

Avast! SC

Aquatic Herbicide

SPECIMEN



An herbicide for management of aquatic vegetation in fresh water ponds, lakes, reservoirs, potable water sources, drainage canals and irrigation canals.

For use in New York State, comply with Section 24 (C) Special Local Need labeling for Avast! SC, SLN NY-05-0003

Active Ingredient

fluridone: 1-methyl-3-phenyl-5-[3-(trifluoromethyl)phenyl]-4(1H)-pyridinone..... 41.7%
 Other Ingredients 58.3%
 TOTAL 100.0%

Contains 4 pounds of fluridone per gallon.

Keep Out of Reach of Children CAUTION / PRECAUCIÓN

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle. (If you do not understand the label, find someone to explain it to you in detail.)

Refer to inside of label booklet for additional precautionary information and directions for use including First Aid and storage and disposal.

Notice: Read the entire label before using. Use only according to label directions. Before buying or using this product, read *Terms and Conditions of Use, Warranty Disclaimer, Inherent Risks of Use and Limitation of Remedies* inside label booklet.

EPA Reg. No. 67690-30

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 SePRO Corporation 11550 N. Meridian Street, Suite 600 Carmel, IN 46032, U.S.A.

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION. Harmful if swallowed, absorbed through skin or inhaled. Causes moderate eye irritation. Avoid breathing spray mist. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash clothing before reuse.

KEEP OUT OF REACH OF CHILDREN CAUTION/PRECAUCIÓN

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle. (If you do not understand the label, find someone to explain it to you in detail.)

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 to 20 minutes. Call a poison control center or doctor for treatment advice.
If inhaled	<ul style="list-style-type: none"> Move person to fresh air. If person is not breathing, call 911 or an ambulance; then give artificial respiration, preferably mouth-to-mouth, if possible. Call a poison control center or doctor for further treatment advice.
If in eyes	<ul style="list-style-type: none"> Hold eye open and rinse slowly and gently with water for 15 to 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.

HOTLINE NUMBER

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. In case of emergency endangering health or the environment involving this product, call INFOTRAC at 1-800-535-5053.

ENVIRONMENTAL HAZARDS

Follow use directions carefully so as to minimize adverse effects on non-target organisms. Do not contaminate untreated water when disposing of equipment washwaters. Trees and shrubs growing in water treated with Avast! SC may occasionally develop chlorosis. Do not apply in tidewater/brackish water. Lowest rates should be used in shallow areas where the water depth is considerably less than the average depth of the entire treatment site, for example, shallow shoreline areas.

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.

Shake well before using.

INSTRUCTIONS

Avast! SC is a selective systemic aquatic herbicide for management of aquatic vegetation in fresh water ponds, lakes, reservoirs, drainage canals and irrigation canals. Avast! SC is absorbed from water by plant shoots and from hydrosol by the roots of aquatic vascular plants. It is important to maintain the specified concentration of Avast! SC in contact with the target plants for a minimum of 45 days. Rapid water movement or any condition that results in rapid dilution of Avast! SC in treated water will reduce its effectiveness.

In susceptible plants, Avast! SC inhibits the formation of carotene. In the absence of carotene, chlorophyll is rapidly degraded by sunlight. Herbicidal symptoms of Avast! SC appear in seven to ten days and appear as white (chlorotic) or pink growing points. Under optimum conditions, 30 to 90 days are required before the desired level of aquatic weed management is achieved with Avast! SC. Species susceptibility to Avast! SC may vary, depending on time of year, stage of growth, and water movement. For best results, apply Avast! SC prior to initiation of weed growth or when weeds begin active growth. Mature target plants may require an application rate at the higher end of the specified rate range and may take longer to control.

Avast! SC is not corrosive to application equipment.

This label provides recommendations on the use of a laboratory analysis for the active ingredient. SePRO Corporation recommends the use of high-performance liquid chromatography (HPLC) for the determination of fluridone concentrations in water. It is recommended to contact SePRO Corporation for the incorporation of this test, known as a FastTEST, in a treatment program. FastTEST is referenced in this label as the preferred method for the rapid determination of the active ingredient in water. Other proven chemical analyses for the active ingredient may also be used.

Application rates are provided in fluid ounces or quarts of Avast! SC to achieve a desired concentration of the active ingredient in parts per billion (ppb). **The maximum application rate or sum of all application rates is 90 ppb in ponds and 150 ppb in lakes and reservoirs per annual growth cycle.** This maximum concentration is the amount of product calculated as the target application rate, NOT determined by testing the residues of the active ingredient in the treated water.

SPECIAL PRECAUTIONS

- Obtain required permits:** Permits may be required by state or local agencies. Consult with appropriate State or local water authorities before applying this product.
- Chemigation:** Do not apply this product through any type of irrigation system.
- Hydroponic Farming:** Do not use water treated with Avast! SC for hydroponic farming unless a FastTEST has been run and confirmed that concentrations are less than 1 ppb.
- Greenhouse and Nursery Plants:** Consult with SePRO Corporation for site-specific recommendations prior to any use of Avast! SC treated water for irrigating greenhouse or nursery plants. Without site-specific guidance from SePRO, do not use Avast! SC treated water for irrigating greenhouse or nursery plants unless a FastTEST has been run and confirmed that concentrations are less than 1 ppb.
- Water Use Restrictions Following Applications of Avast! SC (Days)**

Application Rate	Drinking ¹	Fishing	Swimming	Livestock/Pet Consumption	Irrigation ²
Maximum Rate (150 ppb) or less	0	0	0	0	See irrigation instructions below

¹ Note below, under *Potable Water Intakes*, the information for application of Avast! SC within ¼ mile (1,320 feet) of a functional potable water intake.

² Note below, under *Irrigation*, specific time frames or fluridone residues that provide the widest margin of safety for irrigating with water treated with Avast! SC.

- Potable Water Intakes:** In lakes and reservoirs or other sources of potable water, **do not apply** Avast! SC at application rates greater than 20 ppb within ¼ mile (1,320 feet) of any functioning potable water intake. At application rates of 6 to 20 ppb, Avast! SC **may be applied** where functioning potable water intakes are present. **NOTE: Existing potable water intakes that are no longer in use, such as those that have been replaced by potable water wells or connections to a municipal water system, are not considered to be functioning potable water intakes.**
- Irrigation:** Irrigation with water treated with Avast! SC may result in injury to the irrigated vegetation. Inform those who irrigate from areas treated with Avast! SC of the irrigation time frames or FastTEST requirements presented in the table below. Follow the following time frames and assay directions to reduce the potential for injury to vegetation irrigated with water treated with Avast! SC. There is a greater potential for crop injury when water treated with Avast! SC is applied to crops grown in low organic and sandy soils.

WAITING PERIODS BEFORE IRRIGATING WITH WATER TREATED WITH AVAST! SC

Application Site	Days After Application		
	Established Tree Crops	Established Row Crops/Turf/Plants	Newly Seeded Crops/Seedbeds or Areas to be Planted Including Overseeded Golf Course Greens
Ponds and Static Canals ¹	7	30	Assay required
Canals	7	14	Assay required
Lakes and Reservoirs ²	7	14	Assay required

¹ For purposes of Avast! SC labeling, a pond is defined as a body of water 10 acres or less in size. A lake or reservoir is greater than 10 acres.

² In lakes and reservoirs where one-half or greater of the body of water is treated, use the pond and static canal irrigation precautions.

Where the use of Avast! SC treated water is desired for irrigating crops prior to the time frames established above, the use of FastTEST is recommended to measure the concentration in the treated water. Where FastTEST has determined that concentrations are less than 10 parts per billion (ppb), there are no irrigation precautions for irrigating established tree crops, established row crops or turf. **For tobacco, tomatoes, peppers or other plants within the Solanaceae family and for newly seeded grasses, such as overseeded golf course greens, do not use Avast! SC treated water if concentrations are greater than 5 ppb. Furthermore, when rotating crops, do not plant members of the Solanaceae family in land that has been previously irrigated with fluridone concentrations in excess of 5 ppb. It is recommended that an aquatic specialist be consulted prior to commencing irrigation of these sites.**

WEED CONTROL INFORMATION

Avast! SC selectivity is dependent upon dosage, time of year, stage of growth, method of application and water movement. The following categories, Controlled, Partially Controlled and Not Controlled, are provided to describe expected efficacy under ideal treatment conditions, using higher to maximum application rates. Use of lower rates will increase selectivity of some species listed as Controlled or Partially Controlled. Additional aquatic plants may be controlled, partially controlled or tolerant to Avast! SC. Consult an aquatic specialist prior to application to determine a plant's susceptibility to Avast! SC.

Vascular Aquatic Plants Controlled by Avast! SC:

Floating Plants:

Duckweed, Common (*Lemna minor*)

Emerald Plants:

Spatterdock (*Nuphar luteum*)
Waterlily (*Nymphaea* spp.)

Submersed Plants:

Bladderwort (*Utricularia* spp.)
Coontail, Common (*Ceratophyllum demersum*)
Egeria; Brazilian Elodea (*Egeria densa*)
Elodea, Common (*Elodea canadensis*)
Fanwort; Cabomba (*Cabomba caroliniana*)
Hydrilla (*Hydrilla verticillata*)
Naiad (*Najas* spp.)
Pondweed (*Potamogeton* spp.), except Illinois Pondweed
Watermilfoil (*Myriophyllum* spp.), except Variable-Leaf Milfoil

Shoreline Grasses:

Paragrass (*Urochloa mutica*)

Vascular Aquatic Plants Partially Controlled by Avast! SC:

Floating Plants:

Salvinia (*Salvinia* spp.)
Watermeal, Common (*Wolffia columbiana*)¹

¹ Partial control only with Avast! SC applied at the maximum labeled rate.

Emerald Plants:

Alligatorweed (*Alternanthera philoxeroides*)
Cattail (*Typha* spp.)
Lotus, American (*Nelumbo lutea*)
Parrotfeather (*Myriophyllum aquaticum*)
Smartweed (*Polygonum* spp.)
Spikerush (*Eleocharis* spp.)
Waterprimrose, Creeping (*Ludwigia peploides*)
Waterpurslane (*Ludwigia palustris*)
Watershield (*Brasenia schreberi*)

Submersed Plants:

Limnophila (*Limnophila sessiliflora*)
Pondweed, Illinois (*Potamogeton illinoensis*)
Tapegrass; American Eelgrass (*Vallisneria americana*)
Watermilfoil, Variable-Leaf (*Myriophyllum heterophyllum*)

Shoreline Grasses:

Barnyardgrass (*Echinochloa crusgalli*)
Canarygrass, Reed (*Phalaris arundinaceae*)
Cutgrass, Giant (*Zizaniopsis miliacea*)
Torpedograss (*Panicum repens*)
Watergrass, Southern (*Hydrochloa carolinensis*)

Vascular Aquatic Plants Not Controlled by Avast! SC:

Floating Plants:

Water Lettuce (*Pistia stratiotes*)

Emerald Plants:

Arrowhead (*Sagittaria* spp.)
Bacopa (*Bacopa* spp.)
Big Floatingheart; Banana Lily (*Nymphoides aquatica*)
Bulrush (*Scirpus* spp.)
Frogbit, American (*Limnobium spongia*)
Pickernelweed; Lanceleaf (*Pontederia* spp.)
Rush (*Juncus* spp.)
Waterhyacinth, Floating (*Eichornia crassipes*)
Water Pennywort (*Hydrocotyle umbellata*)

Shoreline Grasses:

Maidencane (*Panicum hemitomon*)

NOTE: Algae (*Chara*, *Nitella* and filamentous species) are not controlled by Avast! SC.

MIXING AND APPLICATION DIRECTIONS

The aquatic plants present in the treatment site should be identified prior to application to determine their susceptibility to Avast! SC. It is also important to determine the area (acres) to be treated and the average depth in order to select the proper application rate. Do not exceed the maximum labeled rate for a given treatment site per annual growth cycle.

Shake Avast! SC well before using. Add the specified amount of Avast! SC to water in the spray tank during the filling operation. Agitate while filling and during spraying. Surface or subsurface application of the spray can be made with conventional spray equipment. Avast! SC can also be applied near the surface of the hydrosol using weighted trailing hoses. A spray volume of 5 to 100 gallons per acre may be used. Avast! SC may also be diluted with water and the concentrated mix metered into the pumping system.

Tank Mix Directions

Avast! SC may be tank mixed with other aquatic herbicides and algaecides to enhance efficacy and plant selectivity. Refer to the label of the companion herbicide or algaecide for use directions, precautions and restrictions.

Application to Ponds

Avast! SC may be applied to the entire surface area of a pond. For single applications, rates may be selected to provide 45 to 90 ppb in the treated water. Use the higher rate within the rate range where there is a dense weed mass, when treating more difficult to control species, and for ponds that are less than 5 acres in size with an average depth of less than 4 feet. Application rates necessary to obtain these active ingredient concentrations in treated water are shown in the following table. For additional application rate calculations, refer to the section of this label entitled *Application Rate Calculation - Ponds, Lakes and Reservoirs*. Split or multiple applications may be used where dilution of treated water is anticipated; however, the sum of all applications must not exceed a total of 90 ppb per annual growth cycle.

Average Water Depth of Treatment Site (feet)	Quarts of Avast! SC per Treated Surface Acre		Fluid Ounces of Avast! SC per Treated Surface Acre	
	45 ppb	90 ppb	45 ppb	90 ppb
1	0.12	0.24	3.8	7.7
2	0.24	0.49	7.7	15.7
3	0.37	0.73	11.8	23.4
4	0.49	0.98	15.7	31.4
5	0.61	1.22	19.5	39.0
6	0.73	1.46	23.4	46.7
7	0.85	1.70	27.2	54.4
8	0.98	1.95	31.4	62.4
9	1.10	2.19	35.2	70.1
10	1.22	2.44	39.0	78.1

Application to Lakes and Reservoirs

The following treatments may be used for treating both whole lakes or reservoirs and partial areas of lakes or reservoirs (bays, etc.). For best results in treating partial lakes and reservoirs, Avast! SC treatment areas should be a minimum of 5 acres in size. Treatment of areas smaller than 5 acres or treatment of narrow strips, such as boat lanes or shorelines, may not produce satisfactory results due to dilution by untreated water. Rate ranges are provided as a guide to include a wide range of environmental factors, such as target species, plant susceptibility, selectivity and other aquatic plant management objectives. Application rates and methods should be selected to meet the specific lake/reservoir aquatic plant management goals.

➤ **Whole Lake or Reservoir Treatments (Limited or No Water Discharge)**

Single Application to Whole Lakes or Reservoirs: Where single applications to whole lakes or reservoirs are desired, apply Avast! SC at an application rate of 10 to 90 ppb.

Application rates necessary to obtain these concentrations in treated water are shown in the following table. For additional application rate calculations, refer to the section of this label entitled *Application Rate Calculation - Ponds, Lakes and Reservoirs*. Choose an application rate from the table below to meet the aquatic plant management objective. Where greater plant selectivity is desired, such as when controlling Eurasian watermilfoil and curlyleaf pondweed, choose an application rate lower in the rate range. For other plant species, an aquatic specialist should be contacted to determine when to choose application rates lower in the rate range to meet specific plant management goals. Use the higher rate within the rate range where there is a dense weed mass or when treating more difficult to control plant species. Retreatments may be required to control more difficult to control species or in the event of a heavy rainfall event where dilution of the treatment concentration has occurred. In these cases, a second application or more may be required; however, the sum of all applications cannot exceed 150 ppb per annual growth cycle. Refer to the following section, *Split or Multiple Applications to Whole Lakes or Reservoirs*, for guidelines and maximum rate allowed.

Average Water Depth of Treatment Site (feet)	Quarts of Avast! SC per Treated Surface Acre		Fluid Ounces of Avast! SC per Treated Surface Acre	
	10 ppb	90 ppb	10 ppb	90 ppb
1	0.03	0.24	1.0	7.7
2	0.05	0.49	1.6	15.7
3	0.08	0.73	2.6	23.4
4	0.11	0.98	3.2	31.4
5	0.14	1.22	4.5	39.0
6	0.16	1.46	5.1	46.7
7	0.19	1.70	6.1	54.4
8	0.22	1.95	7.0	62.4
9	0.24	2.19	7.6	70.1
10	0.27	2.44	8.6	78.1
11	0.30	2.68	9.6	86.0
12	0.32	2.93	10.2	93.8
13	0.35	3.17	11.2	101.4
14	0.38	3.42	12.1	109.4
15	0.41	3.66	13.1	117.1
16	0.43	3.90	13.8	124.8
17	0.46	4.15	14.7	132.2
18	0.49	4.39	15.7	140.5
19	0.51	4.63	16.3	148.2
20	0.54	4.88	17.3	156.2

Split or Multiple Applications to Whole Lakes or Reservoirs: To meet certain plant management objectives, split or multiple applications may be desired in making whole lake treatments. Split or multiple application programs are desirable when the objective is to use the minimum effective dose and, through the use of a water analysis, e.g. FasTEST or other appropriate means of analysis, add additional Avast! SC to maintain this lower dose for sufficient time to ensure efficacy and enhance selectivity. Water may be treated with an initial application of 6 to 50 ppb. Additional split applications should be made to maintain a sufficient concentration for a minimum of 45 days. In controlling Eurasian watermilfoil and curlyleaf pondweed and where greater plant selectivity is desired, choose an application rate lower in the rate range. For other plant species, an aquatic specialist should be contacted to determine when to choose application rates lower in the rate range to meet specific plant management goals. When utilizing split or multiple applications of Avast! SC, the utilization of FasTEST is strongly recommended to determine the actual concentration in the water over time. For split or multiple applications, the sum of all applications must not exceed 150 ppb per annual growth cycle.

NOTE: In treating lakes or reservoirs that contain functional potable water intakes and the application requires treating within ¼ mile of a potable water intake, no single application can exceed 20 ppb. Additionally, the sum of all applications cannot exceed 150 ppb per annual growth cycle.

➤ **Partial Lake or Reservoir Treatments**

Where dilution of Avast! SC with untreated water is anticipated, such as in partial lake or reservoir treatments, split or multiple applications may be used to extend the contact time with the target plants. The application rate and use frequency of Avast! SC in a partial lake is highly dependent upon the treatment area. An application rate at the higher end of the specified rate range may be required and frequency of applications will vary depending upon the potential for untreated water to dilute the Avast! SC concentration in the treatment area. Use a rate at the higher end of the rate range where greater dilution with untreated water is anticipated.

Treatment Areas Greater than ¼ Mile from a Functioning Potable Water Intake: For single applications, apply Avast! SC at application rates from 30 to 150 ppb. Split or multiple applications may be made; however, the sum of all applications cannot exceed 150 ppb per annual growth cycle. Split applications may be made to maintain a sufficient concentration in the target area for a period of 45 days or longer. The use of FasTEST, or other appropriate means of analysis, is recommended to maintain the desired concentration in the target area over time.

Treatment Areas Within ¼ Mile of a Functioning Potable Water Intake: In treatment areas that are within ¼ mile of a potable water intake, no single application can exceed 20 ppb. When utilizing split or multiple applications of Avast! SC for sites that contain a potable water intake, FaSTEST or other appropriate means of analysis is required to determine the actual concentration in the water. Additionally, the sum of all applications cannot exceed 150 ppb per annual growth cycle.

Application Rate Calculation — Ponds, Lakes and Reservoirs

The amount of Avast! SC to be applied to provide the desired ppb concentration of active ingredient in treated water may be calculated as follows:

Quarts of Avast! SC required per treated surface acre = Average water depth of treatment site (feet) x Desired ppb concentration of active ingredient x 0.0027

For example, the quarts per acre of Avast! SC required to provide a concentration of 25 ppb of active ingredient in water with an average depth of 5 feet is calculated as follows:

$$5 \times 25 \times 0.0027 = 0.33 \text{ quarts per treated surface acre}$$

When measuring quantities of Avast! SC, quarts may be converted to fluid ounces by multiplying quarts to be measured by 32. For example, 0.33 quarts x 32 = 10.5 fluid ounces.

NOTE: Calculated rates may not exceed the maximum allowable rate in quarts per treated surface acre for the water depth listed in the application rate table for the site to be treated.

Application to Drainage Canals and Irrigation Canals

- **Static Canals:** In static drainage and irrigation canals, apply Avast! SC at the rate of 1 to 2 quarts per treated surface acre.
- **Moving Water Canals:** The performance of Avast! SC will be enhanced by restricting or reducing water flow. In slow moving bodies of water, use an application technique that maintains a concentration of 15 to 40 ppb in the target area for a minimum of 45 days. Avast! SC can be applied by split or multiple broadcast applications or by metering in the product to provide a uniform concentration of the herbicide based upon the flow pattern. The use of FaSTEST or other appropriate means of analysis is recommended to maintain the desired concentration in the target area over time.
- **Static or Moving Water Canals Containing a Functioning Potable Water Intake:** In treating a static or moving water canal that contains a functioning potable water intake, DO NOT apply Avast! SC at application rates greater than 20 ppb within ¼ mile (1320 feet) of any functioning potable water intake. Applications of less than 20 ppb may be applied within ¼ mile from a functioning potable water intake; however, if applications of Avast! SC are made within ¼ mile from a functioning potable water intake, the FaSTEST or other appropriate means of analysis must be utilized to demonstrate that concentrations do not exceed 150 ppb at the potable water intake.

Application Rate Calculation — Moving Water Drainage Canals and Irrigation Canals

The amount of Avast! SC to be applied through a metering system to provide the desired ppb concentration of active ingredient in treated water may be calculated as follows:

1. Average flow rate (feet per second) x Average canal width (feet) x Average water depth (feet) x 0.9 = Cubic feet per second (CFS)
2. CFS x 1.98 = acre-feet per day (water movement)
3. Acre-feet per day x desired ppb x 0.0027 = Quarts of Avast! SC required per day

STORAGE AND DISPOSAL

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

Pesticide Storage:

Store in original container only. Do not store near feed or foodstuffs. Keep from freezing.

Pesticide Disposal:

Wastes resulting from use of this product may be disposed of on-site or at an approved waste disposal facility.

Container Handling

Nonrefillable Container. DO NOT reuse or refill this container. Triple rinse or pressure rinse container (or equivalent) promptly after emptying; then offer for recycling, if available, or reconditioning, if appropriate, or puncture and dispose of in a sanitary landfill, or by incineration, or by other procedures approved by state and local authorities.

Triple rinse containers small enough to shake (capacity ≤ 5 gallons) 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.

Triple rinse containers too large to shake (capacity > 5 gallons) as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container ¼ 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 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.

Refillable Container. Refill this container with pesticide only. **DO NOT** reuse this container for any other purpose. Triple rinsing the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. Triple rinse as follows: To clean the container before final disposal, empty the remaining contents from this container into application equipment or mix tank. Fill the container about 10% full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times.

When this container is empty, replace the cap and seal all openings that have been opened during use; return the container to the point of purchase or to a designated location. This container must only be refilled with a pesticide product. Prior to refilling, inspect carefully for damage such as cracks, punctures, abrasions, worn-out threads and closure devices. Check for leaks after refilling and before transport. **DO NOT** transport if this container is damaged or leaking. If the container is damaged, or leaking, or obsolete and not returned to the point of purchase or to a designated location, triple rinse emptied container and offer for recycling, if available, or dispose of container in compliance with state and local regulations.

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, to the extent consistent with applicable law, 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

SePRO Corporation warrants that the 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 CONSISTENT WITH APPLICABLE LAW, SEPRO CORPORATION 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. Plant injury, lack of performance, or other unintended consequences may result because of such factors as use of this 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 SePRO Corporation or the seller. To the extent consistent with applicable law, all such risks shall be assumed by buyer.

LIMITATION OF REMEDIES

To the extent consistent with applicable 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 SePRO Corporation's election, one of the following:

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

To the extent consistent with applicable law, SePRO Corporation shall not be liable for losses or damages resulting from handling or use of this product unless SePRO Corporation is promptly notified of such losses or damages in writing. In no case shall SePRO Corporation be liable for consequential or incidental damages or losses.

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

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