

83529-8

10/5/2009

1 of 12



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

OCT 05 2009

Ms. Cheryl Wagner.
Warner Regulatory Associates, Inc.
P.O. Box 640
7460 Lancaster Pike, Suite 9
Hockessin, Delaware 19707

Subject: Revised Storage and Disposal Label Language

Dear Ms. Wagner:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated September 9, 2009 for:

EPA Registration No. 83529-8	Sharda Imidacloprid 75 WP T&O Insecticide
EPA Registration No. 83529-9	Sharda Imidacloprid 75 WP PCO Insecticide

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and finds that the label change(s) requested falls within the scope of PRN-2007-4. The label has been date-stamped "Notification" and will be placed in our records.

If you have any questions, call me at 703 305-5409 or electronically at daniel.dani@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Dani Daniel".

Dani Daniel
Registration Division (7505P)
Insecticide/Rodenticide Branch

20912

<p>United States OCT 05 2009 Environmental Protection Agency Washington, DC 20460</p>	<input checked="" type="checkbox"/>	Registration	OPP Identifier Number
	<input type="checkbox"/>	Amendment	
	<input type="checkbox"/>	Other	

Application for Pesticide - Section I

1. Company/Product Number 83529-8	2. EPA Product Manager Venus Eagle	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Sharda Imidacloprid 75WP T&O Insecticide	PM# 1	
5. Name and Address of Applicant (Include Zip Code) Sharda USA LLC c/o Wagner Regulatory Associates, Inc. P.O. Box 640 Hockessin, DE 19707 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(I), my product is similar or identical in composition and labeling to: EPA Reg. No. Product Name	

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.
<input type="checkbox"/> Notification - Explain below.	<input checked="" type="checkbox"/> Other - Explain below.

Explanation: Use additional page(s) if necessary. (For Section I and Section II.)
 Notification of label change per PR Notice 2007-4. This notification is consistent with the provisions of PR Notice 2007-4 and EPA Regulations at 40 CFR 156.10, 154.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under Sections 12 and 14 of FIFRA.

Section - III

1. Material This Product Will Be Packaged In:

Child-Resistant Packaging <input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2. Type of Container <input type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) HDPE lined bags
* Certification must be submitted		If "Yes" No. per Unit Packaging wgt. container	If "Yes" No. per Package wgt container

3. Location of Net Contents Information
 Label Container

4. Size(s) Retail Container
 1 gallon

5. Location of Label Directions
 On Label
 On Labeling accompanying product

6. Manner in Which Label is Affixed to Product
 Lithograph Other ___ adhesive backed label _____
 Paper glued
 Stenciled

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)

Name CHERYL WAGNER	Title Agent for Sharda USA LLC	Telephone No. (Include Area Code) (302) 234 8551
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Certification

I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.

2. Signature 	3. Title Agent for Sharda USA LLC	8. Date Application Received (Stamped)
4. Typed Name CHERYL WAGNER	5. Date September 9, 2009	

30912



Wagner Regulatory Associates, Inc.
P.O. Box 640
7460 Lancaster Pike, Suite 9
Hockessin, Delaware 19707

September 9, 2009

Document Processing Desk (NOTIF)
ATTN: Ms. Venus Eagle, PM 1
Registration Division (7504P)
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 South Crystal Drive
Arlington, Virginia 22202-4501

Dear Ms. Eagle:

Re: Sharda Imidacloprid 75 WP T&O Insecticide
EPA Registration Number 83529-8
Notice of Revised Storage & Disposal Label Language

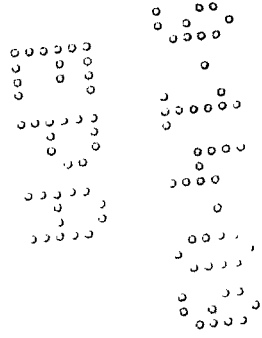
Wagner Regulatory Associates, Inc., on behalf of Sharda USA LLC, hereby notifies the Agency that the storage and disposal section of the subject label as been revised in accordance with PR Notice 2007-4. Enclosed for the Agency's file is:

- Letter from Sharda USA LLC authorizing Wagner Regulatory to serve as Agent
- EPA Notification form (EPA Form 8570-1)
- One copy of revised labeling with the revised text bolded for convenience.

Please feel free to contact me at (302) 234-8551 if you have any questions or require additional information.

Respectfully submitted,

Cheryl Wagner
Agent for Sharda USA LLC



4012

NOTIFICATION

**OCT 05 2009 Sharda Imidacloprid 75 WP
T & O Insecticide**

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-imidazolidinimine.....	75.0%
Other Ingredients:	25.0%
Total:	100.0%

EPA Reg. No. 83529-8

EPA Est. No.

Net Contents:

Manufactured for:

Sharda USA LLC
Hockessin, DE 19707

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 15-20 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 15-20 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.
Have the product container or label with you when calling a poison control center or doctor, or going for treatment.	
Note to Physician: No specific antidote is available. Treat the patient symptomatically.	

Handwritten scribbles and marks at the bottom right of the page.

Precautionary Statements

Hazards to Humans and Domestic Animals

CAUTION. Harmful if swallowed, inhaled, or absorbed through the 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 prior to reuse. Keep children and/or pets away from treated areas until spray is dry.

Applicators and Other Handlers Must Wear:

- Long-sleeved shirt and long pants
- Chemical resistant gloves made of any waterproof material such as barrier laminate, butyl rubber, nitrile rubber, neoprene rubber, natural rubber, poly-ethylene, polyvinylchloride (PVC) or viton
- 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

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.

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.

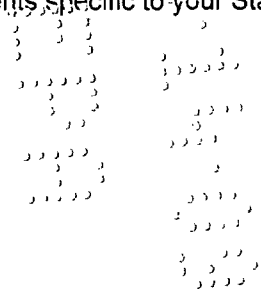
This chemical demonstrates the properties and characteristics associated with chemicals detected in groundwater. The use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination.

DO NOT FORMULATE THIS PRODUCT INTO OTHER END-USE PRODUCTS.

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 into treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil, or water is:

- Coveralls
- Chemical-resistant gloves made of any waterproof material such as barrier laminate, butyl rubber, nitrile rubber, neoprene rubber, natural rubber, polyethylene, polyvinylchloride (PVC) or viton
- 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/or pets off treated areas until dry.

Application to Turfgrass

Sharda Imidacloprid 75 WP T & O will control the following soil inhabiting pests found in turfgrass:

PEST	SCIENTIFIC NAME
Northern & Southern masked chafers	<i>Cycocephala boreafis</i> , <i>C. immaculata</i> , and/or <i>C. fur/da</i>
Asiatic garden beetle	<i>Matadera castanea</i>
European chafer	<i>Rhizotroqus majaiis</i>
Green June beetle	<i>Cotinis nitida</i>
May or June beetle	<i>Phyllophapa spp.</i>
Japanese beetle	<i>Popilliajaponica</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</i> and <i>Aphodius spp</i>
European Crane Fly	<i>Tipula paludosa</i>
Mole crickets	<i>scapteriscus spp.</i>

Sharda Imidacloprid 75 WP T&O will suppress cutworms and chinch bugs.

Sharada Imidacloprid 75WP T&O can be applied on turfgrass in:

**Airports
Athletic Fields
Business and Office Complexes
Cemeteries
Golf courses
Home Lawns**

**Multi-Family Residential Complexes
Parks
Playgrounds
Shopping Complexes
Sod Farms**

Sharada Imidacloprid 75 WP T&O has adequate residual activity 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 imidacloprid 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

Sharada Imidacloprid 75 WP T&O 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

Sharada Imidacloprid 75 WP T&O can be applied to ornamental plants in commercial and residential landscapes and interior plantscapes. Sharada Imidacloprid 75 WP T&O is a systemic insecticide that is transported within the plant system from the roots to upper foliage. Sharada Imidacloprid 75 WP T&O 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 Sharada Imidacloprid 75 WP T&O to control aphids, scale insects, mealybugs and other sucking pests on ornamentals will limit 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

Sharada Imidacloprid 75 WP T&O mixes readily with water and may be used in many types of application equipment. Add a commercial spreader/sticker promote coverage on hard to wet foliage such as holly, pine, or ivy. Sharada Imidacloprid 75 WP T&O 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/or pets off treated areas until dry.
- Avoid application of Sharda Imidacloprid 75 WP T&O to areas which 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: TURF GRASSES**To control Larvae of:**

European Crane Fly	Black turfgrass atenioides
Annual bluegrass weevil	Oriental beetle
Green June beetle	Cutworms (suppression)
Asiatic garden beetle	Phyllophaga spp.
Japanese beetle	European chafer
Billbug	Southern masked chafer
Northern masked chafer	

Apply 5.4 to 8.6 ounces per acre (equivalent to 2.5 to 4 level teaspoons per 1000 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 8.6 ounces per acre (equivalent to 4 level teaspoons per 1000 sq ft). For 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, IMIDACLOPRID 75WP T&O 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 Turf Grass:

- 1 level teaspoons = 1.4 grams
- Irrigation or rainfall should occur within 24 hours after application to move the active ingredient through the thatch.
- Do not apply more than 1.6 pt (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
Aphids
Japanese beetles
Lace bugs
Leaf beetles
(Including elm and viburnum leaf beetles)
Leafhoppers
(Including glassy-winged sharpshooter)
Mealybugs
Psyllids
Sawfly larvae
Thrips (suppression)
Whiteflies

Apply imidacloprid 75WP T&O according to the following dilution table:

Level Teaspoons	Gallons of Water
0.25	2.5
0.5	5
1.0	10
2.5	25
5.0	50
10	100

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 3 to 4 level teaspoons per 1000 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 Sharda Imidacloprid 75 WP T&O 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:**

Thrips (suppression)
Black vine weevil larvae
Psyllids
White grub larvae
Eucalyptus longhorned borer
Leafhoppers
(including glassywinged sharpshooter)
Royal Palm Bugs
Whiteflies

10012

**Flatheaded borers (including bronze
birch and alder borer)**

Adelgids

Japanese beetles

Leafminers

Sawfly larvae

Aphids

Lace bugs

Mealybugs

Soft scales

Armored scales (suppression)

Leaf beetles

**(including elm and viburnum
leaf beetles)**

Pine tip moth larvae

For TREES, apply 0.7 to 1.4 level teaspoons of Sharda Imidacloprid 75 WP T&O per inch of trunk diameter (D.B.H.) OR 1 to 2 ounces per cumulative inches of trunk diameter.

Application Techniques:

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 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 0.7 to 1.4 level teaspoons Sharda Imidacloprid 75 WP T&O per foot of shrub height

OR 1 to ounces per 30 cumulative 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 3 to 4 level teaspoons per 1000 sq ft.

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

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 the container in a manner as to prevent spillage. If the container is leaking or material is spilled for any reason or cause, carefully sweep material into a pile. Refer to the Precautionary Statements on label for hazards associated with the handling of this material. Do not walk through spilled material. Dispose of the pesticide as directed below. In spill or leak incidents, keep unauthorized people away.

Pesticide Disposal: Wastes resulting from the use of this product must be disposed of on-site or at an approved waste disposal facility.

Container Disposal: Nonrefillable container. Do not reuse or refill this container. 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 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. DO NOT USE CONTAINER IN CONNECTION WITH FOOD, FEED, OR DRINKING WATER.

CONDITIONS OF SALE AND WARRANTY

The DIRECTIONS FOR USE of this product reflect the opinion of experts based on field use and tests. The directions are believed to be reliable and must be followed carefully. However, it is impossible to eliminate all risks inherently associated with use of this product. Crop injury, ineffectiveness, or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or the manner of use or application, all of which are beyond the control of Sharda USA LLC, its Supplemental Distributors, or the Seller. All such risks shall be assumed by the Buyer. Sharda USA LLC, its Supplemental Distributors and the Seller warrant that this product conforms to the chemical description on the label and is reasonably fit for the purposes referred to in the Directions for Use subject to the inherent risks referred to above. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, NEITHER SHARDA USA LLC, NOR ITS SUPPLEMENTAL DISTRIBUTORS MAKE ANY OTHER EXPRESS OR IMPLIED WARRANTY OF FITNESS FOR ANY PARTICULAR PURPOSE OR OF MERCHANTABILITY OR ANY OTHER EXPRESS OR IMPLIED WARRANTY. THIS WARRANTY DOES NOT EXTEND TO, AND THE BUYER SHALL BE SOLELY RESPONSIBLE FOR, ANY AND ALL LOSS OR DAMAGE WHICH RESULTS FROM THE USE OF THIS PRODUCT IN ANY MANNER WHICH IS INCONSISTENT WITH THE LABEL DIRECTIONS. BUYER'S EXCLUSIVE REMEDY AND THE EXCLUSIVE LIABILITY OF SHARDA USA LLC., ITS SUPPLEMENTAL DISTRIBUTORS AND THE SELLER 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.

When Buyer suffers losses or damages resulting from the use or handling of this product (including claims based on contract, negligence, strict liability, or other legal theories), Buyer must promptly notify Seller in writing of any claims to be eligible to receive either remedy stated above. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, IN NO CASE SHALL SHARDA USA LLC, ITS SUPPLEMENTAL DISTRIBUTORS, OR THE SELLER BE LIABLE FOR CONSEQUENTIAL, SPECIAL OR INDIRECT DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT. SHARDA USA INC. its Supplemental Distributors, and the Seller offer this product, and the Buyer accepts it, subject to the foregoing Conditions of Sale and Warranty, which may be varied only by agreement in writing signed by a duly authorized representative of SHARDA USA LLC. No employee or agent of SHARDA USA LLC its Supplemental Distributor, or the Seller is authorized to vary or exceed the terms of this Warranty in any other manner.