# SPECIMEN LABEL



# ORCHARD STAR®

# **Herbicide**

For selective control of many broadcast weeds in orchard floors (apple, pear, stone fruit and nut).

Manufactured by:

ALBAUGH. INC.

1525 NE 36th Street Ankeny, Iowa 50021

FOR CHEMICAL SPILL, LEAK, FIRE, OR EXPOSURE, CALL CHEMTREC (800) 424-9300 **ACTIVE INGREDIENT:** \*Equivalent to 38.9% of 2.4-dichlorophenoxyacetic acid or 3.8 lbs./gal, Isomer specific by AOAC Method. EPA Reg. No. 42750-19 EPA Est. No. 42750-MO-001 **KEEP OUT OF REACH OF CHILDREN** DANGER - PELIGR Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle. (If you do not understand this label, find someone to explain it to you in detail.) **FIRST AID** IF IN EYES: 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 eve. • Call a poison control center or doctor for treatment advice. IF SWALLOWED: • 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 the poison control center or doctor. • Do not give anything by mouth to an unconscious person. IF ON SKIN OR Take off contaminated clothing. **CLOTHING:** • Rinse skin immediately with plenty of water for 15-20 minutes. · Call a poison control center or doctor for treatment advice. IF INHALED: Move person to fresh air. • If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible. · Call a poison control center or doctor for further treatment advice. **HOT LINE NUMBER** 

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

**NOTE TO PHYSICIAN** 

See inside booklet for additional PRECAUTIONARY STATEMENTS.

ment. You may also contact 1-800-424-9300 for emergency medical treatment information.

Probable mucosal damage may contraindicate the use of gastric lavage.

AD070708

# PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS DANGER

Corrosive. Causes irreversible eye damage. Harmful if swallowed. Do not get in eyes or on clothing. Avoid contact with skin. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.

# PERSONAL PROTECTIVE EQUIPMENT

Some materials that are chemical-resistant to this product are butyl rubber, natural rubber, neoprene or nitrile rubber. If you want more options, follow the instructions for Category A on an EPA chemical-resistance category selection chart.

## All mixers, loaders, applicators, flaggers, and other handlers must wear:

- Long-sleeved shirt and long pants
- · Shoes and socks
- Chemical-resistant gloves (except for pilots)
- Chemical-resistant apron when applying with any handheld nozzle or equipment, mixing or loading, cleaning up spills or equipment, or otherwise exposed
  to the concentrate
- Protective eyewear (goggles or face shield).

See **Engineering Controls** for additional requirements.

Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them. 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. After each day of use, clothing or PPE must not be reused until it has been cleaned.

### **ENGINEERING CONTROLS STATEMENTS**

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

When handlers use 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 may be toxic to fish and aquatic invertebrates. Do not apply directly to water, or to areas where surface water is present, or to intertidal areas below the mean high water mark. Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas. Do not contaminate water when disposing of equipment washwaters or rinsate. Apply this product only as directed on label.

This chemical has properties and characteristics associated with chemicals detected in groundwater. The use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination. Application around a cistern or well may result in contamination of drinking water or groundwater.

Most cases of groundwater contamination involving phenoxy herbicides such as 2,4-D have been associated with mixing/loading and disposal sites. Caution should be exercised when handling 2,4-D pesticides at such sites to prevent contamination of groundwater supplies. Use of closed systems for mixing or transferring this pesticide will reduce the probability of spills. Placement of the mixing/loading equipment on an impervious pad to contain spills will help prevent groundwater contamination.

# STORAGE AND DISPOSAL

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

**PESTICIDE STORAGE:** Open dumping is prohibited. Do not store this product near fertilizers, seeds, insecticides, or fungicides. Reclose all partially used containers by thoroughly tightening screw cap. Absorb any spill with a suitable clay absorbent and dispose of as indicated under **Pesticide Disposal**.

Protect from freezing. If stored below freezing, the product must be warmed to at least 70°F and agitated before using. This does not affect the efficiency of the product.

For safety and prevention of unauthorized use, all pesticides should be stored in locked facilities. To prevent accidental misuse, different pesticides should be stored in separate areas with enough distance between to provide clear identification.

Opened, partially used pesticides should be stored in original labeled containers when possible. When transfer to another container is necessary because of leakage or damage, carefully mark and identify contents of the new container.

(continued)

# STORAGE AND DISPOSAL (cont.)

**PESTICIDE DISPOSAL:** Pesticide wastes are toxic. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of federal law and may contaminate groundwater. If these wastes cannot be disposed of by use according to label instructions, contact your state Pesticide or Environmental Control Agency or the Hazardous Waste Representative at the nearest EPA Regional Office for guidance.

**CONTAINER DISPOSAL: Non-refillable containers (1, 2.5, 30 & 55 gallon):** Do not reuse or refill this container. Offer for recycling, if available. Triple rinse or pressure rinse container (or equivalent) promptly after emptying.

(non-refillable <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 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.

(non-refillable >5 gallons): Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container 1/4 full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times.

**Pressure rinse as follows:** Empty the remaining contents into application equipment or a mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or mix tank or collect rinsate for later use or disposal. Insert pressure rinsing nozzle in the side of the container, and rinse at about 40 PSI for at least 30 seconds. Drain for 10 seconds after the flow begins to drip.

**Refillable container (250 gallon & bulk):** 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.

# **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.

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

# 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 48 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 over short-sleeved shirt and short pants,
- Chemical-resistant gloves made of any waterproof material.
- Chemical-resistant footwear plus socks, protective eyewear, and
- · Chemical-resistant headgear for overhead exposure.

# 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.

**Entry Restrictions for Non-WPS Uses:** When this product is applied to rangeland and established pastures not harvested for hay or seed, non-cropland areas, ornamental turf not grown for sod or seed, and when applied by tree injection method only in forest sites, do not allow people (other than applicator) or pets on treatment area during application.

Do not enter or allow people (or pets) to enter treated area until spray has dried.

#### GENERAL INFORMATION

Performance of this product may be affected by local conditions, crop varieties, and application method. User should consult local Extension Service, Agricultural Experiment or University Weed Specialists, and state regulatory agencies for recommendations in his area.

Best results are obtained when product is applied to young succulent weeds that are actively growing. The lower recommended rates will be satisfactory on susceptible annual weeds. For perennial weeds and conditions such as the very dry areas of the western states where control is difficult, the higher recommended rates should be used.

When product is used for weed control in crops, the growth stage of the crop must be considered.

Some plants and weeds, especially woody varieties, are difficult to control and may require repeat applications if permitted by this label.

Application rates should be 1 to 5 gallons of total spray by air or 5 to 25 gallons by ground equipment unless otherwise directed. In either case, use the same amount of 2,4-D recommended per acre. For crop uses, do not mix with oil, surfactants, or other adjuvants unless specifically recommended. To do so may reduce herbicide's selectivity and could result in crop damage.

Many states have regulations concerning aerial application of 2,4-D formulations. Consult local regulatory authorities before making applications. This product contains dimethylamine salt of 2,4-D, one of the least volatile forms of 2,4-D.

Product should not be allowed to come into contact with desirable, susceptible plants such as beans, cotton, fruit trees, grapes, legumes, ornamentals, peas, tomatoes, and other vegetables. Product should not be used in greenhouses. Excessive amounts of this product in the soil may temporarily inhibit seed germination and all plant growth.

Users should note that herbicide treatment of public water requires a permit from appropriate state agencies in most states. Your State Conservation Department or Game and Fish Commission will aid you in securing a permit in your state.

Spray equipment used to apply 2,4-D should not be used for any other purpose until thoroughly cleaned by a suitable chemical cleaner.

**Spray Preparation:** Add the recommended amount of product to approximately 1/2 the volume of water to be used for spraying. Agitate well, then add the remainder of the water. Continue agitation during application until spray tank is empty.

**Use in Liquid Nitrogen Fertilizer:** Product may be combined with liquid nitrogen fertilizer suitable for foliar application on corn, grass, pastures, or small grains in one operation. Use product according to directions on this label for those crops. Use liquid nitrogen fertilizer at rates recommended by supplier or Extension Service Specialist. Mix the product and fertilizer according to the following instructions:

Fill the spray tank approximately 1/2 full with the liquid nitrogen fertilizer. In a separate clean container, mix the amount of product to be used with an equal amount of water. Add the product mixture to the spray tank while agitating. Add the remainder of the fertilizer while continuing to agitate. Apply immediately, maintaining agitation during application until tank is empty. **DO NOT APPLY DURING COLD (NEAR FREEZING) WEATHER.** Spray mixture must be used immediately and may not be stored.

Note: Pre-mixing the product with an equal amount of water is important.

#### **Spot Treatments**

To prevent misapplication, spot treatments should be applied with a calibrated boom or with hand sprayers using a fixed spray volume per 1,000 sq. ft. as indicated below.

**Hand-Held Sprayers:** Hand-held sprayers may be used for spot applications of ORCHARD STAR®. Care should be taken to apply the spray uniformly and at a rate equivalent to a broadcast application. Application rates in the table are based on the application rate for an area of 1,000 sq. ft. Mix the amount of ORCHARD STAR® (fl. oz. or ml) corresponding to the desired broadcast rate in 1 to 3 gallons of spray. To calculate the amount of ORCHARD STAR® required for larger areas, multiply the table value (fl. oz. or ml) by the thousands of sq. ft. to be treated. An area of 1,000 sq. ft. is approximately 10.5 x 10.5 yards (strides) in size.

#### **Rate Conversion Table for Spot Treatment:**

Label Broadcast Rate (pts./acre)								
1/2	2/3	3/4	1	2	3	4	8	
Equivalent Amount of ORCHARD STAR® per 1,000 sq. ft.								
1/5 fl. oz.† (5.5 ml)	1/4 fl. oz. (7.3 ml)	1/3 fl. oz. (8.3 ml)	3/8 fl. oz. (11 ml)	3/4 fl. oz. (22 ml)	1 fl. oz. (33 ml)	1-1/2 fl. oz. (44 ml)	3 fl. oz. (88 ml)	

<sup>&</sup>lt;sup>†</sup>Conversion factors: 1 pt. = 16 fl. oz.; 1 fl. oz. = 29.6 (30) ml

Band Application: ORCHARD STAR® may be applied as a band treatment. Use the formulas below to determine the appropriate rate and volume per treated area.

 Band width in inches
 X
 Broadcast rate per acre
 =
 Band rate per treated acre

 Band width in inches
 X
 Broadcast volume per acre
 =
 Band volume per treated acre

#### SPRAY DRIFT MANAGEMENT

AVOIDING SPRAY DRIFT AT THE APPLICATION SITE IS THE RESPONSIBILITY OF THE APPLICATOR.

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, chemigation) can influence pesticide drift. The applicator must evaluate all factors and make appropriate adjustments when applying this product.

#### **Droplet Size**

When applying sprays that contain 2,4-D as the sole active ingredient, or when applying sprays that contain 2,4-D mixed with active ingredients that require a Coarse or coarser spray, apply only as a Coarse or coarser spray (ASAE standard 572) or a volume mean diameter of 385 microns or greater for spinning atomizer nozzles.

When applying sprays that contain 2,4-D mixed with other active ingredients that require a Medium or more fine spray, apply only as a Medium or coarser spray (ASAE standard 572) or a volume mean diameter of 300 microns or greater for spinning atomizer nozzles.

#### Wind Speed

Do not apply at wind speeds greater than 15 mph. Only apply this product if the wind direction favors on-target deposition and are not sensitive areas (including, but not limited to, residential areas, bodies of water, known habitat for nontarget species, nontarget crops) within 250 feet downwind. If applying a Medium spray, leave one swath unsprayed at the downwind edge of the treated field.

#### **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.

#### **Susceptible Plants**

Do not apply under circumstances where spray drift may occur to food, forage, or other plantings that might be damaged or crops thereof rendered unfit for sale, use or consumption. Susceptible crops include, but are not limited to cotton, okra, flowers, grapes (in growing stage), fruit trees (foliage), soybeans (vegetative stage), ornamentals, sunflowers, tomatoes, beans, and other vegetables, or tobacco. Small amounts of spray drift that might not be visible may injure susceptible broadleaf plants.

#### Other State and Local Requirements

Applicators must follow all state and local pesticide drift requirements regarding application of 2,4-D herbicides. Where states have more stringent regulations, they must be observed.

#### **Equipment**

All aerial equipment and ground application equipment must be properly maintained and calibrated using appropriate carriers or surrogates.

For aerial equipment, the boom length must not exceed 75% of the wingspan or 90% of the rotor blade diameter.

Release spray at the lowest height consistent with efficacy and flight safety. Do not release spray at a height greater than 10 feet above the crop canopy unless a greater height is required for aircraft safety. This requirement does not apply to forestry or rights-of-way applications.

When applications are made in a crosswind, the swath will be displaced downwind. The applicator must compensate for this by adjusting the path of the aircraft upwind.

For ground boom application, do not apply with a nozzle height greater than 4 feet above the crop canopy.

# WEEDS CONTROLLED

#### **ANNUAL OR BIENNIAL WEEDS**

beggarticks <sup>(1)</sup>	hemp, wild
bittercress, smallflowered (2)	horseweed (marestail)(2)
bitterweed	jewelweed
broomweed, common <sup>(1)</sup>	jimsonweed
burdock, common	knotweed(1)
buttercup, smallflowered (1)(2)	kochia
carpetweed	lamsquarter, common
cinquefoil, common <sup>(2)</sup>	lettuce, prickly (1)(2)
cinquefoil, rough <sup>(2)</sup>	lettuce, wild
cocklebur, common	lupines
coffeeweed	mallow, little(1)
copperleaf, Virginia <sup>(2)</sup>	mallow, Venice <sup>(1)</sup>
croton, Texas	marshelder
croton, woolly	morningglory, annual
fixweed	morningglory, ivy
galinsoga	morningglory, woolly
geranium, Carolina <sup>(2)</sup>	mousetail <sup>(2)</sup>

mustards (except blue mustard) parsnip, wild pennycress (fanweed) pepperweeds ( <i>Lepidium</i> spp.) <sup>(1)</sup> pigweeds ( <i>Amaranthus</i> spp.) <sup>(1)</sup>
poorjoe
primrose, common
purslane, common <sup>(2)</sup>
pusley, Florida
radish, wild
ragweed, common
ragweed, giant
rape, wild
rocket, yellow
salsify, common <sup>(1)</sup>
salsify, western <sup>(1)</sup>
shepherdspurse

sicklepod smartweed (annual species)<sup>(1)(2)</sup> sneezeweed, bitter sowthistle, annual sowthistle, spiny spanishneedles sunflower sweetclover tansymustard thistle, bull thistle, musk<sup>(1)</sup> thistle, Russian (tumbleweed)<sup>(1)</sup> velvetleaf

**PERENNIAL WEEDS** 

Alfalfa<sup>(1)(2)</sup>
artichoke, Jerusalem<sup>(1)</sup>
aster, many-flowered<sup>(1)</sup>
Austrian fieldcress<sup>(1)</sup>
bindweed
(hedge, field and European)<sup>(1)(2)</sup>
blue lettuce
blueweed, Texas
broomweed

bullnettle<sup>(1)(2)</sup> carrot, wild<sup>(1)</sup> catnip chicory clover, red<sup>(1)(2)</sup> coffeeweed cress, hoary<sup>(1)</sup> dandelion docks<sup>(1)</sup>

dogbanes<sup>(1)</sup>
eveningprimrose, cutleaf<sup>(2)</sup>
garlic, wild
goldenrod
hawkweed, orange<sup>(1)</sup>
healall
ironweed, western<sup>(2)</sup>
ivy, ground<sup>(1)</sup>

nettles (including stinging)(1)

onion, wild<sup>(1)</sup> pennywort plantains ragwort, tansy<sup>(1)</sup> sowthistle, perennial thistle, Canada<sup>(1)(2)</sup> vervains<sup>(1)</sup> wormwood

vetches

(1) **Difficult-to-Control Weeds:** These weeds are only partially controlled and may require repeat applications and/or use of the higher recommended rate of this product even under ideal conditions of application.

<sup>(2)</sup> This product may not be used to control this weed species in the state of California.

# **ORCHARD FLOOR**

(Apples, Pears, Stone Fruit, Nut Orchards and Pistachios)

APPLICATION TIMING	ORCHARD STAR® (pt./acre)	SPECIFIC USE DIRECTIONS
Postemergence		For application to orchard floors, use coarse, low-pressure sprays and sufficient water for thorough coverage of weeds.
Annual and biennial weeds	1 to 2	Apply to annual weeds when small and actively growing.
Perennial weeds	Up to 4	Apply to perennial weeds from bud to bloom stage.

#### **General Use Precautions (To Avoid Tree Injury):**

- Do not apply immediately before irrigation and withhold irrigation for 2 days before and 3 days after application.
- Do not allow spray drift to contact foliage, fruit, stems, trunks or trees or exposed roots.
- Because newly-established trees or young orchards are more susceptible to 2,4-D injury, apply only to orchards that are at least one year old and well-established as indicated by vigorous plant growth.
- Do not apply during bloom.

#### **ORCHARD FLOOR RESTRICTIONS:**

- Preharvest Intervals:
  - Apples and Pears: Do not harvest for 14 days after application.
  - Stone Fruit: Do not harvest for 40 days after application.
  - Nut Orchards and Pistachios: Do not harvest for 60 days after application.
- · Do not use on light sandy soil.
- Do not cut orchard floor forage for hay within 7 days after application.
- Do not make more than 2 applications per year.
- Minimum spray interval between applications is 75 days.
- Do not apply more than 4 pts./acre of ORCHARD STAR® per application.

ORCHARD STAR® contains 0.5 pound a.e. of 2,4-D per pint. When tank mixing with products that contain 2,4-D, do not exceed a combined total of 4.0 pounds of a.e. per acre per year.

# CONDITIONS OF SALE AND WARRANTY

The **DIRECTIONS FOR USE** of this product reflect the opinion of experts based on field use and tests. The directions are believed to be reliable and should be followed carefully. However, it is impossible to eliminate all risks inherently associated with use of this product. Crop injury, ineffectiveness, or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or the manner of use or application, all of which are beyond the control of ALBAUGH, INC., its Supplemental Distributors, or the Seller. All such risks shall be assumed by the Buyer.

ALBAUGH, INC., its Supplemental Distributors and the Seller warrant that this product conforms to the chemical description on the label and is reasonably fit for the purposes referred to in the **Directions for Use** subject to the inherent risks referred to above. **TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, NEITHER ALBAUGH, INC.** NOR ITS SUPPLEMENTAL DISTRIBUTOR MAKE ANY OTHER EXPRESS OR IMPLIED WARRANTY OF FITNESS FOR ANY PARTICULAR PURPOSE OR OF MERCHANTABILITY OR ANY OTHER EXPRESS OR IMPLIED WARRANTY. THIS WARRANTY DOES NOT EXTEND TO, AND THE BUYER SHALL BE SOLELY RESPONSIBLE FOR, ANY AND ALL LOSS OR DAMAGE WHICH RESULTS FROM THE USE OF THIS PRODUCT IN ANY MANNER WHICH IS INCONSISTENT WITH THE LABEL DIRECTIONS.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BUYER'S EXCLUSIVE REMEDY AND THE EXCLUSIVE LIABILITY OF ALBAUGH, INC., ITS SUPPLEMENTAL DISTRIBUTORS AND THE SELLER FOR ANY AND ALL CLAIMS, LOSSES, DAMAGES, OR INJURIES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, WHETHER OR NOT BASED IN CONTRACT, NEGLIGENCE, STRICT LIABILITY IN TORT OR OTHERWISE, SHALL BE LIMITED, AT THE MANUFACTURER'S OPTION, TO REPLACEMENT OF OR THE REPAYMENT OF THE PURCHASE PRICE FOR THE QUANTITY OF PRODUCT WITH RESPECT TO WHICH DAMAGES ARE CLAIMED. When Buyer suffers losses or damages resulting from the use or handling of this product (including claims based on contract, negligence, strict liability, or other legal theories), Buyer must promptly notify Seller in writing of any claims to be eligible to receive either remedy stated above. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, IN NO CASE SHALL ALBAUGH, INC., ITS SUPPLEMENTAL DISTRIBUTORS, OR THE SELLER BE LIABLE FOR CONSEQUENTIAL, SPECIAL OR INDIRECT DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT. ALBAUGH, INC., its Supplemental Distributors, and the Seller offer this product, and the Buyer accepts it, subject to the foregoing Conditions of Sale and Warranty, which may be varied only by agreement in writing signed by a duly authorized representative of ALBAUGH, INC. No employee or agent of ALBAUGH, INC., its Supplemental Distributor, or the Seller is authorized to vary or exceed the terms of this Warranty in any other manner.

GlyStar™ is a trademark and AgriStar® is a registered trademark of Albaugh, Inc.

Poast®, Prowl®, Pursuit®, Scepter®, and Squadron® are registered trademarks of BASF Ag Products.

Garlon™ and Accord™ are trademarks of Dow AgroSciences, LLC.

Honcho®, Roundup®, and Roundup® D-Pak® are registered trademarks of the Monsanto Company.

Gramoxone® is a registered trademark of Syngenta Crop Protection, Inc.