

# Spirato<sup>®</sup> 480 FS

For use as a seed treatment for protection of seed and seedlings against listed diseases

**ACTIVE INGREDIENT:**

Fludioxonil ..... 40.3%

**OTHER INGREDIENTS:** ..... 59.7%

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

Contains 4 pounds active ingredient per gallon (480 grams per liter).

**KEEP OUT OF REACH OF CHILDREN  
CAUTION**

**SEE INSIDE BOOKLET FOR FIRST AID AND ADDITIONAL PRECAUTIONARY STATEMENTS**

For Chemical Spill, Leak, Fire, or Exposure, Call CHEMTREC (800) 424-9300

For Medical Emergencies Only, Call (877) 325-1840

EPA REG. NO. 55146-116

Manufactured for  
Nufarm Americas Inc.  
AGT Division  
11901 S. Austin Avenue  
Alsip, IL 60803



**Nufarm**

**Grow a better tomorrow.**

## FIRST AID

<b>IF INHALED</b>	<ul style="list-style-type: none"><li>• Move person to fresh air.</li><li>• If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible.</li><li>• Call a poison control center or doctor for further treatment advice.</li></ul>
<b>IF IN EYES</b>	<ul style="list-style-type: none"><li>• Hold eye open and rinse slowly and gently with water for 15-20 minutes.</li><li>• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing.</li><li>• Call a poison control center or doctor for treatment advice.</li></ul>
<b>IF ON SKIN OR CLOTHING</b>	<ul style="list-style-type: none"><li>• Take off contaminated clothing.</li><li>• Rinse skin immediately with plenty of water for 15-20 minutes.</li><li>• Call poison control center or doctor for treatment advice.</li></ul>

## HOT LINE NUMBER

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-877-325-1840 for emergency medical treatment information.

## PRECAUTIONARY STATEMENTS

### HAZARDS TO HUMANS AND DOMESTIC ANIMALS

**CAUTION:** Harmful if inhaled. Avoid breathing vapor or spray mist. Causes moderate eye irritation. Harmful if absorbed through the skin. Avoid contact with eyes, skin, or clothing. Remove contaminated clothing and wash clothing before reuse.

### PERSONAL PROTECTIVE EQUIPMENT (PPE)

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

### Applicators and other handlers must wear:

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

### USER SAFETY REQUIREMENTS

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry.

## USER SAFETY RECOMMENDATIONS

### Users Should:

- Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.
- Remove clothing/PPE 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.

### Engineering Controls Statement

When handlers use closed systems 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.

### ENVIRONMENTAL HAZARDS

This product is toxic to fish and aquatic invertebrates. **DO NOT** apply directly to water, to areas where surface water is present, or to intertidal areas below the mean high water mark. **DO NOT** contaminate water when disposing of equipment wash water or rinsate.

### 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 seed is treated with the product and the treated seed is soil-injected or soil-incorporated, 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 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 barrier laminate, butyl rubber, nitrile rubber, neoprene rubber, polyvinylchloride (PVC) or viton.
- Shoes plus socks

### PRODUCT INFORMATION

Spirato 480 FS is a fungicide for seed treatment use to control soil-borne and seed-borne organisms such as *Aspergillus*, *Fusarium*, *Helminthosporium*, *Penicillium*, and *Rhizoctonia* that cause seed decay, damping off, and seedling blights.

If a rate range is indicated in the product instructions below, use the higher rate when high disease pressure is anticipated based on conditions and experience for your area.

## MIXING INSTRUCTIONS

Mix thoroughly before use or use entire container at one time. All tank mixes should be pre-tested to determine physical compatibility between formulations.

Apply SPIRATO 480 FS as a water-based slurry using commercial slurry seed treatment equipment capable of providing uniform seed coverage. Uneven or incomplete seed coverage may limit disease control performance. Mix the specified amount of SPIRATO 480 FS with the specified amount of water for the slurry treater and dilution rate used. Follow manufacturer application specifications for the equipment being used. Maintain constant agitation during treatment. Dry seed before bagging.

Federal law requires that bags containing treated seed be labeled with the following information:

*“This seed has been treated with fludioxonil fungicide. **DO NOT** use for feed, food, or oil purposes. Store away from feed and foodstuffs. Forage may not be grazed until 30 days after planting.”*

Use an EPA-approved dye or colorant that imparts an unnatural color to the seed.

### USE RESTRICTIONS:

- Store treated seed away from food and feedstuffs.
- **DO NOT** allow children, pets or livestock to have access to treated seeds.
- Wear long pants, long-sleeved shirt and protective gloves when handling treated seed.
- Treated seed exposed on soil surface may be hazardous to wildlife. Cover or collect treated seeds spilled during loading and planting.
- Dispose of all excess treated seed by burying seed away from bodies of water.
- **DO NOT** contaminate bodies of water when disposing of planting equipment wash water.
- Dispose of seed package or containers in accordance with local requirements.

For seeds that are treated and bagged for later use the following must appear on the bag.

- This seed has been treated with fludioxonil seed treatment.
- **DO NOT** use treated seed for feed, food or oil purposes.

## TANK MIXTURES

SPIRATO 480 FS does not control diseases caused by *Pythium* or *Phytophthora* spp. If these diseases are expected to be a problem, apply SPIRATO 480 FS tank mixed with SEBRING 318 FS\* (metalaxyl). If SEBRING 318 FS\* is not labeled for use on the target crop, apply SPIRATO 480 FS as a tank mix with another seed treatment product that is labeled for control of *Pythium* or *Phytophthora* spp. Consult the label of the tank mix product for appropriate use rate and follow all use specifications for the tank mix product. Follow the most restrictive label precautions and limitations. **DO NOT** mix this product with any product containing a label prohibition against such mixing.

## PRODUCT INSTRUCTIONS

**BRASSICA (COLE) LEAFY VEGETABLES:** broccoli (including Chinese and Raab), Brussels sprouts, cabbage (including Chinese bok choy, Chinese napa, and Chinese mustard), cauliflower, cavalo broccola, collards, kale, kohlrabi, mizuna, mustard greens, mustard spinach, and rape greens.

DISEASE	USE RATE (fl. oz. of product / 100 lb of seed)
Decay, damping-off, and seedling blight caused by seed-borne and soil-borne fungi.	0.08 – 0.16

**BULB VEGETABLES:** garlic (including Great-headed), leek, onion (dry bulb and green), Welch onion, and shallot.

DISEASE	USE RATE (fl. oz. of product / 100 lb of seed or propagating material)
Decay, damping-off, and seedling blight caused by seed-borne and soil-borne fungi.	0.08 – 0.16

**CEREAL GRAINS (INCLUDING FORAGE AND SILAGE):** barley, buckwheat, corn (field, pop, and sweet), millet (pearl and proso), oats, rice, rye, sorghum, teosinte, triticale, wheat, and wild rice.

**TARGET DISEASE:** Decay, damping-off, and seedling blight caused by seed-borne and soil-borne fungi.

SPIRATO 480 FS contains 14.18 grams active ingredient per fl.oz.  
Cereal forage may not be grazed until 30 days after planting

### SPECIFIC USE RATES, INSTRUCTIONS, & RESTRICTIONS

BARLEY, BUCKWHEAT, MILLET (pearl and Proso), OATS, RYE, TEOSINTE, TRITICALE, WHEAT, and WILD RICE	USE RATE		
	0.08 – 0.16 fl. oz. product / 100 lbs of seed		
CORN (FIELD, POP):	fl.oz. of product /		mg a.i. / kernel
	100 lb of seed	80,000 kernel count	
	0.08	0.036	0.0064
	0.16	0.072	0.0128

For *Pythium* spp. control, use SPIRATO 480 FS in combination with labeled rates of SEBRING 318 FS. Observe all precautions, limitations, rates, and directions for use on the respective labels before applying.

SPIRATO 480 FS will also control seed-borne head smut caused by *Sphacelotheca reiliana*.

<b>CORN (SWEET):</b>	<b>fl. oz. of product / 100 lb of seed</b>
	0.08
Apply SEBRING 318 FS* in combination with SPIRATO 480 FS for protection against damping-off due to <i>Pythium</i> spp. at 0.75 fl. oz / 100 lb of seed tank mixed with the specified rates of SPIRATO 480 FS. For protection against systemic downy mildew of sweet corn, apply SEBRING 318 FS* at 1.50 fl.oz. / 100 lb. of seed tank mixed with the specified rates of SPIRATO 480 FS. Follow application and other instructions found on the SEBRING 318FS* product label.	
<b>GRAIN SORGHUM:</b>	<b>fl. oz. of product / 100 lb of seed</b>
	0.08 – 0.16
Apply SPIRATO 480 FS in combination with SEBRING 318 FS* for protection against damping-off due to <i>Pythium</i> spp. at 0.375 to 0.75 fl. oz. of SEBRING 318 FS / 100 lb of seed tank mixed with specified rates of SPIRATO 480 FS.	
For systemic downy mildew control on cultivars which possess sorghum downy mildew resistance, apply SEBRING 318 FS* at 0.75 to 1.50 fl.oz. / 100 lb. of seed as a tank mix with specified rates of SPIRATO 480 FS. To those cultivars which do not possess resistance to a particular race of sorghum downy mildew in areas with recent history of severe disease, apply 1.50 to 3.00 fl.oz. / 100 lb of seed of SEBRING 318FS* tank mixed with specified rates of SPIRATO 480 FS. Follow application and other instructions found on the SEBRING 318 FS* label.	
<b>RICE:</b>	<b>fl. oz. of product / 100 lb of seed</b>
	0.02 – 0.08

<b>CUCURBIT VEGETABLES:</b> chayote, Chinese waxgourd, citron melon, cucumber, gherkin, gourd edible (including hyotan, cucuzza, hechima, Chinese okra), momordica, all muskmelon, pumpkin, all squash, and watermelon.	
<b>DISEASE</b>	<b>USE RATE (fl. oz. of product / 100 lb of seed)</b>
Decay, damping-off, and seedling blight caused by seed-borne and soil-borne fungi.	0.08 – 0.16

<b>FLAX, COTTON, CRAMBE, JOJOBA, LESQUERELLA, RAPE, SAFFLOWER, SUNFLOWER</b>	
<b>DISEASE</b>	<b>USE RATE (fl. oz. of product / 100 lb of seed)</b>
Decay, damping-off, and seedling blight caused by seed-borne and soil-borne fungi.	0.08 – 0.16
<b>SUNFLOWER:</b> apply 0.08 – 0.16 fl.oz. of product per 100 lbs of seed or 0.0025 – 0.005 mg AI / seed.	

<b>FOLIAGE OF LEGUME VEGETABLES:</b> any cultivar of bean ( <i>Phaseolus</i> spp.), pea ( <i>Pisum</i> spp.), and soybean.	
<b>DISEASE</b>	<b>USE RATE (fl. oz. of product / 100 lb of seed)</b>
Decay, damping-off, and seedling blight caused by seed-borne and soil-borne fungi.	0.08 – 0.16

<b>FRUITING VEGETABLES:</b> eggplant, groundcherry, pepino, pepper (including bell, chili, cooking, pimento, sweet), tomatillo, and tomato	
DISEASE	USE RATE (fl. oz. of product / 100 lb of seed)
Decay, damping-off, and seedling blight caused by seed-borne and soil-borne fungi.	0.08 – 0.16

**GRASS FORAGE, FODDER, AND HAY:** all grasses (including turfgrass, bermudagrass, bluegrass, and fescue or bromegrass), Graminae family (either green or cured) except sugarcane and those included in the cereal grains group that will be fed to or grazed by livestock, all pasture and range grasses and grasses grown for hay or silage.

**NOTE:** Forage may not be grazed until 30 days after planting.

DISEASE	USE RATE (fl. oz. of product / 100 lb of seed, propagating root, tuber material)
Decay, damping-off, and seedling blight caused by seed-borne and soil-borne fungi.	0.08 – 0.16

**HERBS AND SPICES:** all spice, angelica, anise, anise (star), annatto, balm, basil, borage, burnet, camomile, caper buds, caraway, caraway black, cardamom, cassia bark, cassia buds, catnip, celery seed, chervil, chive, Chinese chive, cinnamon, clary, clove buds, coriander (Chinese parsley or cilantro), costmary, culantro (seed), cumin, curry (leaf), dill seed and dill weed, common fennel and florence fennel, fenugreek, grains of paradise, horehound, hyssop, juniper berry, lavender, lemongrass, lovage, lovage seed, mace, marigold, marjoram, mustard (seed), nasturtium, nutmeg, parsley (dried), pennyroyal, pepper (black and white), poppy seed, rosemary, rue, saffron, sage, savory (summer and winter), sweet bay, tansy, tarragon, thyme, vanilla, wintergreen, woodruff, wormwood.

DISEASE	USE RATE (fl. oz. of product / 100 lb of seed, propagating root, tuber material)
Decay, damping-off, and seedling blight caused by seed-borne and soil-borne fungi.	0.08 – 0.16

**LEAFY VEGETABLES EXCEPT BRASSICA:** amaranth (leafy, Chinese spinach, tampala), arugula, cardoon, celery (including Chinese), celtuce, chervil, chrysanthemum (edible-leaved and garland), corn salad, cress (garden and upland), dandelion, dock, endive, fennel (finocchio), lettuce (head and leaf), orach, parsley, purslane (garden and winter), radicchio, rhubarb, spinach (including New Zealand and vine), and swiss chard.

DISEASE	USE RATE (fl. oz. of product / 100 lb of seed)
Decay, damping-off, and seedling blight caused by seed-borne and soil-borne fungi.	0.08 – 0.16

**LEAVES OF ROOT AND TUBER VEGETABLES:** beet (garden and sugar), burdock (edible), carrot, cassava (bitter and sweet), chervil (turnip rooted), chicory, dasheen (taro), parsnip, radish (including oriental), rutabaga, salsify (black), sweet potato, tanier, turnip, and true yam.

DISEASE	USE RATE (fl. oz. of product / 100 lb of seed, propagating root, tuber material)
Decay, damping-off, and seedling blight caused by seed-borne and soil-borne fungi.	0.08 – 0.16

**LEGUME VEGETABLES (SUCCULENT OR DRY) (EXCEPT SOYBEANS):** **Bean (*Lupinus* spp.** – includes grain, sweet, and white lupin), **Bean (*Phaseolus* spp.** – includes field, kidney, lima, navy, pinto, runner, snap, tepary, and wax bean), **Bean (*Vigna* spp.** – includes adzuki, asparagus, blackeyed pea, catjang, Chinese longbean, cowpea, crowder pea, moth, mung, rice, southern pea, urd, and yardlong bean), broad bean, chickpea, guar, jackbean, lablab bean, lentils, pea (dwarf, edible-pod, English, field, garden, green, snow, sugar snap), pigeon pea, soybean (immature), and sword bean.

DISEASE	USE RATE (fl. oz. of product / 100 lb of seed, propagating root, tuber material)
Decay, damping-off, and seedling blight caused by seed-borne and soil-borne fungi.	0.08 – 0.16

**NONGRASS ANIMAL FEEDS (FORAGE, FODDER, STRAW, HAY):** alfalfa, bean (velvet), clover, kudzu, lespedeza, lupin, sainfoin, trefoil, vetch (including crown vetch and milk vetch).

Forage may not be grazed until 30 days after planting.

DISEASE	USE RATE (fl. oz. of product / 100 lb of seed)
Decay, damping-off, and seedling blight caused by seed-borne and soil-borne fungi.	0.08 – 0.16

**PEANUTS:**

DISEASE	USE RATE (fl. oz. of product / 100 lb of seed)
Decay, damping-off, and seedling blight caused by seed-borne and soil-borne fungi.	0.08 – 0.16

**ROOT AND TUBER VEGETABLES:** arracacha, arrowroot, artichoke (Chinese and Jerusalem), beet (garden and sugar), burdock (edible), canna (edible), carrot, cassava (bitter and sweet), celery root, chayote, chervil, chicory, chufa, dasheen, ginger, ginseng, horseradish, leren, parsley, parsnip, potato (0.08 fl. oz. only), radish (including oriental), rutabaga, salsify (oyster, black, and spanish), skirret, sweet potato, taniel, turmeric, turnip, yam bean (jicama, maonic pea), and true yam.

DISEASE	USE RATE (fl. oz. of product / 100 lb of seed, propagating root, tuber material)
Decay, damping-off, and seedling blight caused by seed-borne and soil-borne fungi.	0.08 – 0.16

**Note for Application to Potato:** SPIRATO 480 FS applications to potato seed pieces must be made only through specific types of equipment. Please contact your Nufarm Americas seed treatment representative to obtain information on proper equipment for application.

**Note for Potatoes Intended for Seed Production:** As a resistance management strategy, if SPIRATO 480 FS is used on potatoes intended for seed production, a labeled rate of mancozeb seed treatment dust must be applied to seed tubers after the SPIRATO 480 FS treatment. If the mancozeb dust is not used, an in-furrow application of a labeled strobiluron fungicide must be applied over the SPIRATO 480 FS treated seed tubers.



SOYBEANS:				
DISEASE	USE RATE**			
	fl. oz. of product /			mg AI /
Decay, damping-off, and seedling blight caused by seed-borne and soil-borne fungi.	100 lb of seed	1000 seeds	140,000 seed	seed
	0.08	0.00027	0.0373	0.0038
	0.16	0.00053	0.0747	0.0076
REMARKS				
**SPIRATO 480 FS contains 14.18 grams of fludioxonil per fluid ounce. 1 lb of soybeans is 3000 seeds.				

SEED TREATMENT (EXPORT USE):
FOR TREATMENT OF THE SEED FOR EXPORT ONLY TO COUNTRIES REQUIRING TREATMENT WITH SPIRATO 480 FS AND SEBRING 318 FS* BEFORE IMPORTATION. User should verify actual registered rate in country of destination and/or use. Seed treated in accordance with the export use pattern must be labeled as follows: TREATED SEED: FOR EXPORT ONLY – NOT FOR DOMESTIC SALE OR USE. TREATED WITH THE FUNGICIDE, FLUDIOXONIL.

\*Use SEBRING 318 FS or an equivalent rate of an appropriate metalaxyl or mefenoxam formulation.

## STORAGE AND DISPOSAL

**DO NOT** contaminate water, food or feed by storage or disposal.

**PESTICIDE STORAGE:** Store in a cool place. **DO NOT** store in direct sunlight. Protect from freezing temperatures.

**PESTICIDE DISPOSAL:** Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

### CONTAINER HANDLING:

**NOTE:** This product is available in multiple containers. Refer to the Net Contents section of this products labeling for the applicable “Nonrefillable” or “Refillable” designation. Follow the container disposal [handling] instructions below that apply to your container type / size.

#### [Nonrefillable Containers 5 Gallons or Less]

**Nonrefillable container. DO NOT** reuse or refill this container. Offer for recycling if available. Triple 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. Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by State and local authorities. Plastic containers are also disposable by incineration, or, if allowed by State and local authorities, by burning. If burned stay out of smoke.

#### Nonrefillable containers larger than 5 gallons

**Nonrefillable container. DO NOT** reuse or refill this container. Offer for recycling if available. 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. Then offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

(continued)

## STORAGE AND DISPOSAL *(continued)*

**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 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, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

### **Refillable containers larger than 5 gallons**

**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. 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 for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

### **Refillable containers for return to Nufarm**

**Refillable container.** Refill this container with pesticide only. **DO NOT** reuse this container for any other purpose. Close all openings and replace all caps. Contact Nufarm's Customer Service Department at 1-800-345-3330 to arrange for return of the empty refillable container.

## **WARRANTY DISCLAIMER**

**The directions for use of this product must be followed carefully. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, (1) THE GOODS DELIVERED TO YOU ARE FURNISHED "AS IS" BY MANUFACTURER OR SELLER AND (2) MANUFACTURER AND SELLER MAKE NO WARRANTIES, GUARANTEES, OR REPRESENTATIONS OF ANY KIND TO BUYER OR USER, EITHER EXPRESS OR IMPLIED, OR BY USAGE OF TRADE, STATUTORY OR OTHERWISE, WITH REGARD TO THE PRODUCT SOLD, INCLUDING, BUT NOT LIMITED TO MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, USE, OR ELIGIBILITY OF THE PRODUCT FOR ANY PARTICULAR TRADE USAGE. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, UNINTENDED CONSEQUENCES, INCLUDING BUT NOT LIMITED TO INEFFECTIVENESS, MAY RESULT BECAUSE OF SUCH FACTORS AS THE PRESENCE OR ABSENCE OF OTHER MATERIALS USED IN COMBINATION WITH THE GOODS, OR THE MANNER OF USE OR APPLICATION, INCLUDING WEATHER, ALL OF WHICH ARE BEYOND THE CONTROL OF MANUFACTURER OR SELLER AND ASSUMED BY BUYER OR USER. THIS WRITING CONTAINS ALL OF THE REPRESENTATIONS AND AGREEMENTS BETWEEN BUYER, MANUFACTURER AND SELLER, AND NO PERSON OR AGENT OF MANUFACTURER OR SELLER HAS ANY AUTHORITY TO MAKE ANY REPRESENTATION OR WARRANTY OR AGREEMENT RELATING IN ANY WAY TO THESE GOODS.**

## **LIMITATION OF LIABILITY**

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, IN NO EVENT SHALL MANUFACTURER OR SELLER BE LIABLE FOR SPECIAL, INCIDENTAL, OR CONSEQUENTIAL DAMAGES, OR FOR DAMAGES IN THEIR NATURE OF PENALTIES RELATING TO THE GOODS SOLD, INCLUDING USE, APPLICATION, HANDLING, AND DISPOSAL. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, MANUFACTURER OR SELLER SHALL NOT BE LIABLE TO BUYER OR USER BYWAY OF INDEMNIFICATION TO BUYER OR TO CUSTOMERS OF BUYER, IF ANY, OR FOR ANY DAMAGES OR SUMS OF MONEY, CLAIMS OR DEMANDS WHATSOEVER, RESULTING FROM OR BY REASON OF, OR ARISING OUT OF THE MISUSE, OR FAILURE TO FOLLOW LABEL WARNINGS OR INSTRUCTIONS FOR USE, OF THE GOODS SOLD BY MANUFACTURER OR SELLER TO BUYER. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, ALL SUCH RISKS SHALL BE ASSUMED BY THE BUYER, USER, OR ITS CUSTOMERS. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BUYER'S OR USER'S EXCLUSIVE REMEDY, AND MANUFACTURER'S OR SELLER'S TOTAL LIABILITY SHALL BE FOR DAMAGES NOT EXCEEDING THE COST OF THE PRODUCT.

**If you do not agree with or do not accept any of directions for use, the warranty disclaimers, or limitations on liability, do not use the product, and return it unopened to the Seller, and the purchase price will be refunded.**

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