

PREEMPTOR™ SC

FUNGICIDE

For Agricultural Uses

EPA Reg. No. 66330-409-279 EPA Est. 279-NY-1

ACTIVE INGREDIENT:	By Wt.
Fluoxastrobin: [(1E)-[2 [[6 (2 Chlorophenoxy) 5 fluoro 4 pyrimidinyl]oxy]phenyl] (5,6 dihydro 1,4,2 dioxazin 3 yl) methanone-O-methoxime]	14.84%
Flutriafol: [α-(2-fluorophenyl)-α -(4-fluorophenyl)-1H-1,2,4-triazole -1-ethanol]	19.30%
Other Ingredients	65.86%
Total:	100.00%

This product contains 1.40 pounds fluoxastrobin per gallon (167 g/L) and 1.82 pounds flutriafol per gallon (218 g/L)

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.)

See inside of booklet for additional Directions for Use and Precautionary Statements

Sold By



FMC Corporation
Agricultural Products Group
1735 Market Street
Philadelphia, PA 19103
215-299-6000

Net Contents: 2.5 Gallons

10-29-15

FIRST AID

If swallowed	<ul style="list-style-type: none"> Call a poison control center or doctor for treatment advice. Have a 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 to an unconscious person.
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 on skin or clothing	<ul style="list-style-type: none"> Take off contaminated clothing. Rinse skin with plenty of water for 15–20 minutes. Call a poison control center or doctor for treatment advice.
If in eyes	<ul style="list-style-type: none"> Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing. Call a poison control center or doctor for treatment advice.

HOTLINE NUMBER

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

FOR 24-HOUR EMERGENCY MEDICAL ASSISTANCE: Call **PROSAR** at 1-800-331-3148.

FOR 24-HOUR CHEMICAL EMERGENCY (spills, leaks, fire, exposure or accident) call **CHEMTREC:** 1-800-424-9300.

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION. Harmful if swallowed. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Applicators and other handlers must wear long-sleeved shirt and long pants, shoes plus socks, and chemical resistant gloves made of any waterproof material, such as nitrile, butyl, neoprene and/or barrier laminate.

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

ENGINEERING CONTROLS STATEMENT

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/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.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to mammals, fish and aquatic invertebrates. Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas. The active ingredient in this product can be persistent for several months or longer. Do not apply directly to water or to areas

where surface water is present or to intertidal areas below the mean high water mark, or other sensitive areas that may be exposed to spray drift. Do not contaminate water when disposing of equipment washwater or rinsate.

Ground Water Advisory: Flutriafol has properties and characteristics associated with chemicals detected in ground water. This chemical may leach into ground water if used in areas where soils are permeable, particularly where the water table is shallow.

Surface Water Advisory: This product may impact surface water quality due to runoff of rain water. This is especially true for poorly draining soils and soils with shallow ground water. This product is classified as having a high potential for reaching surface water via runoff for several months or more after application.

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), notification to workers, 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). The REI for each crop is located in the application directions for each crop.

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.

PRODUCT INFORMATION

Preemptor SC Fungicide is a broad-spectrum fungicide for the control of certain diseases in corn (field corn and field corn grown for seed), soybean and wheat. Preemptor SC Fungicide works by interfering with respiration and sterol synthesis in plant-pathogenic fungi, and is a potent inhibitor of spore germination and mycelial growth. The active ingredients, fluoxastrobin and flutriafol move rapidly into green tissue via translaminal movement. Preemptor SC Fungicide is rainfast 2 hours after application. Disease control will be reduced if rainfall occurs within 2 hours of application. The activity of Preemptor SC Fungicide makes it an excellent choice as a broad spectrum, dual action fungicide for disease management programs for corn, soybean and wheat. Other labeled fungicides can be used in tank mixture or alternated with Preemptor SC Fungicide to fulfill total disease management in corn (field corn and field corn grown for seed), soybean and wheat.

CROP ROTATION

Crops treated with Preemptor SC Fungicide may be rotated to corn, soybeans, peanuts or wheat at any time; sugar beets may be planted 30 days after treatment; and sweet corn and cotton may be planted 180 days after treatment. Rotation to any other crop not listed is prohibited.

RESISTANCE MANAGEMENT

The active ingredients in Preemptor SC Fungicide (fluoxastrobin and flutriafol) belong to the strobilurin (Group 11 Fungicides) and the demethylation inhibitor (Group 3 Fungicides) fungicide classes, respectively. The dual action of Preemptor SC Fungicide results in a built in resistance management strategy that will minimize the resistance in at risk pathogens. Fungal pathogens are known to develop resistance to products with the same mode of action when used repeatedly. Because resistance development cannot be predicted, the use of this product should conform to resistance management strategies established for agricultural uses. Such strategies may include rotating and/or tank mixing with products having different modes of action, or limiting the total number of applications per year. FMC Corporation encourages responsible resistance management to ensure effective long-term control of the fungal diseases on this label.

In programs in which Preemptor SC Fungicide is used, the number of Group 11 fungicides (strobilurins) and Group 3 fungicides (demethylation inhibitors) applications should be no more than one half of the total number of fungicide applications per year for at risk pathogens.

Follow specific directions for individual crops that limit the total number of applications.

APPLICATION GUIDELINES

Broadcast Ground Sprayers

Thorough coverage is necessary to provide good disease control. Applications using sufficient water volume to provide thorough and uniform coverage generally provide the most effective disease control. For ground application equipment 10 gallons/A minimum is required.

Equip sprayers with nozzles that provide accurate and uniform application. Be certain that nozzles are the same size and uniformly spaced across the boom. Calibrate the sprayer before use. Use a pump with the capacity to: (1) maintain a minimum of 35 psi at nozzles, and (2) provide sufficient agitation in the tank to keep the mixture in suspension (this requires recirculation of 10% of the tank volume per minute). Use jet agitators or a liquid sparge tube for vigorous agitation. Use screens to protect the pump and to prevent nozzles from clogging. Screens placed on the suction side of the pump should be 16-mesh or coarser. Do not place a screen in the recirculation line. Use 50-mesh screens at the nozzles. Check nozzle manufacturer's recommendations. For information on spray equipment and calibration, consult sprayer manufacturer's and/or state recommendations. For specific local directions and spray schedules, consult the current state agricultural experiment station recommendations.

Aerial Application

For aerial application, use aircraft spray equipment in a minimum of 2 gallons of spray solution per acre for corn, soybean and wheat. Avoid application under conditions when uniform coverage cannot be obtained or when excessive spray drift may occur. Do not apply directly to humans or animals. Aerial applications made to dense canopies may not provide sufficient coverage of lower leaves to provide proper disease control.

Mixing Procedures

Prepare no more spray mixture than is needed for the immediate operation. Thoroughly clean spray equipment before using this product. Agitation is necessary for proper dispersal of the product. Maintain maximum agitation throughout the spraying operation. Do not let the spray mixture stand overnight in the spray tank. Flush the spray equipment thoroughly following each use and apply the rinsate to a previously treated area.

Preemptor SC Fungicide Alone

Add 1/2 of the required amount of water to the mix tank. With the agitator running, add the Preemptor SC Fungicide to the tank. Continue agitation while adding the remainder of the water. Begin application of the solution after the Preemptor SC Fungicide has completely and uniformly dispersed into the mix water. Maintain agitation until all of the mixture has been applied.

Preemptor SC Fungicide+ Tank mix Partners

Add 1/2 of the required amount of water to the mix tank. Start the agitator running before adding any tank mix partners. In general, tank mix partners should be added in this order: products packaged in water-soluble packaging (see note below), wettable powders, wettable granules, (dry flowables), liquid flowables (such as Preemptor SC Fungicide), liquids, and emulsifiable concentrates. Always allow each tank mix partner to become fully and uniformly dispersed before adding the next product. Provide sufficient agitation while adding the remainder of the water. Maintain agitation until all of the mixture has been applied.

Note: When using Preemptor SC Fungicide in tank mixtures, all products in water-soluble packaging should be added to the tank before any other tank mix partner. Allow the water-soluble packaging to completely dissolve and the product(s) to completely disperse before adding any other tank mix partner to the tank.

If using Preemptor SC Fungicide in a tank mixture, observe all directions for use, crop/sites, use rates, dilution ratios, precautions, and limitations, which appear on the tank mix product label. No label dosage rate may be exceeded, and the most restrictive label precautions and limitations must be followed. This product must not be mixed with any product that prohibits such mixing. Tank mixtures or application of other products referenced on this label are permitted only in those states in which the referenced products are registered.

Compatibility

Preemptor SC Fungicide is physically compatible with most insecticide, fungicide, herbicide and foliar nutrient products. However, the physical compatibility of Preemptor SC Fungicide with tank mix partners should be tested before use. To determine the physical compatibility of Preemptor SC Fungicide with other products, use a jar test, as described below.

Using a quart jar, add the proportionate amounts of the products to 1 qt of water. Add wettable powders and water dispersible granular products first, then liquid flowables, and emulsifiable concentrates last. After thoroughly mixing, let stand for at least 5 minutes. If the combination remains mixed or can be remixed readily, it is physically compatible. Once compatibility has been proven, use the same procedure for adding required ingredients to the spray tank.

Crop Tolerance/Phytotoxicity

Preemptor SC Fungicide may show some phytotoxicity on wheat when mixed with Huskie®, Huskie Complete, Axial® XL, or any bromoxynil based product.

The crop safety of other tank mixes including additives and other pesticides on all crops has not been tested. Before applying any tank mixture not specifically recommended on this label, confirm the safety of the

tank mixture to the target crop. To test for crop safety, apply Preemptor SC Fungicide potential tank mixes to the target crop in a small area and in accordance with label instructions for the target crop.

CHEMIGATION

Do not apply this product through any type of irrigation system.

SPRAY DRIFT

Sensitive Areas

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

Avoiding spray drift at the application site is the responsibility of the applicator. The interaction of many equipment-and-weather-related factors determine the potential for spray drift. The applicator and the grower are responsible for considering all these factors when making decisions.

The following drift management requirements must be followed to avoid off-target drift movement from aerial applications to agricultural field crops. These requirements do not apply to forestry applications, public health uses or to applications using dry formulation.

1. The distance of the outer most nozzles on the boom must not exceed ¾ the length of the wingspan or rotor.
2. Nozzles must always point backward parallel with the air stream and never be pointed downwards more than 45 degrees.

Comply with all state regulations. The applicator must be familiar with and take into account the information covered in the Aerial Drift Reduction Advisory Information.

AERIAL DRIFT REDUCTION ADVISORY

This section is advisory in nature and does not supersede the mandatory label requirements.

Information on Droplet Size

The most effective way to reduce drift potential is to apply large droplets. The best drift management strategy is to apply the largest droplets that provide sufficient coverage and control. Applying larger droplets reduces 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 below).

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. When higher flow rates are needed, use higher flow rate nozzles instead of increasing pressure.
- 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 airstream produces larger droplets than other orientations and is the recommended practice. Significant deflection from horizontal will reduce droplet size and increase drift potential.
- 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

For some use patterns, reducing the effective boom length to less than ¾ of the wingspan or rotor length may further reduce drift without reducing swath width.

Application Height

Applications must not be made at a height greater than 10 feet above the top of the target 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, on the up and downwind edges of the field, the applicator should compensate for this displacement by adjusting the path of the aircraft upwind. Swath adjustment distance should increase, with increasing drift potential (higher wind, smaller drops, etc.).

Wind

Drift potential is lowest between wind speeds of 2 - 10 mph. However, many factors, including droplet size and equipment type determine drift potential at any given speed. Application must be avoided below 2 mph due to variable wind direction and high inversion potential.

NOTE: Local terrain can influence wind patterns. Every applicator should be familiar with local wind patterns and how they affect spray drift.

Temperature and Humidity

When making applications in low relative humidity, set up equipment to produce larger droplets to compensate for evaporation. Droplet evapo-

ration is most severe when conditions are both hot and dry.

Temperature Inversions

Applications must not occur during a temperature inversion because drift potential is high. Temperature inversions restrict vertical air mixing, which causes small suspended droplets to remain in a concentrated cloud. This cloud 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. They begin to form as the sun sets and often continue into the morning. Their presence can be indicated by ground fog; however, if fog is not present, inversions can also be identified by the movement of 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.

USE DIRECTIONS FOR SPECIFIC CROP

Preemptor SC Fungicide provides control or suppression of several important diseases listed for corn (field corn and field corn grown for seed), soybean and wheat.

CORN (Field Corn and Field Corn Grown for Seed)

Diseases	Product Use Rate	Application Directions
Rust, common (<i>Puccinia sorghi</i>) Southern rust (<i>Puccinia polyspora</i>) Anthracnose leaf blight (<i>Colletotrichum graminicola</i>) Gray leaf spot (<i>Cercospora sorghi</i>) Northern corn leaf blight (<i>Setosphaeria turcica</i>) Northern corn leaf spot (<i>Cochliobolus carbonum</i>) Southern corn leaf blight (<i>Cochliobolus heterostrophus</i>) Eye spot (<i>Aureobasidium zeae</i>)	4-6 fl oz/A	For optimum results begin applications when disease first appears and continue as needed on a 7 to 10 day interval on field and seed corn. Use high end of the use rate when disease pressure is high and conditions are favorable for disease development. Apply no later than growth stage R4 (early dough stage).

RESTRICTIONS:

- Do not apply more than 12 fl oz/A Preemptor SC Fungicide per year.
- Do not apply more than 0.132 lb ai/A fluoxastrobin and 0.227 lb ai/A flutriafol per year.
- Do not make more than two applications per year. Apply no later than growth stage R4 (early dough stage).
- The minimum retreatment interval is 7 days.
- Do not use an adjuvant after the V8 stage and prior to the VT stage of corn. An adjuvant may be used at any other growth stage.
- Restricted Entry Interval (REI) for detasselling is 5 days. The REI for all other activities is 12 hours .
- Pre-Harvest Interval: Do not apply Preemptor SC Fungicide within 30 days of harvest (grain, seed, forage or stover).

SOYBEAN

Diseases	Product Use Rate	Application Directions
Alternaria leaf spot (<i>Alternaria spp</i>) Anthraxnose (<i>Colletotrichum truncatum</i>) Brown spot (<i>Septoria glycines</i>) Cercospora blight, and Purple seed stain (<i>Cercospora kikuchii</i>) Frogeye leaf spot (<i>Cercospora sojina</i>) Pod and Stem blight (<i>Diaporthe phaseolorum</i>) Powdery mildew (<i>Microsphaera diffusa</i>) Rhizoctonia aerial blight (<i>Rhizoctonia solani</i>)	4-6 fl oz/A	Begin applications preventively and continue as needed on a 14 to 21 day interval. Apply no later than growth stage R5.
Rust (<i>Phakopsora spp.</i>)	4-6 fl oz/A	Begin applications preventively and continue as needed on a 21 to 35 day interval. Apply no later than growth stage R5.
Disease Suppression		
Sclerotinia stem rot (<i>Sclerotinia sclerotiorum</i>) White mold (<i>Sclerotinia rolfsii</i>)	4-6 fl oz/A	Begin applications preventively and continue as needed on a 14 to 21 day interval. Apply no later than growth stage R5.
Sudden Death Syndrome (<i>Fusarium virguliforme</i>)	5-6 fl oz/A	Begin applications preventively at the beginning of flowering (R1 growth stage). A second application may be made at a 14 to 21 day interval. Apply no later than growth stage R1 for suppression of Sudden Death Syndrome.

RESTRICTIONS:

Do not apply more than 12 fl oz/A Preemptor SC Fungicide per year.

Do not apply more than 0.132 lb ai/A fluoxastrobin and 0.227 lb ai/A flutriafol per year.

Do not make more than two applications per year. Apply no later than growth stage R5.

The minimum retreatment interval is 14 days.

Restricted Entry Interval (REI) is 12 hours.

Do not feed forage or hay to animals or permit animals to graze.

Pre-Harvest Interval: Do not apply Preemptor SC Fungicide within 30 days of harvest.

WHEAT (SPRING AND WINTER)

Diseases	Product Use Rate	Application Directions
Leaf Rust (<i>Puccinia recondita f. sp. tritici</i>) Stripe Rust (<i>Puccinia striiformis</i>) Stem Rust (<i>Puccinia graminis</i>) Powdery Mildew (<i>Blumeria graminis tritici</i> , <i>Erysiphe graminis</i>) Septoria Leaf and Glume Blotch (<i>Septoria tritici</i> , <i>Septoria nodorum</i>) Tan Spot (<i>Pyrenophora tritici-repentis</i>)	2-3 fl oz/A	Early season leaf disease suppression: Apply Preemptor SC Fungicide at 2-3 fl oz/A for control of early season Septoria, tan spot, and powdery mildew and suppression of rust. A second application (minimum interval of 14 days) may be made if needed.
Septoria Leaf and Glume Blotch (<i>Septoria tritici</i> , <i>Septoria nodorum</i>) Tan Spot (<i>Pyrenophora tritici-repentis</i>)	4-6 fl oz/A	Protecting the flag leaf is important for maximizing yield potential. Apply Preemptor SC Fungicide at 4-6 fl oz/A when the flag leaf is 50% to fully emerged. Preemptor SC Fungicide should be applied preventively when conditions are favorable for disease development.

RESTRICTIONS:

Do not apply more than 12 fl oz/A per year.

Do not apply more than 0.25 lb ai/A fluoxastrobin and 0.227 lb ai/A flutriafol per year.

Do not apply more than 2 applications per year.

The minimum retreatment interval is 14 days.

Do not make more than one application prior to harvest of wheat forage.

Do not apply past Feekes 10.5 (Zadoks 59).

Restricted Entry Interval (REI) is 12 hours.

Preharvest Interval: Do not apply within 40 days of harvest of grain or straw; within 15 days of harvest for hay; or within 7 days of harvest for forage.

OTHER INFORMATION:

Do not tank mix Preemptor SC Fungicide with Huskie, Huskie Complete, Axial XL, or any bromoxynil based product or crop injury could occur.

Follow the directions of the tank mix partner label with respect to adjuvant use.

STORAGE AND DISPOSAL

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

Pesticide Storage

Store in original container and keep tightly closed. Store in a cool, dry, secure place.

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

Rigid, Nonrefillable containers small enough to shake (i.e., with capacities equal to or less than 5 gallons). Nonrefillable container.

Do not reuse or refill this container. 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 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. Offer for recycling, if available, or puncture and dispose of in a sanitary landfill, or if allowed by state and local authorities, by burning. If burned, stay out of smoke.

Rigid, Nonrefillable containers that are too large to shake (i.e., with capacities greater than 5 gallons or 50 lbs) Non-refillable 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. 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. Offer for recycling, if available, or puncture and dispose of in a sanitary landfill, or if allowed by state and local authorities, by burning. If burned, stay out of smoke.

CONDITIONS OF SALE AND LIMITATION OF WARRANTY AND LIABILITY

NOTICE: Read the entire Directions for Use and Conditions of Sale and Limitation of Warranty and Liability before buying or using this product. If the terms are not acceptable, return the product at once, unopened, and the purchase price will be refunded.

The Directions for Use of this product must be followed carefully. It is impossible to eliminate all risks inherently associated with the use of this product. Crop injury, ineffectiveness, or other unintended consequences may result because of such factors as manner of use or application, weather or crop conditions beyond the control of FMC or Seller. To the extent consistent with applicable law, all such risks shall be assumed by Buyer and User, and, to the extent consistent with applicable law, Buyer and User agree to hold FMC and Seller harmless for any claims relating to such factors.

Seller warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated on the Directions for Use when used in accordance with the directions under normal conditions of use. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, FMC MAKES NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE, NOR ANY OTHER EXPRESS OR IMPLIED WARRANTIES WITH RESPECT TO THE SELECTION, PURCHASE, OR USE OF THIS PRODUCT. Any warranties, express or implied, having been made are inapplicable if this product has been used contrary to label instructions, or under abnormal conditions, or under conditions not reasonably foreseeable to (or beyond the control of) seller or FMC, and, to the extent permitted by applicable law, buyer assumes the risk of any such use.

To the extent consistent with applicable law, FMC or seller shall not be liable for any incidental, consequential or special damages resulting from the use or handling of this product. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE EXCLUSIVE LIABILITY OF FMC AND SELLER FOR ANY AND ALL CLAIMS, LOSSES, INJURIES OR DAMAGES (INCLUDING CLAIMS BASED ON BREACH OF WARRANTY, CONTRACT, NEGLIGENCE, TORT, STRICT LIABILITY OR OTHERWISE) RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, SHALL BE THE RETURN OF THE PURCHASE PRICE OF THE PRODUCT OR, AT THE ELECTION OF FMC OR SELLER, THE REPLACEMENT OF THE PRODUCT.

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