5 days after application.

**Notice to User:** Plant tolerances to GoldWing have been found to be acceptable for the grasses listed on this label; however, due to the large number of species and cultivars of grasses it is impossible to test every one for tolerance to GoldWing. Neither the manufacturer nor the seller has determined whether or not GoldWing can be used safely on grasses not specified on this label and professional users should first determine if GoldWing can be safely applied prior to commercial use by testing on a small scale by applying the lower recommended rate for the turf setting (lawn, fairway, etc.) and evaluating for phytotoxicity and growth inhibition prior to widespread use.

### USE PRECAUTIONS

- Do NOT apply GoldWing through any type of irrigation system.
- Do NOT graze treated areas or feed treated clippings to livestock.
- Areas treated with GoldWing should continue to receive regular maintenance practices, including irrigation; fertilization; and weed, disease, and insect control when necessary and as recommended for quality turf.
- Because some herbicides can injure turf, tank mixes with GoldWing should be tested on a small scale before widespread use.

- GoldWing may cause temporary yellowing that usually disappears approximately one week after application. To minimize yellowing and to enhance the green color of turf, apply readily available nitrogen at a rate of 0.2-0.5 lb. of actual nitrogen per 1,000 sq. ft. If desired, recommended rates of iron per 1,000 sq. ft. can also be used.

### APPLICATION INSTRUCTIONS

Excessive turf growth during spring flushes or as a result of fertilization may require higher rates of GoldWing (up to 50% greater) to provide an adequate length of control.

For extended growth suppression (up to 8 weeks) when temporary discoloration can be tolerated, a maximum of twice the recommended GoldWing rate from the Application Rate Table may be applied.

GoldWing use rates may need to be reduced up to 50% for turfgrass grown under conditions of low fertility, compaction, or other factors, which stress the turf.

**Multiple applications of GoldWing can be made each growing season, but do not exceed a total of 7.0 fl. oz./1,000 sq. ft. (305 fl. oz./A; 19.0 pts./A) per year.**

#### Mowing

GoldWing generally provides greater suppression when turfgrasses are maintained at lower mowing heights and the application rates in this label have been selected for typical mowing heights; be sure to adjust the application rate based on the actual mowing conditions under which GoldWing will be applied. To minimize possible turf injury, apply GoldWing at least 4 hours before mowing or 1 hour after mowing.

#### Application Timing

Apply GoldWing to actively-growing turf. A lower rate of GoldWing should be used if turf is going into dormancy because of high or low temperatures or lack of moisture.

As soon as the turf resumes growth or if more suppression is desired, repeat applications of GoldWing may be made, but do NOT apply more than 7.0 fl. oz./1000 sq. ft. per year.

#### Equipment

GoldWing may be applied using backpack sprayers, hand sprayers, boom sprayers, and with spraygun application devices. Be sure to clean the spray equipment thoroughly before use and make sure the sprayer is calibrated and capable of accurate and uniform application. Rinse sprayer with clean water after use and dispose of rinsate in an approved manner.

### MIXING AND APPLICATION INSTRUCTIONS

GoldWing mixes completely with water (does not contain any petroleum solvents) and may be tank mixed with many commonly – used pesticides and liquid fertilizers. Prepare no more mixture than is necessary for the immediate operation in sufficient carrier (for example 0.5-4.0 gals. of water per 1,000 sq. ft.) to provide uniform and thorough coverage.

Once GoldWing is uniformly mixed, no further agitation is required when the product is used alone, but agitation may be required for tank mixes. If using GoldWing in a tank mixture, be sure to observe all directions for use, sites, use rate dilution ratios, precautions, and limitations, which appear on the tank-mix product's label(s). Do not exceed any label use rate and follow the most restrictive label precautions and limitations and do not mix GoldWing with any product which prohibits such mixing.

#### Backpack and Hand Sprayers (0.5-4.0 gal. capacity)

Add all of the required water to the mix tank followed by the appropriate amount of GoldWing. Close the sprayer and vigorously shake. Begin application.

### **Boom and Hand Gun Sprayers**

GoldWing Alone: Add all the required amount of water to the spray tank. Then, while agitating, add GoldWing.

GoldWing in Tank Mixtures: When mixing GoldWing with other carrier and/or tank mix pesticide products, add the products to the spray tank using the following procedure:

1. Always check the compatibility of the tank mix using a jar test with proportionate amounts of GoldWing, other products to be used, and the water before mixing in the spray tank. Use a clear glass quart jar with lid and mix the tank mix ingredients in their relative proportions. Invert the jar containing the mixture several times and observe the mixture for approximately ½ hour. If the mixture balls-up or forms flakes, sludges, gels, oily films or layers; or precipitates, it is not compatible and do not use the combination in a tank mix.
2. Fill tank at least ½ full of water.
3. Maintain sufficient agitation during filling to keep the tank mix uniformly suspended.
4. Add all products packaged in water-soluble bags first. Allow the packages to dissolve and the contents to completely disperse into the mix water. Then add water-dispersable granules (WG formulations) while maintaining agitation in the mix tank. Next add wettable powders (WP formulations). Allow the products to disperse completely before the other products are added.
5. Add emulsifiable concentrates (EC).
6. Add flowable liquids (FL) or suspension concentrates (SC).
7. Add GoldWing.
8. Add spray adjuvant and spray markers. Use surfactants approved for application to turf. Check surfactant label before use.
9. Add the remainder of the water.
10. Do not leave tank mix combinations in the spray tank for prolonged periods without agitation. Mix and apply all of the spray solution on the same day.

### **Application Near and Around Monuments and Hardscape Materials**

At normal dilution rates, GoldWing will not stain brass, bronze, concrete, marble, granite, or other types of stone. Prior to using GoldWing around other materials, test on a small scale basis first.

### **Turf Pre-Stress Conditioning**

Multiple GoldWing applications, in conjunction with cultural practices such as fertilization, irrigation, drainage and mowing height will delay the onset of stress, improve stress survival, and enhance turf's recovery from stress. Apply GoldWing to healthy, actively growing turf before the onset of stress and continue to apply GoldWing throughout the growing season as long as the turf remains healthy. NOTE: Do NOT apply more than 7.0 fl. oz./ 1,000 sq. ft. per year.

When turf top growth slows, energy is redirected to below-ground plant parts, and root and rhizome production increases resulting in root-mass that is often greater in GoldWing-treated turf than in similar, untreated turf.

Research indicates that GoldWing may also enhance the performance of fungicides. Monthly applications of GoldWing at the label rate or biweekly application at ½ the label rate may strengthen the turfgrass to help it resist disease. Additionally, if mowing is less frequent, and leaf material removal is reduced, contact and systemic products will remain at effective concentrations on or in the turf longer.

Multiple GoldWing applications will result in smaller, more compact turfgrass and reduced leaf area, resulting in reduced transpiration, water use and improved drought tolerance. Increased turf density will also reduce moisture loss from soil evaporation, and additional soil moisture will be available due to increased root depth and mass. GoldWing may also enhance cold and heat tolerance by increasing carbohydrate levels.

#### **SUPPRESSION OF ANTHRACNOSE**

GoldWing can be applied at rates of 0.1 to 0.2 fl. oz. per 1,000 square feet every 7-14 days to suppress basal rot anthracnose. The lower rate must be used when seedheads are present. Tank mix with other fungicides registered for control of anthracnose for optimal disease control.

#### ***POA ANNUA* CONVERSION/RENOVATION/SEEDHEAD SUPPRESSION**

As part of an overseeding / renovation program allowing better germination and seedling growth of more desirable turf, GoldWing may be applied to existing turf infested with stands of *Poa annua*. By combining GoldWing with appropriate cultural practices that help to ensure the vigor and growth of new seedlings, fewer clippings and reduced maintenance traffic on new seedlings will result. Additionally, seed germination is not affected because GoldWing is absorbed foliarly. NOTE: Aggressive application rates of GoldWing may result in temporary initial discoloration.

Apply GoldWing 1-5 days before seeding and before verticutting, scalping, spiking or other similar operations. The following spring, apply the recommended upper end rate of GoldWing for the turf type and setting listed in the Application Rate Table. Actual conversion success will also depend on growing conditions, fertilization, rainfall, and other agronomic and environmental conditions.

Goldwing will suppress *Poa annua* seedheads. It can be tank mixed with ethephon containing products for improved seedhead suppression. Apply 0.125 – 0.25 fl. oz./1000 square feet of GoldWing and 5.0 fl. oz./1000 square feet of ethephon 3 to 4 weeks prior to seedhead emergence. Two weeks after initial application a follow-up application may be made. See ethephon product labeling for use rate information and restrictions.

#### **BERMUDAGRASS OVERSEEDING**

Establishment of cool-season turfgrasses can be enhanced by applying GoldWing to bermudagrass. By combining GoldWing with appropriate cultural practices that help to ensure the vigor and growth of new seedlings, fewer clippings and reduced maintenance traffic on new seedlings will result. Additionally, seed germination is not affected because GoldWing is absorbed foliarly. NOTE: Aggressive application rates of GoldWing may result in temporary initial discoloration.

Apply GoldWing to the bermudagrass 1-5 days before seeding or before verticutting, scalping, spiking, or other similar operations. For maintenance applications, see the Application Rate Table. Use normal seeding rates for your area and turf setting (lawn, fairway, etc.). Actual overseeding results will also depend on growing conditions, fertilization, rainfall, and other agronomic and environmental conditions.

#### **APPLICATION WITH TURF MARKING PAINT**

When applied before or with marking agents, GoldWing can extend the duration of marking visibility. When combining with latex-based marking agents, mix GoldWing with water first and refer to the marking agent's products label for further instructions.

To treat approximately 1,000 sq. ft. of line surface area, apply GoldWing at 1 oz./gal of marking paint mix. Refer to the GoldWing plus Tank Mixtures section of this label for additional instructions.



**Table 1. GoldWing Application Rates<sup>1</sup>**

NOTE: The rates below should provide 50% suppression of turf growth with minimal yellowing for 4-weeks under good growing conditions.

Turf Type	Residential and Commercial turf <sup>2</sup>		Golf Course Fairways (cut at 1/2" or less)		Golf Course Greens		Edging/Banding <sup>3</sup>	
	fl. oz./1000 sq. ft.	fl. oz./A	fl. oz./1000 sq. ft.	fl. oz./A	fl. oz./1000 sq. ft.	fl. oz./A	fl. oz./1000 sq. ft.	fl. oz./A
<b>Cool Season</b>								
Bentgrass	0.75	33	0.25	11	0.125	6	1.0	44
Fescue, red	0.75	33					1.0	44
Fescue, tall (Ky-31)	1.0	44					1.0	44
Fescue, tall (Turf Types)	0.75	33					1.0	44
Kentucky Bluegrass	0.60	26	0.25	11			0.75	33
Mixture (Bentgrass/ <i>Poa annua</i> )			0.25 <sup>4</sup>	11	0.125	7		
Mixture (K. Bluegrass/Fescue/Ryegrass)	0.75	33						
Mixture (K. Bluegrass/Ryegrass/ <i>Poa annua</i> )			0.50 <sup>4</sup>	22				
Ryegrass, Annual	1.0	44					1.0	44
Ryegrass, Perennial	1.0	44	0.50	22			1.0	44
<b>Warm Season</b>								
Bahiagrass	1.0	44					1-2	44-88
Bermudagrass <sup>5</sup>								
Bermudagrass Common	0.75	33	0.25	11			1-2	44-88
Bermudagrass Other Hybrids	0.25	11	0.20	9			0.50-0.75	22-33
Bermudagrass, Tifdwarf and Ultradwarf	0.20	9	0.20	9	0.062	3	0.50-0.75	22-33
Bermudagrass, Tifgreen (328)	0.25	11	0.20	9	0.125	6	0.75	33
Bermudagrass, Tifway (419)	0.38	16	0.25	11			0.75	33
Buffalograss	1.0	44					1.0	44

Turf Type	Residential and Commercial turf <sup>2</sup>		Golf Course Fairways (cut at 1/2" or less)		Golf Course Greens		Edging/Banding <sup>3</sup>	
	fl. oz./1000 sq. ft.	fl. oz./A	fl. oz./1000 sq. ft.	fl. oz./A	fl. oz./1000 sq. ft.	fl. oz./A	fl. oz./1000 sq. ft.	fl. oz./A
Carpetgrass	0.25-0.40	11-18					0.50	22
Centipede grass	0.50	22					1.0	44
Kikuyugrass	0.30-0.50	13-22	0.3	13			1.0	44
Seashore Paspalum	0.375	16	0.125-0.25	6-11	0.08-0.20	4-9	0.50	22
St. Augustine grass	0.10-0.15	4.50-6.50					0.40-0.80	18-36
St. Augustine grass Texas Common	0.10	4.5					0.20	9
Zoysiagrass	0.25	11	0.125	6			0.75	33

1. Seedheads: At rates equal to or higher than the rates in Table 1, GoldWing provides seedhead suppression of hybrid bermudagrass, and partial seedhead suppression of annual bluegrass, bahiagrass, buffalograss, carpetgrass, common bermudagrass, Kentucky bluegrass, and tall fescue. GoldWing must be applied prior to seedhead formation. Do not apply more than 7.0 fl. oz./ 1000 sq. ft. per year.
2. Including, but not limited to: home lawns, parks, recreation areas, golf course roughs, cemeteries, business sites, sports fields, and sod farms.
3. GoldWing can be applied along the perimeter of lawns, sidewalks, curbs, parking lots, driveways, posts, storage buildings, pet pens, fences, or other areas. GoldWing can be used around trees, shrubs, flower beds, and other border plants or similar areas with no injury. Apply GoldWing in an 8-12 inch band with a single nozzle sprayer. Use the higher concentration to reduce the growth of turfgrass into adjacent areas.
4. If yellowing of *Poa annua* is a concern, use half this rate and apply more frequently. For *Poa annua* conversion/renovation, where temporary discoloration can be tolerated, twice this rate may be applied.
5. Bermudagrass overseeding preparation: 0.5 oz/ 1000 sq. ft. for golf fairways and tees; 0.25 oz./1000 sq. ft. for golf greens. Post-overseeding on ryegrass: 0.25 to 0.35 oz/1000 square feet for fairways and tees.

#### **STORAGE AND DISPOSAL**

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

**PESTICIDE STORAGE:** Store pesticide in original container. Store in a cool, dry place and avoid excess heat. Do not store below 0°F. If crystals form, store above 70°F, shaking periodically until crystals are dissolved.

**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:** Nonrefillable container. Do not reuse or refill this container. Triple rinse (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 equipment 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. Offer for recycling, if available 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 Phoenix Environmental Care or Seller. All such risks shall be assumed by Buyer and User, and Buyer and User agree to hold Phoenix Environmental Care and Seller harmless for any claims relating to such factors.

Phoenix Environmental Care 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 Phoenix Environmental Care, and Buyer and User assume the risk of any such use. PHOENIX ENVIRONMENTAL CARE 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 allowed by state law, neither Phoenix Environmental Care 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 PHOENIX ENVIRONMENTAL CARE 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 PHOENIX ENVIRONMENTAL CARE OR SELLER, THE REPLACEMENT OF THE PRODUCT.**

Phoenix Environmental Care 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 Phoenix Environmental Care.

GoldWing™ is a trademark of Phoenix Environmental Care.