

Specimen Label



Herbicide

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For selective postemergence weed control in rice in the state of California

Active Ingredient:

penoxsulam: 2-(2,2-difluoroethoxy)-N-(5,8-dimethoxy[1,2,4] triazolo[1,5c]pyrimidin-2-yl)-6-(trifluoromethyl)benzenesulfonamide.....	2.95%
cyhalofop: 2-[4-(4-cyano-2- fluorophenoxy) phenoxy] propanoic acid, butyl ester, (R).....	21.06
Other Ingredients.....	75.99%
Total	100.00%

Contains petroleum distillate

Contains 0.25 lb of penoxsulam active ingredient and 1.78 lb of cyhalofop-butyl active ingredient per gallon

Precautionary Statements

Hazards to Humans and Domestic Animals

EPA Reg. No. 62719-616

Keep Out of Reach of Children

Prolonged Or Frequently Repeated Skin Contact May Cause Allergic Reactions In Some Individuals

Personal Protective Equipment (PPE)

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Shoes plus socks
- Gloves

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 Controls

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.

First Aid

If swallowed: Immediately call a poison control center or doctor. Do not induce vomiting unless told to do so by a poison control center or doctor. Do not give any liquid to person. Do not give anything by mouth to an unconscious person.

Note to physician: May pose aspirational pneumonia hazard. Contains petroleum distillate.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may contact 1-800-992-5994 for emergency medical treatment information.

Environmental Hazards

Except when treating rice fields as specified in this product label, 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.

Surface Water: Cyhalofop-butyl can contaminate surface water through spray drift from aerial and ground application equipment. Treated rice field water can contaminate surface water through accidental release or overflow, or by deliberate release due to normal growing practices, including interim or final release of flood water at harvest

Groundwater: Cyhalofop-butyl 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.

Directions for Use

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

Read all Directions for Use carefully before applying.

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.

PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil, or water, is:

- Coveralls
- Chemical-resistant gloves made of any waterproof material
- Shoes plus socks

Storage and Disposal

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

Pesticide Storage: Store in cool dry place in original container.

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

Nonrefillable containers 5 gallons or less:

Container Handling: Nonrefillable container. Do not reuse or refill this container.

Triple rinse or pressure rinse container (or equivalent) promptly after emptying. **Triple rinse** as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container 1/4 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. **Pressure 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. Hold container upside down over application equipment or mix tank or collect rinsate for later use or disposal. Insert pressure rinsing nozzle in the side of the container, and rinse at about 40 psi for at least 30 seconds. Drain for 10 seconds after the flow begins to drip. Then offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration, or by other procedures allowed by state and local authorities.

Refillable containers 5 gallons or larger:

Container Handling: Refillable container. Refill this container with pesticide only. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To clean the container before final disposal, empty the remaining contents from this container into application equipment or a mix tank. Fill the container about 10% full with water and, if possible, spray all sides while adding water. If practical, agitate vigorously or recirculate water with the pump for two minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times. Then offer

Storage and Disposal (Cont.)

for recycling if available, or puncture and dispose of in a sanitary landfill, or by incineration, or by other procedures allowed by state and local authorities.

Nonrefillable containers 5 gallons or larger:

Container Handling: Nonrefillable container. Do not reuse or refill this container.

Triple rinse or pressure rinse container (or equivalent) promptly after emptying. **Triple rinse** as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container 1/4 full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times. **Pressure 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. Hold container upside down over application equipment or mix tank or collect rinsate for later use or disposal. Insert pressure rinsing nozzle in the side of the container, and rinse at about 40 psi for at least 30 seconds. Drain for 10 seconds after the flow begins to drip. Then offer for recycling if available, or puncture and dispose of in a sanitary landfill, or by incineration, or by other procedures allowed by state and local authorities.

- Do not apply RebelEX CA to a field treated in the same year with an application of Granite® GR herbicide or Granite CA.
- Do not overlap or double spray ends of fields.
- Poor weed control may result from application of RebelEX CA made to plants under stress from abnormally hot or cold weather; environmental conditions such as drought, hail damage, or high pH soils; or prior herbicide applications.
- Do not allow tank mixes of RebelEX CA to sit overnight.
- Do not tank mix RebelEX CA with malathion or methyl parathion. Do not make an application of malathion or methyl parathion within 7 days of an application of RebelEX CA.
- Application of RebelEX CA to fields which have been leveled within 12 months prior to application may result in serious rice injury in areas that have been cut or filled. This does not apply to normal annual land planning activities.
- Application of RebelEX CA to rice grown in soils with pH >7.8 or high salt content may result in serious rice injury.
- Do not apply RebelEX CA where runoff or irrigation water may flow directly onto agricultural land other than rice fields.
- Do not rotate treated land to crops other than rice for three months following application.
- Do not use RebelEX CA for weed control in wild rice.
- Do not fish or commercially grow fish, shellfish or crustaceans on treated acres during the year of treatment.
- Do not make aerial applications of RebelEX CA when wind speeds are less than 3 mph or greater than 10 mph.
- Do not make ground applications of RebelEX CA when wind speeds are greater than 10 mph.
- Chemigation:** Do not apply this product through any type of irrigation system.

Product Information

RebelEX™ CA herbicide is a postflood, postemergence herbicide for selective control of susceptible grass, broadleaf, and sedge weeds in rice in California. Only susceptible weeds emerged at the time of application will be controlled. A spray volume of 10 gallons or more per acre (gpa) and uniform coverage are required for optimum performance. A crop oil concentrate at 2.5% v/v, or a methylated seed oil or vegetable oil concentrate, at specified label use rates is required with RebelEX CA. RebelEX CA is rainfast within 2 hours after application.

Rice crops grown under adverse environmental conditions, such as extreme cold or heat, may express temporary crop injury when RebelEX CA is applied, including slight height reduction or root stunting. Any crop stress or environmental factors which decrease plant metabolism and growth may reduce weed control efficacy and crop tolerance. Such effects are transient and do not affect yield. RebelEX CA may be used on all rice varieties; however, it is important to recognize that the degree of crop tolerance may vary depending upon variety and environmental conditions. Do not apply RebelEX CA to wild rice.

Use Precautions and Restrictions

- Preharvest Interval:** Do not apply within 60 days of rice harvest.
- RebelEX CA may not reliably control known ACCase or ALS resistant weed biotypes.
- Do not apply RebelEX CA directly to, or otherwise permit RebelEX CA to come into contact with, commercially produced broadleaf crops such as cotton, green or dry beans, melons, tomatoes, grapes, pome/stone/fruit trees, peaches, nectarines, all vegetable crops, all perennial tree or vine crops as well as commercially grown flowers, ornamental shrubs or trees, or other desirable commercially produced broadleaf plants, as serious injury may occur. Do not permit spray mists containing RebelEX CA to drift onto desirable broadleaf plants.
- Do not apply RebelEX CA directly to, or otherwise permit RebelEX CA to come into contact with, commercially produced non-target cereal and grass crops such as corn, sorghum, wheat, sugar cane, turfgrass, sod farms, grass grown for seed, etc. Do not permit spray mists containing RebelEX CA to drift onto desirable grass plants.
- Do not make more than one application or apply more than 20 fl oz of RebelEX CA per acre during the growing season.
- One sequential application of Clincher® CA herbicide can be made greater than 10 days before or after an application of RebelEX CA depending upon the rate of RebelEX CA applied. Follow all label use directions for Clincher CA.

Rate of RebelEX CA (fl oz/acre)	Maximum Sequential Rate of Clincher CA (fl oz/acre)
16	13
18	11.5
20	10

- After an application of RebelEX CA, begin re-flooding three hours after application. For best results, fields should be completely re-flooded 24 to 48 hours after application.

Spray Drift Management

Avoiding spray drift is the responsibility of the applicator. The interaction of many equipment and weather related factors determine the potential for spray drift. Make applications only when there is little or no hazard from spray drift. The applicator, crop consultant, and grower are responsible for considering all of these factors when making the decision to apply this product.

Avoid all direct or indirect contact with non-target plants. Do not apply near desirable vegetation. Allow adequate distance between target area and desirable plants to minimize exposure.

Buffer Zones

Buffer zones are defined as the minimum distance between the application site and the sensitive crop. The buffer zones listed below must be followed for ground applications of RebelEX CA:

Sensitive Crops	Ground Restrictions (ft)	Aerial Restrictions
non-target cereal and grass crops such as corn, sugar cane, sudangrass, sorghum, grass grown for seed, millet, and sod farms.	50	450 feet
all other non-target broadleaf tree and vine crops not listed	200	2 miles
cotton		1/4 mile
peaches, nectarines, all melon and all bean crops	660	2 miles if wind blowing from treatment area away from sensitive crop. 4 miles if wind blowing from treatment area toward sensitive crop.

Sensitive Areas: The pesticide should only be applied when the potential for drift to adjacent sensitive areas (e.g., residential areas, bodies of water, known habitat for threatened or endangered species, non-target crops) is minimal (e.g., when wind is blowing away from the sensitive areas).

The following drift management requirements must be followed to avoid off-target movement from aerial applications:

- The distance between the outer most nozzles on the boom must not exceed 70% of the wingspan of fixed wing aircraft or 80% of the helicopter rotor width.
- Nozzle set up must use a medium spray quality category per ASABE S-572 Standard.

Where states have more stringent regulations, they must be followed.

In general, the best drift management strategy is to apply the largest droplets that provide sufficient coverage and control.

Endangered Species

If endangered plant species occur in the proximity of the application site, the following mitigation measure is required to avoid adverse effects:

- Leave untreated buffer zones of 85 feet for ground applications or 470 feet for aerial applications.

To determine whether your county has an endangered terrestrial plant species, consult <http://www.epa.gov/espp/usa-map.htm>. Endangered Species Bulletins may also be obtained from extension offices or state pesticide agencies. If the bulletin is not available for your specific area, check with the appropriate local state agency to determine if known populations of terrestrial endangered plants occur in the area to be treated.

Aerial Drift Reduction Advisory

Information on Droplet Size: For ASABE S-572 Standard compliance, see nozzle manufacturer catalogs, NAAA booklet, or USDA literature or website <http://apmru.usda.gov/> for nozzle and application conditions. The best drift management strategy is to apply the largest droplets that provide sufficient coverage and control. Larger droplets reduce drift potential, but will not prevent drift if applications are made improperly, or under unfavorable environmental conditions (see Wind, Temperature and Humidity, and Temperature Inversions).

Controlling Droplet Size:

- **Volume** - Use high flow rate nozzles to apply the highest practical spray volume. Nozzles with higher rated flows produce larger droplets.
- **Pressure** - Do not exceed the nozzle manufacturer's recommended pressures. For many nozzle types lower pressure produces larger droplets.
- **Number of Nozzles** - Use the minimum number of nozzles that provide uniform coverage.
- **Nozzle Orientation** - Orienting nozzles so that the spray is released parallel to the air stream produces larger droplets than other orientations and is the recommended practice.
- **Nozzle Type** - Use a nozzle type that is designed for the intended application. With most nozzle types, narrower spray angles produce larger droplets. Consider using low-drift nozzles. Solid stream nozzles oriented straight back produce the largest droplets and the lowest drift.

Boom Length: Reducing the effective boom length to 70% of the wingspan of fixed wing aircraft or 80% of the helicopter rotor width may further reduce drift without reducing swath width.

Application Height: Applications should not be made at a height greater than 10 feet above the top of the largest plants unless a greater height is required for aircraft safety. Making applications at the lowest height that is safe reduces exposure of droplets to evaporation and wind.

Swath Adjustment: When applications are made with a crosswind, the swath will be displaced downwind. Therefore, the applicator must compensate for this displacement by adjusting the path of the aircraft or boom on-off. Swath adjustment distance should increase with increasing drift potential (higher wind, height, smaller drops, etc.).

Wind: Drift potential is lowest between wind speeds of 2 to 10 mph. However, many factors, including droplet size and equipment type determine drift potential at any given speed. Application should be avoided below 2 mph due to variable wind direction and high inversion potential. Application is not allowed when wind speeds exceed 10 mph due to risk of direct drift to sensitive crops. **Note:** Local terrain can influence wind patterns. Every applicator should be familiar with local wind patterns and how they affect spray drift. **Note:** State and local regulations with regard to minimum and maximum wind speeds during aerial application may be more restrictive. Aerial applicators should be familiar with these regulations.

Temperature and Humidity: When making applications in low relative humidity, set up equipment to produce larger droplets to compensate for evaporation. Droplet evaporation is greatest when conditions are both hot and dry.

Temperature Inversions: Applications should not occur during a local, low level temperature inversion because drift potential is high. Small droplets can move in unpredictable directions due to the light variable winds common during inversions. Temperature inversions are characterized by increasing temperatures with altitude and are common on nights with limited cloud cover and light to no wind. Their presence can be indicated by ground fog; however, if fog is not present, inversions can also be identified by the movement of the smoke from a ground source or an aircraft smoke generator. Smoke that layers and moves laterally in a concentrated cloud (under low wind conditions) indicates an inversion, while smoke that moves upward and rapidly dissipates indicates good vertical air mixing.

Mixing Directions

Use of Adjuvants

Use of an agriculturally approved crop oil concentrate at a rate of 2.5% (v/v) or methylated seed oil or vegetable oil concentrate at specified label use rates is required with RebelEX CA. When an adjuvant is to be used with this product, Dow AgroSciences recommends the use of a Chemical Producers and Distributors Association certified adjuvant. Read and follow all use directions and precautions on adjuvant labels. Do not use organosilicone surfactants in spray mixtures with RebelEX CA.

RebelEX CA – Alone

Fill spray tank to one-half full with water. Start agitation. Add correct quantity of RebelEX CA and recommended adjuvant. Continue agitation while filling spray tank to required volume and during application.

RebelEX CA - Tank Mixes

Continuous agitation is required for tank mixes. Sparger pipe agitators generally provide the best agitation in spray tanks. Do not allow tank mixes of RebelEX CA to sit overnight.

Do not tank mix RebelEX CA with Granite SC, Clincher CA, propanil, Regiment, Shark, Londax or other bensulfuron-containing products. Reduced weed control or increased crop injury may result if RebelEX CA is applied in tank mix combinations with or immediately following any other herbicides not listed, especially if applied under conditions of plant stress and/or advanced weed growth stages.

Tank Mix Compatibility Testing: When tank mixing RebelEX CA with other materials, a compatibility test (jar test) using relative proportions of the tank mix ingredients should be conducted prior to mixing ingredients 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 one-half (1/2) hour. If the mixture balls-up, forms flakes, sludges, jels, oily films or layers, or other precipitates, it is not compatible and the tank mix combination should not be used.

Mixing Order: Fill the tank one-third (1/3) full with water. Start the agitation. Different formulation types should be added in the following order: dry flowables (DF), wettable powders (WP), aqueous suspensions (AS), flowables (F), or liquids (L). Allow each product type to completely disperse before adding another. Continue agitation and fill tank to three-fourths (3/4) full, add the correct quantity of RebelEX CA and mix thoroughly. Finally, add any solution (S) formulations or surfactant, agitate and finish filling. Maintain agitation during filling and during application. If spraying and agitation must be stopped before the tank is empty, suspended materials may settle to the bottom. It is important to resuspend all of the settled material before continuing application. A sparger agitator is particularly useful for this purpose. Do not allow tank mixes to set overnight.

Carefully follow all mixing instructions for each material added to the tank. Initial dispersion of dry or flowable formulations can be improved by mixing with a small amount of water (slurrying) and pouring the slurry through a 20 to 35 mesh wetting screen in the top of the spray tank. Line screens in the tank should be no finer than 50 mesh (100 mesh is finer than 50 mesh).

Application Directions

Environmental Conditions and Herbicidal Activity of RebelEX CA

Best weed control results are obtained when RebelEX CA is applied to small, actively growing weeds, when daytime and nighttime temperatures are warm (60°F or more), and soil moisture is adequate to support active weed growth prior to and following application. If weeds are under drought stress, delay application until more favorable conditions resume. Application when weeds are moisture stressed or larger than the recommended size for control may result in only partial control.

Ground Application

Apply in a spray volume of 10 gpa or more when applying by ground. Use coarse or coarser nozzle spray quality per S-572 ASABE standard; see USDA literature or nozzle manufacturer guidelines. Follow nozzle manufacturer's recommendations for nozzle pressure, spacing and boom height to provide a uniform spray pattern. Follow appropriate Spray Drift Management information where drift potential is a concern. Do not ground apply RebelEX CA when wind speeds are greater than 10 mph.

Application Timing

For water seeded and drill seeded rice, apply RebelEX CA from the 1 leaf stage up to 60 days before harvest. Within this application window, application timing is dependent upon cultural practices and optimum timing for weed species present. (See Application Rates and Weeds Controlled table.) Do not apply if crop or weeds are under drought stress. A single postflood application is recommended.

One sequential application of Clincher CA can be made greater than 10 days before or after an application of RebelEX CA depending upon the rate of RebelEX CA applied. Follow all label use directions for Clincher CA.

Rate of RebelEX CA (fl oz/acre)	Maximum Sequential Rate of Clincher CA (fl oz/acre)
16	13
18	11.5
20	10

Water Management

Fields must be partially drained to expose weeds prior to application. Residual water remaining in the field does not adversely affect weed control so long as weeds are at least 70% exposed. For delayed pin point application, do not allow excessive drying of the soil which may cause the weeds to become drought stressed, resulting in unacceptable weed control. For best results, soils should be moist at application and maintain good soil moisture after application by flushing or rainfall until establishment of permanent flood.

Re-Flood Timing

After an application of RebelEX CA, begin re-flooding 3 hours after application. For best results, fields should be completely re-flooded 24 to 48 hours after application.

Resistance Management

The mode of action of RebelEX CA is the inhibition of the acetolactate synthase (ALS) enzyme and acetyl co-enzyme A carboxylase (ACC'ase) enzymes. Weed populations may develop biotypes that are resistant

to different herbicides with the same mode of action. If herbicides with the same mode of action are used repeatedly in the same field, resistant biotypes may eventually dominate the weed population and may not be controlled by these products. Other resistance mechanisms, such as enhanced metabolism, may also exist and may cause reduced weed control.

This product should be used as part of an Integrated Pest Management (IPM) program that may include biological, cultural, and chemical practices aimed at preventing economic pest damage. Application of this product should be based upon appropriate IPM and resistance management strategies and practices that delay or reduce the development of resistant weed biotypes. Such practices include field scouting, use of weed free crop seed, proper water management, correct weed pest identification, following rotational practices outlined on pesticide labels, and treating when target weed populations are at the correct stage and economic thresholds for control. Make only one application per year of RebelEX CA. Do not apply RebelEX CA to a field treated in the same year with an application of Granite GR or Granite CA.

To delay development of herbicide resistance, the following practices are recommended:

- Always use at least the minimum specified rate of formulated product per acre and observe all use rate instructions.
- The use of herbicides with the ALS same mode of action should not be used in sequential applications with RebelEX CA unless tank mixed with an alternative mode of action product.
- ALS herbicides should not be used in consecutive years unless alternated with non-ALS herbicides.
- Herbicides should be used based upon an IPM program.
- Monitor treated areas and control escaped weeds.
- Contact local extension or crop advisor for IPM and resistance management information.

Application Rates and Weeds Controlled

Weeds Controlled ¹		Application Rates and Stage of Weed Development	
Common Name	Scientific Name	16 to 18 fl oz/acre	18 to 20 fl oz/acre ²
barnyardgrass	<i>Echinochloa crus-galli</i>	up to 5 leaf	up to 2 tiller
watergrass (early and late)	<i>Echinochloa oryzoides</i>		
California arrowhead common waterplantain ducksalad monochoria ricefield bulrush	<i>Sagittaria montevidensis</i> <i>Alisma plantago-aquatica</i> <i>Heteranthera limosa</i> <i>Monochoria</i> spp <i>Schoenoplectus mucronatus</i>		up to 4 leaf prior to tillering
redstem	<i>Ammannia</i> spp	<10" or prior to flowering ³	
bearded sprangletop junglerice red sprangletop	<i>Leptochloa fusca</i> ssp. <i>fascicularis</i> <i>Echinochloa colona</i> <i>Leptochloa panicea</i>		tillered grasses
Weeds Suppressed			
Gregg's arrowhead rice mimic smallflower umbrellaplant	<i>Sagittaria longiloba</i> <i>Echinochloa</i> spp <i>Cyperus difformis</i>	up to 3 leaf	up to 5 leaf

¹RebelEX CA may not reliably control known ALS and ACC'ase resistant weed biotypes.

²If RebelEX CA is applied as a rescue treatment (e.g., heavy weed infestations, headed weeds and/or previously untreated areas), it should be considered an emergency salvage treatment and good control of labeled weeds should not be expected. Poor control and regrowth of treated weeds may occur.

³Best control is achieved with applications of RebelEX CA prior to weed flowering. Make postflood applications when weeds are well emerged above the water surface. Weeds submerged at the time of application will not be controlled.

Note: Do not make more than one application or apply more than 20 fl oz of RebelEX CA per acre during the growing season.

For tank mixing options and instructions, refer to the Mixing Directions section.

Terms and Conditions of Use

If terms of the following Warranty Disclaimer, Inherent Risks of Use, and Limitation of Remedies are not acceptable, return unopened package at once to the seller for a full refund of purchase price paid. Otherwise, use by the buyer or any other user constitutes acceptance of the terms under Warranty Disclaimer, Inherent Risks of Use and Limitation of Remedies.

Warranty Disclaimer

Dow AgroSciences warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated on the label when used in strict accordance with the directions, subject to the inherent risks set forth below. TO THE EXTENT PERMITTED BY LAW, Dow AgroSciences MAKES NO OTHER EXPRESS OR IMPLIED

WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR ANY OTHER EXPRESS OR IMPLIED WARRANTY.

Inherent Risks of Use

It is impossible to eliminate all risks associated with use of this product. Crop injury, lack of performance, or other unintended consequences may result because of such factors as use of the product contrary to label instructions (including conditions noted on the label, such as unfavorable temperatures, soil conditions, etc.), abnormal conditions (such as excessive rainfall, drought, tornadoes, hurricanes), presence of other materials, the manner of application, or other factors, all of which are beyond the control of Dow AgroSciences or the seller. All such risks shall be assumed by buyer.

Limitation of Remedies

To the extent permitted by law, the exclusive remedy for losses or damages resulting from this product (including claims based on contract, negligence, strict liability, or other legal theories), shall be limited to, at Dow AgroSciences' election, one of the following:

- (1) Refund of purchase price paid by buyer or user for product bought, or
- (2) Replacement of amount of product used.

To the extent permitted by law, Dow AgroSciences shall not be liable for losses or damages resulting from handling or use of this product unless Dow AgroSciences is promptly notified of such loss or damage in writing. To the extent permitted by law, in no case shall Dow AgroSciences be liable for consequential or incidental damages or losses.

The terms of the Warranty Disclaimer, Inherent Risks of Use, and Limitation of Remedies cannot be varied by any written or verbal statements or agreements. No employee or sales agent of Dow AgroSciences or the seller is authorized to vary or exceed the terms of the Warranty Disclaimer or Limitation of Remedies in any manner.

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