

83529-8

11/6/2013

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



OFFICE OF
CHEMICAL SAFETY AND
POLLUTION PREVENTION

Sharda USA LLC
c/o Wagner Regulatory Associates, Inc.
P.O. Box 640
Hockessin, DE 19707

NOV 06 2013

Subject: Amended label adding pollinator protection language
Product Name: Sharda Imidacloprid 75 WP T&O Insecticide
EPA Reg. No. 83529-8
EPA Decision No. 484205
Submission dated September 27, 2013

Dear Ms. Wagner:

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act is acceptable. A stamped copy of your labeling is enclosed for your records. This labeling supersedes all previously accepted labeling. You must submit one (1) copy of the final printed labeling before you release the product for shipment with the new labeling. See 40 CFR 156.10(a)(6).

Under 40 CFR 152.130(d), EPA may establish dates by which all product distributed or sold by the registrant must bear revised labeling. The following paragraphs set forth the schedule for ensuring that that your product bears revised labeling within a reasonable time period.

- Any product released for shipment after 2/28/14 must bear the new label.

If these conditions are not complied with, EPA will take appropriate action against this registration. If you have any questions please contact Dr. Jennifer Urbanski at 703-347-0156 or urbanski.jennifer@epa.gov.

Regards,

A handwritten signature in black ink that reads "Venus Eagle".

Venus Eagle, Product Manager (01)
Insecticide-Rodenticide Branch
Registration Division (7505P)

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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.	

ACCEPTED

NOV 06 2013

**Under the Federal Insecticide, Fungicide,
and Rodenticide Act, as amended, for the
pesticide registered under:**

EPA. Reg. No: 83529-8

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.

<p>User Safety Recommendations</p> <p>Users should:</p> <ul style="list-style-type: none"> - 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/plants or weeds. Do not apply this product or allow it to drift to blooming crops/plants or weeds if bees are foraging 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.

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PROTECTION OF POLLINATORS



APPLICATION RESTRICTIONS EXIST FOR THIS PRODUCT BECAUSE OF RISK TO BEES AND OTHER INSECT POLLINATORS. FOLLOW APPLICATION RESTRICTIONS FOUND IN THE DIRECTIONS FOR USE TO PROTECT POLLINATORS.



Look for the bee hazard icon in the Directions for Use for each application site for specific use restrictions and instructions to protect bees and other insect pollinators.

This product can kill bees and other insect pollinators.

Bees and other insect pollinators will forage on plants when they flower, shed pollen, or produce nectar.

Bees and other insect pollinators can be exposed to this pesticide from:

- Direct contact during foliar applications, or contact with residues on plant surfaces after foliar applications
- Ingestion of residues in nectar and pollen when the pesticide is applied as a seed treatment, soil, tree injection, as well as foliar applications.

When Using This Product Take Steps To:

- Minimize exposure of this product to bees and other insect pollinators when they are foraging on pollinator attractive plants around the application site.
- Minimize drift of this product on to beehives or to off-site pollinator attractive habitat. Drift of this product onto beehives or off-site to pollinator attractive habitat can result in bee kills.

Information on protecting bees and other insect pollinators may be found at the Pesticide Environmental Stewardship website at:

<http://pesticidestewardship.org/PollinatorProtection/Pages/default.aspx>.

Pesticide incidents (for example, bee kills) should immediately be reported to the state/tribal lead agency. For contact information for your state, go to: www.aapco.org/officials.html. Pesticide incidents should also be reported to the National Pesticide Information Center at: www.npic.orst.edu or directly to EPA at: beekill@epa.gov

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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.

See individual crops for specific pollinator protection application restrictions. If none exist under the specific crop, for foliar applications, follow these application directions for crops & commercially grown ornamentals that are attractive to pollinators and non-agricultural use sites.



FOR FOOD CROPS AND COMMERCIALY GROWN ORNAMENTALS NOT UNDER CONTRACT FOR POLLINATION SERVICES BUT ARE ATTRACTIVE TO POLLINATORS

Do not apply this product while bees are foraging. Do not apply this product until flowering is complete and all petals have fallen unless one of the following conditions is met:

- **The application is made to the target site after sunset**
- **The application is made to the target site when temperatures are below 55°F**
- **The application is made in accordance with a government-initiated public health response**
- **The application is made in accordance with an active state-administered apiary registry program where beekeepers are notified no less than 48-hours prior to the time of the planned application so that the bees can be removed, covered or otherwise protected prior to spraying**
- **The application is made due to an imminent threat of significant crop loss, and a documented determination consistent with an IPM plan or predetermined economic threshold is met. Every effort should be made to notify beekeepers no less than 48-hours prior to the time of the planned application so that the bees can be removed, covered or otherwise protected prior to spraying.**



Non-Agricultural Sites:

Do not apply while bees are foraging. Do not apply this product to plants that are flowering. Only apply after all flower petals have fallen off.

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>Cychocephala borealis</i> , <i>C. immaculata</i> , and/or <i>C. furda</i>
Asiatic garden beetle	<i>Matadera castanea</i>
European chafer	<i>Rhizotroqus majalis</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 atenius	<i>Atenius 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.

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Sharda 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**

Sharda 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

Sharda 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

Sharda Imidacloprid 75 WP T&O can be applied to ornamental plants in commercial and residential landscapes and interior plantscapes. Sharda Imidacloprid 75 WP T&O is a systemic insecticide that is transported within the plant system from the roots to upper foliage. Sharda 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, applications cannot exceed a total of 8.6 ounces (0.4 lb of active ingredient) per acre per year.

ANT MANAGEMENT PROGRAMS

Using Sharda 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.

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

Sharda 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. Sharda 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.

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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.

Use Site: TURF GRASSES

To control Larvae of:

European Crane Fly	Black turfgrass atanius
Annual bluegrass weevil	Oriental beetle
Green June beetle	Cutworms (suppression)
Asiatic garden beetle	<i>Phyllophaga</i> 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 1,000 sq. ft.). Make application prior to egg hatch of grubs, billbugs, annual bluegrass weevil, and European Crane Fry to maximize control.

For chinch bugs (suppression) and mole crickets apply 8.6 ounces per acre (equivalent to 4 level teaspoons per 1,000 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.

Restrictions for Turf Grass:

- Do not allow this product to contact blooming plants if bees are foraging the treatment area.
- 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.
- Do not mow 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

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(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 1,000 sq. ft.

Make broadcast applications by mixing specified rate in enough water to uniformly cover the treated area. Do not use less than 2 gallons of water per 1,000 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
- 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 1,000 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.

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.
- Do not apply more than 1.6 pt. (0.4 lb. of active ingredient) per acre per year.
- 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 1,000 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.

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.
- Do not apply more than 1.6 pt. (0.4 lb. of active ingredient) per acre per year.
- No Soil Injection Applications Allowed In Nassau or Suffolk Counties of New York.

For FLOWERS and GROWDCOVERS apply 3 to 4 level teaspoons per 1,000 sq. ft.

Apply as a broadcast treatment and incorporate into the soil before piling or apply after plants are established prior to bloom or after all petals have fallen off. 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.**