



# FIRST CHOICE<sup>®</sup>

## GAVICIDE<sup>®</sup> SUPER 90

440 SPRAY OIL - NARROW RANGE  
FOR FRUIT, VINE & NUT CROPS AND ORNAMENTALS

READ ENTIRE CONTAINER LABEL BEFORE USING THIS PRODUCT

<b>ACTIVE INGREDIENT</b>		<b>By Wt.</b>
Mineral Oil*	.....	99.0%
<b>INERT INGREDIENTS:</b>	.....	1.0%
	<b>TOTAL</b>	<b>100.0%</b>

\*Contains petroleum distillates

**KEEP OUT OF REACH OF CHILDREN  
CAUTION**

FIRST AID	
<b>If swallowed:</b>	<ul style="list-style-type: none"> <li>• Call a poison control center or doctor immediately for treatment advice.</li> <li>• Do not give any liquid to a person.</li> <li>• Do not induce vomiting unless told to by a poison control center or doctor.</li> <li>• Do not give anything by mouth to an unconscious person.</li> </ul>
<b>If in eyes:</b>	<ul style="list-style-type: none"> <li>• Hold eyes 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 a poison control center or doctor for treatment advice.</li> </ul>
<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>

Have the product container or label with you when calling a poison control center or doctor, or going for treatment.

**FOR A MEDICAL EMERGENCY INVOLVING THIS PRODUCT CALL 1-866-944-8565.**

**NOTE TO PHYSICIAN:** This product contains petroleum distillates and may pose an aspiration pneumonia hazard.

EPA REG. NO. 34704-1024  
EPA EST. NO. 51896-CA-30  
NET CONTENTS 30 GALS. (113.5 L)

073010 V2D 01/11

**FIRST CHOICE® GAVICIDE® SUPER 90**  
**EPA REG. NO. 34704-1024**

**PRECAUTIONARY STATEMENTS**  
**HAZARDS TO HUMANS AND DOMESTIC ANIMALS**  
**CAUTION**

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

**PHYSICAL / CHEMICAL HAZARDS**

Do not use or store near heat or open flame.

**PERSONAL PROTECTIVE EQUIPMENT (PPE)**

Some materials that are chemical-resistant to this product are barrier laminate, nitrile rubber, neoprene rubber, and Viton. If you want more options, follow the instructions for category E on an EPA chemical-resistance category selection chart.

Mixers, loaders, applicators, flaggers and other handlers must wear:

- Long-sleeved shirt and long pants,
- shoes plus socks, and
- chemical-resistant gloves.

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. Discard clothing and other absorbent materials that have been drenched or heavily contaminated with the product's concentrate. Do not reuse them.

**ENGINEERING CONTROLS**

Pilots must use an enclosed cockpit that meets the requirements listed in the WPS for agricultural pesticides [40CFR 170.240(d)(6)].

**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 outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

**ENVIRONMENTAL HAZARDS**

Do not apply directly to water or areas where surface water is present or to intertidal areas below the mean high watermark. Do not contaminate water when disposing of equipment washwater or rinsate. Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas.

This product may be applied at any time but bees are temporarily inactivated by direct contact and some loss may occur. Consult your Agricultural Extension Service for further protective information.

**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 through any type of irrigation system. 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 regulations.

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**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,
- Shoes plus socks, and
- Chemical-resistant gloves made of any waterproof material.

**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 to enter until sprays have dried.**

**SPRAY DRIFT MANAGEMENT**

A variety of factors including weather conditions (e.g., wind direction, wind speed, temperature, relative humidity) and method of application (e.g., ground, aerial, airblast) can influence pesticide drift. The applicator and grower must evaluate all factors and make appropriate adjustments when applying this product.

**WIND SPEED:** Do not apply at wind speeds greater than 15 mph at the application site.

**TEMPERATURE INVERSIONS:** If applying at wind speeds less than 3 mph, the applicator must determine if a) conditions of temperature inversion exist, or b) stable atmospheric conditions exist at or below nozzle height. Do not make applications into areas of temperature inversions or stable atmospheric conditions.

**DROPLET SIZE:** Apply as a medium or coarser spray (ASABE standard 572), and the minimum volume mean diameter (VMD) for spinning atomizer nozzles.

**When applied through ground equipment:** Apply using a nozzle height of no more than 4 feet above the ground or crop canopy.

**WIND SPEED:** Do not apply at wind speeds greater than 15 mph at the application site.

**DROPLET SIZE:** Apply as a medium or coarser spray (ASABE standard 572), and the minimum volume mean diameter (VMD) for spinning atomizer nozzles.

**When applied as a spray through airblast equipment:** For airblast applications, turn off outward pointing nozzles at row ends and when spraying outer row. To minimize spray loss over the top in orchard applications, spray must be directed into the canopy.

**When applied as an aerial spray:**

**RELEASE HEIGHT:** For aerial applications of agricultural products, do not release spray at a height greater than 10 feet above the ground, top of crops, or above the orchard canopy.

**BOOM LENGTH:** The boom length must not exceed 75% of the wingspan or 90% of the rotor blade diameter.

**SWATH ADJUSTMENT:** When applications are made with a cross-wind, the swath will be displaced downwind. The applicator must compensate for this displacement at the downwind edge of the application area by adjusting the path of the aircraft upwind. Leave at least one swath unsprayed at the downwind edge of the treated field.

**WIND SPEED:** Do not apply at wind speeds greater than 15 mph at the application site.

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**DROPLET SIZE:** Apply as a medium or coarser spray (ASABE standard 572), and the minimum volume mean diameter (VMD) for spinning atomizer nozzles.

**APPLICATION DIRECTIONS**

FIRST CHOICE® GAVICIDE® SUPER 90 is a straight-cut, narrow boiling range petroleum oil designed specifically for use as a foliar or dormant/delayed dormant application on fruit, vine and nut crops and ornamentals. When using this product in combination with other pesticides, observe appropriate cautions and limitations for the products involved. FIRST CHOICE GAVICIDE SUPER 90 is intended for use by the commercial grower or commercial applicator in conventional hydraulic sprayers, concentrate application equipment, ground applicators or aerial. The rates are specified on a per acre basis with the exception of Hops, Ornamentals and Shade Trees where rates are expressed per 100 gallons of water.

**DILUTION:** Fill spray tank with 1/2 the required amount of water. Start agitator. Add total amount of spray oil. Continue to agitate while adding balance of water and while spraying to keep oil and water mixed. **DO NOT USE THIS MATERIAL IF IT DOES NOT EMULSIFY.**

**Ground applications:** Dilute specified dosage in 50-2,000gallons of water per acre as directed below. Optimum spray gallonage per acre is based upon tree size, planting density and stage of growth.

**Aerial applications:** Make aerial applications only when weather conditions do not allow ground applications. Dilute FIRST CHOICE GAVICIDE SUPER 90 at the rate of 15 to 30 gallons per acre in sufficient water for thorough coverage (consult with local Extension Service or agricultural chemical authority for dilution and/or combinations with currently registered pesticides). Use lower rate on susceptible varieties or young trees. In case of conflicting directions, refer to the specific crop instructions.

**COMPATIBILITY:** FIRST CHOICE GAVICIDE SUPER 90 may be tank-mixed with insecticides or fungicides. To assure the compatibility of tank mixtures, mix the correct proportions of the tank-mix components in a small container. After thorough mixing, let stand for five minutes. If the combination remains mixed or can be readily remixed, the tank mixture is compatible.

**CHEMIGATION: DO NOT APPLY** this product through any type of irrigation system.

**APPLICATIONS:** FIRST CHOICE GAVICIDE SUPER 90 is formulated as a "fast break" spray oil and will not stay in solution unless agitated constantly. Keep agitator running at all times during spray operations. Apply so as to give total coverage to all parts of crop. Thorough drenching of trunks, limbs, twigs and leaves is essential for optimum results.

**USE LIMITATIONS:**

**Summer Sprays**

- DO NOT COMBINE with sulfur sprays
- DO NOT APPLY spray oil within 30 days before or after an application of sulfur.
- DO NOT use on foliage closer than 60 days after or 90 days before using captan or folpet products.
- DO NOT MIX with insecticides or fungicides incompatible with oil. Consult your State Agricultural Extension Service for specific compatibilities.
- DO NOT APPLY to trees weakened by disease, drought, freezing temperatures, drying winds, or high nitrogen applications.
- DO NOT APPLY FIRST CHOICE GAVICIDE SUPER 90 prior to or during a period of excessively hot temperatures (>90°F).
- MAINTAIN CONSTANT VIGOROUS AGITATION during application to keep spray oil and water in solution.
- MULTIPLE CONCENTRATE APPLICATIONS may cause plant injury or delayed bud development. Avoid double applications on the ends of crop rows when turning application equipment.

**Dormant Sprays**

- DO NOT COMBINE dormant spray oil with sulfur or lime sulfur unless the mixture has been tested on the crop and the mixture has been shown to be safe. Only use oil and sulfur or lime sulfur combinations on dormant crops.
- DO NOT USE FIRST CHOICE GAVICIDE SUPER 90 when temperatures are below 32°F (usually nighttime lows) and crop is free of moisture of melting frost or heavy dew.

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- DO NOT MIX with insecticides or fungicides incompatible with oil. Consult your State Agricultural Extension Service for specific compatibilities.
- DO NOT APPLY to trees weakened by disease, drought, freezing temperatures, drying winds, or high nitrogen applications.
- MAINTAIN CONSTANT VIGOROUS AGITATION during mixing and application to keep spray oil and water in solution.
- CONCENTRATE APPLICATIONS can delay bud development. Avoid double applications on the ends of crop rows when turning application equipment.

**CROP APPLICATION RATES**

Apply as pests appear. Adjust dosage within specified range according to pest infestation, crop canopy size, crop condition, etc. FIRST CHOICE GAVICIDE SUPER 90 may be reapplied if pest pressure continues.

**ALMONDS, APRICOTS, APPLES, CHERRIES, NECTARINES, OLIVES, PEACHES, PEARS, PLUMS, PRUNES:**  
**Dormant/Delayed Dormant Applications:**

To control Scales including Black Scale, Brown Apricot Scale, Frosted Scale, Italian Pear Scale, Lecanium Scale, Oleander Scale, Olive (parlatoria) Scale, San Jose Scale, Soft Brown Scale, apply 5 to 8 gals. FIRST CHOICE GAVICIDE SUPER 90 per acre. For ovicidal control of Whiteflies and Aphids including Black Cherry Aphid, Black or Green Peach Aphid, Green or Rosy Apple Aphid, Plum Aphid, use 5 to 8 gals. FIRST CHOICE GAVICIDE SUPER 90 per acre.

For ovicidal control of Mites including Blister Mite, Brown Almond Mite, European Red Mite, McDaniel Mite, Pacific Mite, Peach Silver Mite, Rust Mite, Strawberry Mite, Two-spotted Mite, apply 5 to 8 gals. per acre. DO NOT apply to plums or prunes between bud break and fruit set stages.

**Summer Applications:**

To control Scales, Whiteflies, Aphids, Mites (see pests listed above) and Peach Twig Borer, apply 5 to 8 gals. FIRST CHOICE GAVICIDE SUPER 90 per acre. Reapply as pests appear. To suppress Mites, use 1.5 to 4 gals. per acre and repeat as pests appear.

NOTE: Occasional foliar injury may occur on peaches and nectarines from combinations with organophosphate insecticides such as Guthion. DO NOT apply this product to cherries in conjunction with azinphos-methyl based insecticides.

**PEARS (in addition to the uses above):**

**Dormant/Delayed Dormant/Summer Applications:**

To control Pear Psylla and Whiteflies, apply 5 to 8 gals. FIRSTCHOICE GAVICIDE SUPER 90 per acre.

**Dormant Applications: *Pacific Northwest only:***

To control Pear Psylla and Whiteflies, use 5 to 8 gals. FIRSTCHOICE GAVICIDE SUPER 90 plus 8 to 20 lbs. sulfur per acre.

**Delayed Dormant Applications: *Pacific Northwest only:***

To control Pear Psylla and Whiteflies, apply 4 gals. FIRSTCHOICE GAVICIDE SUPER 90 plus 8 to 12 lbs. sulfur per acre.

**PISTACHIOS**

**Dormant/Delayed Dormant Applications:**

To control soft scales including Parthenolecanium spp. apply a maximum of 4 gals. FIRST CHOICE GAVICIDE SUPER 90 per acre in AZ and a maximum of 6 gals. per acre in CA.

**WALNUTS**

**Dormant Applications:**

To control Scales including Calico Scale, Frosted Scale, Oyster Shell Scale and others listed above, use 5 to 7 gals. FIRST CHOICE GAVICIDE SUPER 90 per acre.

For ovicidal control of Walnut Aphid, Whiteflies and Mites including European Red Mite, Pacific Mite, Two-spotted Mite, apply 5 to 7 gals. FIRST CHOICE GAVICIDE SUPER 90 per acre. DO NOT apply between bud break and nut set stages. Check with local farm advisor on all recommendations on walnuts.

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**Summer Applications:**

To control Scales, Whiteflies, Aphids and Mites (listed above), apply 5 to 7 gals. as pests appear through walnut husk split. DO NOT apply after husk splits. To suppress Mites (listed above), use 1.5 to 4 gals. FIRST CHOICE GAVICIDE SUPER 90 per acre and repeat as pests reappear. Check with local farm advisor on all recommendations on walnuts.

**HOPS**

**RESTRICTION: NOT REGISTERED FOR USE IN CA**

**Summer Applications:**

Mites and powdery mildew: For powdery mildew, use 1-2 gals. FIRST CHOICE GAVICIDE SUPER 90 per 100 gallons of water. Start sprays at early leaf stage. Continue sprays on a 10 to 14 day interval. For mite control, use same spray regime as powdery mildew. Stop sprays at burr development. Apply with ground equipment only. DO NOT use Propargite (Omite) within 40 days following an oil application. DO NOT apply oil within 30 days of a Propargite (Omite) application.

**FIGS**

**Dormant/Delayed Dormant Applications:**

To control fig scale apply 3 gals. FIRST CHOICE GAVICIDE SUPER 90 per acre.

**KIWIFRUIT**

**Dormant/Delayed Dormant Applications:**

To control Scales including Latania Scale, Greedy Scale, Oleander Scale and San Jose Scale apply 4 to 6 gals. FIRST CHOICE GAVICIDE SUPER 90 per acre. DO NOT apply after budbreak. DO NOT use on weak or stressed vines, or where soil moisture is inadequate.

**GRAPES**

**Post Harvest Fall Spray:**

To control mealybug, apply 2 to 3 gals. FIRST CHOICE GAVICIDE SUPER 90 per acre in 100 to 300 gallons of water per acre.

**Dormant/Delayed Dormant Applications:**

To control mealybug apply 2 to 3 gals. FIRST CHOICE GAVICIDE SUPER 90 per acre in 100 to 300 gallons of water per acre plus the appropriate label rate of insecticide registered for use on grapes.

**AVOCADOS**

**Summer Applications:**

To control mites and thrips using dilute sprays, apply 1 to 30 gals. FIRST CHOICE GAVICIDE SUPER 90 per acre in enough spray mixture for thorough coverage. In concentrate sprays or aerial sprays use 1 to 18 gals. per acre. DO NOT exceed 30 gals. per acre per application. When the application of oil is more than 2% v/v, apply to a small test area and allow enough time for adverse symptoms to develop before treating the larger block.

**ORNAMENTALS & SHADE TREES**

**(Apple, Birch, Conifers [see NOTE], Dogwood, Flowering Peach, Flowering Cherry, Hawthorne, Holly, Magnolia, Maple, Oak, Privet, Pyracantha, Sycamores)**

**Summer Applications:**

To control black scale, brown apricot scale, oyster shell scale, red spider mites and eggs, San Jose scale and soft brown scale apply 1 gal. FIRST CHOICE GAVICIDE SUPER 90 per 100 gallons of water.

NOTE: Application to blue spruce may cause discoloration. Do not use on conifers or ferns not tolerant to oil sprays.

**Dormant Applications:**

To control the same pests listed under summer applications, use 2 gals. per 100 gallons of water on deciduous varieties. Use only 1 gal. per 100 gallons of water for dormant sprays on all other varieties. NOTE:

Application to blue spruce may cause discoloration. Do not use on conifers or ferns not tolerant to oil sprays.

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**STORAGE AND DISPOSAL**

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

**PESTICIDE STORAGE:** Store only in original container in locked storage areas. If a spill occurs, visible puddles or drops should be covered with a dry absorbent such as clay, sawdust, lime or soda ash. Sweep up and dispose of in a permitted disposal facility. Avoid cross-contamination with other pesticides and fertilizers during handling and storage. Do not store near heat or open flame. Protect from temperatures below 0 degrees F. Not for use or storage in or around the home.

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

**CONTAINER DISPOSAL: Nonrefillable container.** Do not reuse this container to hold materials other than pesticides or dilute pesticides (rinsate). After emptying and cleaning, it may be allowable to temporarily hold rinsate or other pesticide-related materials in the container. Contact your state regulatory agency to determine allowable practices in your state. Once cleaned, some agricultural plastic pesticide containers can be taken to a container collection site or picked up for recycling. To find the nearest site, contact your chemical dealer or manufacturer, or contact The Agricultural Container Recycling Council (ACRC) at [www.acrecycle.org](http://www.acrecycle.org). If not recycled, then puncture and dispose of in a sanitary landfill, or incineration, or if allowed by state and local authorities, by burning. If burned, stay out of smoke.

Triple rinse or pressure rinse container (or equivalent) promptly after emptying.

**For packages up to 5 gallons: 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  $\frac{1}{4}$  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.

**For packages greater than 5 gallons and less than 56 gallons: Triple rinse as follows:** Empty the remaining contents into application equipment or a mix tank. Fill the container  $\frac{1}{4}$  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.

**For packages greater than 56 gallons:** 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 percent 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.

**For refillable containers:** 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 mix tank. Fill the container about 10 percent 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. Offer for recycling or reconditioning, if available, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.

**For help with any spill, leak, fire or exposure involving this material, call day or night CHEMTREC – 1-800-424-9300.**

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**CONDITIONS OF SALE AND LIMITATION OF WARRANTY AND LIABILITY**

BEFORE BUYING OR USING THIS PRODUCT, READ THE ENTIRE DIRECTIONS FOR USE AND THE FOLLOWING CONDITIONS OF SALE AND LIMITATION OF WARRANTY AND LIABILITY. BY BUYING OR USING THIS PRODUCT, THE BUYER OR USER ACCEPTS THE FOLLOWING CONDITIONS OF SALE AND LIMITATION OF WARRANTY AND LIABILITY, WHICH NO EMPLOYEE OR AGENT OF LOVELAND PRODUCTS, INC. OR THE SELLER IS AUTHORIZED TO VARY IN ANY WAY.

FOLLOW THE DIRECTIONS FOR USE OF THIS PRODUCT CAREFULLY. IT IS IMPOSSIBLE TO ELIMINATE ALL RISKS INHERENTLY ASSOCIATED WITH THE USE OF THIS PRODUCT. CROP OR OTHER PLANT INJURY, INEFFECTIVENESS, OR OTHER UNINTENDED CONSEQUENCES MAY RESULT FROM SUCH RISKS AS WEATHER OR CROP CONDITIONS, MIXTURE WITH OTHER CHEMICALS NOT SPECIFICALLY IDENTIFIED IN THIS PRODUCT'S LABEL, OR USE OF THIS PRODUCT CONTRARY TO THE LABEL INSTRUCTIONS, ALL OF WHICH ARE BEYOND THE CONTROL OF LOVELAND PRODUCTS, INC. AND THE SELLER. THE BUYER OR USER OF THIS PRODUCT ASSUMES ALL SUCH INHERENT RISKS.

SUBJECT TO THE FOREGOING INHERENT RISKS, LOVELAND PRODUCTS, 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 WHEN THE PRODUCT IS USED IN STRICT ACCORDANCE WITH SUCH DIRECTIONS FOR USE UNDER NORMAL CONDITIONS OF USE. EXCEPT AS WARRANTED IN THIS LABEL AND TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THIS PRODUCT IS SOLD "AS IS," AND LOVELAND PRODUCTS, INC. MAKES NO OTHER WARRANTY, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, OR ELIGIBILITY OF THIS PRODUCT FOR ANY PARTICULAR TRADE USAGE.

IN THE UNLIKELY EVENT THAT BUYER OR USER BELIEVES THAT LOVELAND PRODUCTS, INC. HAS BREACHED A WARRANTY CONTAINED IN THIS LABEL AND TO THE EXTENT REQUIRED BY APPLICABLE LAW, BUYER OR USER MUST SEND WRITTEN NOTICE OF ITS CLAIM TO THE FOLLOWING ADDRESS: LOVELAND PRODUCTS, INC., ATTENTION: LAW DEPARTMENT, P.O. BOX 1286, GREELEY, CO 80632-1286.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE BUYER'S OR USER'S EXCLUSIVE REMEDY FOR ANY INJURY, LOSS, OR DAMAGE RESULTING FROM THE HANDLING OR USE OF THIS PRODUCT, INCLUDING BUT NOT LIMITED TO CLAIMS OF BREACH OF WARRANTY OR CONTRACT, NEGLIGENCE, STRICT LIABILITY, OR OTHER TORTS, SHALL BE LIMITED TO ONE OF THE FOLLOWING, AT THE ELECTION OF LOVELAND PRODUCTS, INC. OR THE SELLER: DIRECT DAMAGES NOT EXCEEDING THE PURCHASE PRICE OF THE PRODUCT OR REPLACEMENT OF THE PRODUCT. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, LOVELAND PRODUCTS, INC. AND THE SELLER SHALL NOT BE LIABLE TO THE BUYER OR USER OF THIS PRODUCT FOR ANY CONSEQUENTIAL, SPECIAL, OR INDIRECT DAMAGES, OR DAMAGES IN THE NATURE OF A PENALTY.

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