



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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

December 8, 2017

Scott Baker
Regulatory Agent to Corvus Repellent Inc.
c/o LIGHTHOUSE PRODUCT SERVICES
3720 WOODHAVEN LANE
JOHNSTOWN, CO 80534

Subject: Labeling Notification per Pesticide Registration Notice (PRN) 98-10 – To Update the
EPA Establishment Number on the Master Label
Product Name: Corvus MA Bird Repellent
EPA Registration Number: 87304-1
Application Date: 11/04/2017
OPP Decision Number: 535667

Dear Mr. Baker:

The U.S. Environmental Protection Agency (EPA) is in receipt of your application for notification under Pesticide Registration Notice (PRN) 98-10 for the above referenced product. The Biopesticides and Pollution Prevention Division (BPPD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action requested falls within the scope of PRN 98-10.

The labeling submitted with this application has been stamped “Notification” and will be placed in our records. You must submit one (1) copy of the final printed labeling with the modifications.

Should you wish to add/retain a reference to your company’s website on your label, then please be aware that the website becomes labeling under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and is subject to review by the EPA. If the website is false or misleading, the product will be considered to be misbranded and sale or distribution of the product is unlawful under FIFRA section 12(a)(1)(E). 40 CFR § 156.10(a)(5) lists examples of statements the EPA may consider false or misleading. In addition, regardless of whether a website is referenced on your product’s label, claims made on the website may not substantially differ from those claims approved through the registration process. Therefore, should the EPA find or if it is brought to our attention that a website contains false or misleading statements or claims substantially differing from the EPA-approved registration, the website will be referred to the EPA’s Office of Enforcement and Compliance Assurance.

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EPA Reg. No. 87304-1
OPP Decision No. 535667

If you have any questions, please contact Elyse Bilardo of my team by phone at (703) 347-0182 or via email at bilardo.elyse@epa.gov.

Sincerely,

A handwritten signature in blue ink that reads "Andrew C. Bryceland". The signature is fluid and cursive, with the first name being the most prominent.

Andrew Bryceland, Team Leader
Biochemical Pesticides Branch
Biopesticides and Pollution
Prevention Division (7511P)
Office of Pesticide Programs

Enclosure: Master Label

Master Label

NOTIFICATION

87304-1

The applicant has certified that no changes, other than those reported to the Agency have been made to the labeling. The Agency acknowledges this notification by letter dated:

12/08/2017

CORVUS MA BIRD REPELLENT

For Use as a Bird Repellent

Sub-label A:

Commercial: For Use on Turf and Ornamentals around Commercial Buildings and Public Parks, Commercial Building Structures, and Non Fish Bearing Temporary Pools, Non Fish Bearing Ponds and Dams, Standing Water in Fields, Water Impoundments and Non Fish Bearing fountains

Agricultural: For use on Berries, Cherries, Apricots, Peaches, Plums, Apples, Grapes, Pome and Stone Fruits, Cereal Grains, Rice, Sunflowers, Turf Farms and Outdoor Ornamental Nurseries

Sub-label B:

Residential: For Use on Turf and Ornamentals, Outdoor Residential Structures and Decorative Non fish Bearing Fountains, Temporary Pools

For Use on Residentially Grown: Berries Cherries, Apricots, Peaches, Plums, Apples, Grapes, Pome and Stone Fruits, and Sunflowers.

KEEP OUT OF REACH OF CHILDREN WARNING

First Aid	
If In Eyes	Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after the first 5 minutes then continue rinsing. Call a Poison Control Center or doctor for treatment advice.
If Swallowed	Call a poison control center or doctor immediately for treatment advice. Have person sip a glass of water if able to swallow. Do not induce vomiting unless told to do so by the poison control center or doctor. Do not give anything by mouth to an unconscious person.
If On Skin	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 Inhaled	Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible. Call a poison control center for further treatment advice.
HOT LINE NUMBER	
For information on this pesticide product (including health concerns, medical emergencies, or pesticide incidents), call the 24-hour National Pesticide Telecommunications Network at 1-800-858-7378.	

SEE INSIDE LABEL / REAR PANEL FOR ADDITIONAL PRECAUTIONARY STATEMENTS

Active Ingredient	By Wt.
Methyl Anthranilate	26.4%
Other ingredients	73.6%
Total	100.0%

This product contains 2.29 lbs. of active ingredient per gallon.
This product has been formulated from food grade ingredients.

Corvus Repellent Inc.
P.O. Box 336277
Greeley CO 80634
970-356-5374

EPA EST. No. 87304-CO-003
EPA REG. No. 87304-1

Net contents: 1 Quart (946mL) 32 fl. oz. [Residential size]
1 Gallon (3.78 liters) 128 fl. oz. [Residential size] or
2.5 Gallons (9.46 liters) 320 fl. oz.
[Commercial and Agriculture Use Size]

032014-1117

Sub-label A: Agricultural and Commercial Use

CORVUS MA BIRD REPELLENT

For Use as a Bird Repellent

Commercial: For Use on Turf and Ornamentals around Commercial Buildings and Public Parks, Commercial Building Structures, and Non Fish Bearing Temporary Pools, Non Fish Bearing Ponds and Dams, Standing Water in Fields, Water Impoundments and Non Fish Bearing fountains

Agricultural: For use on Berries, Cherries, Apricots, Peaches, Plums, Apples, Grapes, Pome and Stone Fruits, Cereal Grains, Sunflowers, Turf Farms and Outdoor Ornamental Nurseries

KEEP OUT OF REACH OF CHILDREN WARNING

First Aid	
If In Eyes	Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after the first 5 minutes then continue rinsing. Call a Poison Control Center or doctor for treatment advice.
If Swallowed	Call a poison control center or doctor immediately for treatment advice. Have person sip a glass of water if able to swallow. Do not induce vomiting unless told to do so by the poison control center or doctor. Do not give anything by mouth to an unconscious person.
If On Skin	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 Inhaled	Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible. Call a poison control center for further treatment advice.
HOT LINE NUMBER	
For information on this pesticide product (including health concerns, medical emergencies, or pesticide incidents), call the 24-hour National Pesticide Telecommunications Network at 1-800-858-7378.	

SEE INSIDE LABEL / REAR PANEL FOR ADDITIONAL PRECAUTIONARY STATEMENTS

Active Ingredient	<u>By Wt.</u>
Methyl Anthranilate	26.4%
Other ingredients	<u>73.6%</u>
Total	100.0%

This product contains 2.29 lbs. of active ingredient per gallon.

This product has been formulated from food grade ingredients.

Corvus Repellent Inc.
P.O. Box 336277
Greeley CO 80634
970-356-5374

EPA EST. No. 87304-CO-003
EPA REG. No. 87304-1

Net contents 2.5 Gallons (9.46 liters) 320 fl. oz.

032014-1117

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

WARNING

Causes skin irritation. Causes moderate eye injury. Do not get on skin or in eyes or on clothing. Wear appropriate protective gloves and clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet. Remove and wash contaminated clothing before reuse.

PERSONAL PROTECTIVE EQUIPMENT

PPE for Applicators/Handlers: Long sleeve shirt, long pants, shoes, socks and protective eyewear.

ENVIRONMENTAL HAZARDS

For terrestrial uses: 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 washwater or rinsate.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

GENERAL INSTRUCTIONS AND INFORMATION

Do not apply this product in any 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 state or tribal 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.

The Re-Entry Interval (REI) for this product is 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:

Protective eyewear such as goggles, face shield or safety glasses.

User Safety Recommendations

Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet. Users should remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.

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 or allow others or pets to enter the treated area until sprays have dried.

Sunflowers - Follow Agricultural, or Hand Spray Application Instructions Above.

[For California Only. Mixer/handlers and air blast applicators must wear coveralls over normal work clothes and not prepare spray solutions using more than 50 gallons of repellent concentrate-per day. Harvesters must wear gloves and long sleeved shirts.] Replant 22 days after application.

Pome Fruit [Apples]. Follow Agricultural or Hand Spray Application Instructions Above

[For California Only - Mixer/handlers and air blast applicators must wear coveralls over normal work clothes and not prepare spray solutions using more than 50 gallons of repellent product per day. Harvesters must wear gloves and long sleeved shirts.]

Non-fish bearing bodies of water, temporary pools associated with airports and decorative fountains.

Add 1 to 2 parts of repellent product per 500 parts of water in the body of water 2 gal (4.58 lbs. a.i.)/65 cubic feet (500 gallons) of water]. Mix repellent with water before adding to pool. Reapply at 3 to 4 week intervals if necessary to maintain repellency. [New York only - This product may only be used on non-fish-bearing bodies of water and temporary pools of standing water on paved areas or construction sites at or near airports.]

Turf. Mix 1 – 2 gallons gallon of repellent product (2.29 lbs. ai.) per acre (0.105 lbs. ai./1000 square feet). See Agricultural and hand sprayers application instructions. Reapply product at intervals of 7 to 14 days, or after each mowing, if necessary to maintain repellency. Postpone irrigation for at least one hour after application. Feeding geese on or near areas where birds are to be excluded may reduce the effectiveness of this product.

Ornamentals. Mix 1 gallon of repellent product (2.29 lbs. ai.) with 40 gallons of water and apply to foliage in the morning or late afternoon. See Agricultural and hand sprayers application instructions. Allow to dry before watering.

Agricultural and Commercial Structures, Commercial buildings and complexes, Industrial buildings, building/construction sites and installations., statutes, fences. Mix 1 part repellent product with 1 part water and apply to structure with hand sprayer.

Animal feed facilities (barns): Remove all barn animals before application. Cover all feed before application. Mix 1 part repellent product with 1 part water and apply to structure with a quiet hand sprayer. Apply the repellent with a quiet power sprayer after the birds have roosted or nested after dark for three consecutive nights. May be applied to cloth and placed in rafters to repel birds from returning.

Swallows and woodpeckers: Apply to nests before eggs or young are present. Do not apply to eggs or breeding birds.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store only in original container apart from pesticides, fertilizers, food or feed that may cause cross-contamination from odor; and inaccessible to children. Avoid freezing or placing containers in direct sunlight. If frozen thaw and remix contents. Keep tightly closed when not in use.

PESTICIDE DISPOSAL: Wastes resulting from the use of this product may be disposed of by exposing to direct sunlight until all odor is gone or the product has dissipated or at a waste disposal facility.

CONTAINER DISPOSAL: Nonrefillable Container. Do not reuse or refill this container. Clean container promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and continue to 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. Then offer for recycling if available or reconditioning if appropriate or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.

CONDITIONS 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 CORVUS REPELLENT INC. or Seller, To the extent consistent with applicable law, all such risks shall be assumed by Buyer and User, and Buyer and User agree to hold CORVUS REPELLENT INC. and Seller harmless for any claims relating to such factors.

CORVUS REPELLENT INC. 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 directions under normal use conditions. This warranty does not extend to the use of this product contrary to label instructions, or under abnormal conditions or under conditions not reasonably foreseeable to or beyond the control of Seller or CORVUS REPELLENT INC., and Buyer and User assume the risk of any such use. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, CORVUS REPELLENT INC. MAKES NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE OR ANY OTHER EXPRESS OR IMPLIED WARRANTY EXCEPT AS STATED ABOVE.

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

CORVUS REPELLENT INC. 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 CORVUS REPELLENT INC.

Sub-label B: Residential Use

CORVUS MA BIRD REPELLENT

For Use as a Bird Repellent

Residential: For Use on Turf and Ornamentals, Outdoor Residential Structures and Decorative Non fish Bearing Fountains, Temporary Pools

For Use on Residentially Grown: Berries Cherries, Apricots, Peaches, Plums, Apples, Grapes, Pome and Stone Fruits, and Sunflowers.

KEEP OUT OF REACH OF CHILDREN WARNING

First Aid	
If In Eyes	Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after the first 5 minutes then continue rinsing. Call a Poison Control Center or doctor for treatment advice.
If Swallowed	Call a poison control center or doctor immediately for treatment advice. Have person sip a glass of water if able to swallow. Do not induce vomiting unless told to do so by the poison control center or doctor. Do not give anything by mouth to an unconscious person.
If On Skin	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 Inhaled	Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible. Call a poison control center for further treatment advice.
HOT LINE NUMBER	
For information on this pesticide product (including health concerns, medical emergencies, or pesticide incidents), call the 24-hour National Pesticide Telecommunications Network at 1-800-858-7378.	

SEE INSIDE LABEL / REAR PANEL FOR ADDITIONAL PRECAUTIONARY STATEMENTS

Active Ingredient	By Wt.
Methyl Anthranilate	26.4%
Other ingredients	73.6%
Total	100.0%

This product contains 2.29 lbs. of active ingredient per gallon.

This product has been formulated from food grade ingredients.

Corvus Repellent Inc.
P.O. Box 336277
Greeley CO 80634
970-356-5374

EPA EST. No. 87304-CO-003
EPA REG. No. 87304-1

Net contents: 1 Quart (946mL) 32 fl. oz. OR 1 U.S. Gallon (3.78 liters) 128 fl. oz.

PRECAUTIONARY STATEMENTS
Hazards to Humans and Domestic Animals
WARNING

Causes skin irritation. Causes moderate eye injury. Do not get on skin or in eyes or on clothing. Wear appropriate protective gloves and clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet. Remove and wash contaminated clothing before reuse.

PERSONAL PROTECTIVE EQUIPMENT

PPE for Applicators/Handlers: Long sleeve shirt, long pants, shoes, socks and protective eyewear.

ENVIRONMENTAL HAZARDS

To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutters or surface waters. Applying this product in calm weather when rain is not predicted for the next 24 hours will help to ensure that wind or rain does not blow or wash pesticide off the treatment area. Rinsing application equipment over the treated area will help avoid run off to water bodies or drainage systems.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

GENERAL INSTRUCTIONS AND INFORMATION

Do not apply this product in any way that will contact other persons either directly or through drift. For any requirements specific to your state or tribe consult the state or tribal agency responsible for pesticide regulation.

User Safety Recommendations

Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet. Users should remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.

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 or allow others or pets to enter the treated area until sprays have dried.

This product is used to discourage birds from feeding on Berries, pome and stone fruits, and sunflowers. It discourages birds from settling on turf and ornamentals, drinking and bathing in non-fish bearing bodies of water such as fountains and controls roosting in and on structures.

Preparation and Mixing Instructions. Warm in the sun or a warm water bath, to 40°F, if the formulation has frozen or solidified. Stir product until well mixed before adding to water.

Application Instructions -

Hand Sprayers. Mix one part of repellent product with 99 parts of water (1% solution). Use 1.3 oz to 7.7 oz in 1 to 6 gallons of water per 1000 sq. ft. Apply directly to plants.

Timing. Begin applications when fruit begins to ripen or birds begin feeding. Reapply every 5 to 8 days

if birds reappear.

Stone Fruit [such as cherry, apricot¹, peach¹, plum¹] and Berries. Follow Application Instructions.

¹ Not registered for use in California

Berries²: Apply at a rate of 1.3oz to 2.6 oz (0.026 to 0.052 lbs a.i) in 1 to 2 gallons of water per 1000 sq. ft. (0.5 to 1.0 gallon). Harvest Berries 5 to 8 days after last treatment or after all odor and taste of the product has dissipated.

² Blueberries only in California

Grapes³: Apply at a rate of 1.3 oz repellent product in 1 gallon of water per 1000 sq. ft. (0.5 gallons per acre). Harvest grapes 5 to 8 days after last treatment or after all odor and taste of the product has dissipated. This product is not to be used on grapes within Suffolk County, NY.

³ Table Grapes only in California

Sunflowers. Follow hand sprayer application instructions above.

Pome Fruit [apples]. Follow hand sprayer application instructions above.

Decorative Non fish Bearing Fountains, Temporary Pools⁴.

Add 1 to 2 parts of repellent product per 500 parts of water in the body of water (0.5 to 1 gal per 62.5 gallons of water or 1pt to 1qt per 15.625 gallons of water). Mix repellent product with water before adding to fountain or pool. Reapply at 3 to 4 week intervals to maintain repellency.

⁴ Not registered for use in California

For New York Only - This product may only be used on temporary pools of standing water on paved areas or construction sites at or near airports.

Turf. Apply 6 to 12 oz of repellent product in 0.5 to 1 gallon of water per 1000 square feet (2 to 4 gallons of repellent product per acre). Reapply product at intervals of 7 to 14 days, or after each mowing, if necessary to maintain repellency. Postpone irrigation for at least one hour after application.

Ornamentals. Mix 13 oz of repellent product with 4 gallons of water and apply to foliage in the morning or late afternoon. Allow to dry before watering.

Structures, Residential buildings and complexes, and construction sites. Mix 1 part repellent product with 1 part water and apply with hand sprayer. Swallows and woodpeckers: Apply to nests before eggs or young are present. Do not apply to eggs or nesting birds.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store only in original container apart from pesticides, fertilizers, food or feed that may cause cross-contamination from odor; and inaccessible to children. Avoid freezing or placing containers in direct sunlight. If frozen thaw and remix contents. Keep tightly closed when not in use.

PESTICIDE DISPOSAL: Wastes resulting from the use of this product may be disposed of by exposing to direct sunlight until all odor is gone or the product has dissipated or at a waste disposal facility.

CONTAINER HANDLING: Nonrefillable Container. Do not reuse or refill this container. If empty: Place in trash or offer for recycling if available. If partially filled: Call your local solid waste agency for disposal instructions. Never place unused product down any indoor or outdoor drain.

CONDITIONS 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 CORVUS REPELLENT INC. or Seller. To the extent consistent with applicable law, all such risks shall be assumed by Buyer and User, and Buyer and User agree to hold CORVUS REPELLENT INC. and Seller harmless for any claims relating to such factors.

CORVUS REPELLENT INC. 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 directions under normal use conditions. This warranty does not extend to the use of this product contrary to label instructions, or under abnormal conditions or under conditions not reasonably foreseeable to or beyond the control of Seller or CORVUS REPELLENT INC., and Buyer and User assume the risk of any such use. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, CORVUS REPELLENT INC. MAKES NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE OR ANY OTHER EXPRESS OR IMPLIED WARRANTY EXCEPT AS STATED ABOVE.

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

CORVUS REPELLENT INC. 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 CORVUS REPELLENT INC.