

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, D.C. 20460

OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

W.A. Hawkins, Jr., Ph.D. Arysta LifeScience North America Corporation 15401 Weston Parkway, Suite 150 Cary, North Carolina 27513

DEC 2 1 2011

Subject:

DISARM® G Fungicide

EPA Reg. No. 66330-380

EPA Decision Number: 456595

Your composite master label amendment incorporating Agency comments from

12/9/09 and 4/23/10 accepted label amendments

Dear Dr. Hawkins,

The amended label referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended is acceptable, providing the following change is made:

1. On page 9 in the Restrictions and Other Information section immediately following the Directions for Turf chart, update the second bullet point so that it reads: "There is a maximum number of 4 applications per season. Refer to the Directions for Use for the minimum retreatment interval for each disease."

One copy of the label stamped "Accepted with Comments" is enclosed for your records. This label supersedes all labels previously accepted for this product. Please submit one copy of the final printed label before the product is released for shipment. If you have any questions, please contact Heather Garvie by phone at: 703-308-0034 or via email at: garvie.heather@epa.gov.

Sincerely,

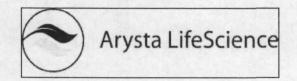
Shaja B. Joyner

Product Manager 20

Fungicide Branch

Registration Division

Enclosure: Stamped label "Accepted with Comments"



ACCEPTED with COMMENTS In EPA Letter Dated

DEC 2 1 2011
Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
as amended, for the pesticide
registered under EPA Reg. No.

GROUP 11 FUNGICIDE

DISARM® G Fungicide

For the control of foliar, stem and root diseases in turf and ornamentals. For commercial production and in landscape areas around residential, municipal and commercial properties, field grown ornamentals and ornamentals in greenhouses, interiorscapes and other enclosed structures.

KEEP OUT OF REACH OF CHILDREN

CAUTION

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.)

For Product Use Information Call 1-866-761-9397

Produced for: Arysta LifeScience North America, LLC 15401 Weston Parkway, Suite 150 Cary, NC 27513

EPA Reg. No. 66330-380 EPA EST. No. AD042310

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	FIRST AID
IF ON SKIN	Take off contaminated clothing.
OR	Rinse skin with plenty of water for 15–20 minutes.
CLOTHING:	Get medical attention if irritation persists.
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.
	Call a physician if irritation persists.
IF	Call a poison control center or doctor for treatment advice.
SWALLOWED:	 Do not induce vomiting unless told to do so by a poison control center or doctor.
	Have person sip a glass of water if able to swallow.
	Hot Line 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 1-866-303-6952 or 1-651-632-8946 if calling from outside the U.S.

FOR CHEMICAL EMERGENCY: Spill, leak, fire, exposure, or accident call CHEMTREC at 1-800-434-9300 or 1-703-527-3887 if calling from outside of the U.S.

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION: Causes moderate eye irritation. Harmful if swallowed or absorbed through skin. Avoid contact with skin, eyes or clothing. Wear protective eye wear. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco.

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. These are only some of the glove materials that are chemically resistant to this product. For more options, refer to category A on an EPA chemical resistance category selection chart.

User Safety 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 there are no such instructions for washables, 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 posticides [40 CFR 170.240 (d) (4-6)], the handler PPE requirements may be reduced or modified as specified in the WPS.

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USER SAFETY RECOMMENDATIONS:

Users should:

- Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet.
- Remove clothing 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 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.

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.

For use to control diseases in ornamentals and turf on sod farms, golf courses, lawns and landscape areas around residential, institutional, public, commercial and industrial buildings, parks, recreational areas and athletic fields. Disarm G can also be used for control of diseases in the production of ornamentals in field grown ornamentals, greenhouses, commercial interiorscapes, and other enclosed structures.

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) 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: long-sleeved shirt and long pants or coveralls, shoes plus socks, and chemical resistant gloves made of any waterproof material, such as nitrile, butyl, neoprene, and / or barrier laminate.

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.

Keep children and pets out of treated area until dust has settled.

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 place.

For help with any spill, leak, fire or exposure involving this material, call CHEMTREC day or night at (703) 527-3887 or 1-800-424-9300.

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

Non-refillable container. Do not reuse or refill this container. Completely empty bag, into application equipment. Then dispose of bag in a sanitary landfill or by incineration, or (if allowed by State and local authorities) by burning. If burned, stay out of smoke. Offer for recycling if available.

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GENERAL INFORMATION

DISARM® G Fungicide is a broad-spectrum xylem systemic fungicide for the control of certain diseases in turf and ornamentals. DISARM G works by interfering with respiration in plant-pathogenic fungi, and is a potent inhibitor of spore germination and mycelial growth. The active ingredient, fluoxastrobin, moves rapidly into green tissue via translaminar and xylem movement. Roots of plants take up the active ingredient where it is translocated throughout the xylem of plants to provide internal inhibition of fungal growth and protect the plant from new infections. The broad spectrum of activity of DISARM G makes it an excellent choice as the foundation fungicide for turf and ornamental disease management programs. Other labeled fungicides can be used in alternation with DISARM G to cover all the major fungal diseases that attack most, if not all, major turfgrass and ornamental species.

UNDER CERTAIN CONDITIONS CONDUCIVE TO EXTENDED INFECTION PERIODS, ADDITIONAL FUNGICIDE APPLICATIONS BEYOND THE NUMBER ALLOWED BY THIS LABEL MAY BE NEEDED. UNDER THESE CONDITIONS, USE ANOTHER FUNGICIDE REGISTERED FOR THE DISEASE.

RESISTANCE MANAGEMENT

The active ingredient in **DISARM G** (fluoxastrobin) belongs to the strobilurin class of chemistry which exhibits no known cross-resistance to other chemical classes including sterol inhibitors, dicarboximides, benzimidazoles, anilinopyrimidines, or phenylamides. Fluoxastrobin exhibits cross-resistance to other QoI fungicides, such as: trifloxystrobin, azoxystrobin, and kresoximmethyl (Group 11 fungicides). Certain 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 turf. Such strategies may include rotating and/or tank-mixing with products having different modes of action, or limiting the total number of applications per season. Arysta LifeScience encourages responsible resistance management to ensure effective long-term control of the fungal diseases on this label.

Follow specific recommendations that limit the total number of applications on turf and the required alternations with fungicides from other resistance management groups. In situations requiring multiple fungicide applications, develop season-long spray programs for using Group 11 (Qol-containing) fungicides with the following guidelines. Turf pathogens that cause Dollar Spot, Gray Leaf Spot, Anthracnose, and Pythium Blight are known to have the capacity to develop resistant populations with the repeated use of a single fungicide or a single class of fungicide chemistry.

- 1. When using a Group 11 fungicide alone, the number of applications made for control of at risk diseases should be no more than one third of the total number of fungicide applications per season.
- 2. In programs where tank mixes or pre-mixes of a Group 11 fungicide with a fungicide of another Group are utilized, the number of Group 11 fungicide applications made for control of at risk diseases should be no more than one half of the total number of fungicide applications per season.
- 3. In programs where applications of Group 11 fungicides are made with both solo products and mixtures, the number of Group 11 fungicide applications made for control of at risk

diseases should be no more than one half of the total number of fungicide applications per season.

APPLICATION GUIDELINES

Uniform application is necessary to provide good disease control. Calibrate granule application equipment before use.

USE DIRECTIONS FOR TURF

DISARM G provides control of many important diseases in turf including but not limited to species of Bentgrass, Kentucky Bluegrass, Annual Bluegrass, Fescue, Ryegrass, Bermudagrass, St. Augustinegrass and Zoysiagrass. DISARM G should be used in conjunction with cultural practices that promote healthy, vigorous turf. These practices include nutrient management, thatch management, water management and judicious use of other pesticides.

For use in the establishment of turfgrass from seed or in overseeding of dormant turfgrass:

DISARM G may be used for control of certain turfgrass diseases associated with turfgrass establishment from seed. **DISARM G** may also be used during overseeding of dormant turfgrass.

DISARM G may be safely applied before or after seeding or at seedling germination and emergence to ryegrass, bentgrass, bluegrass, fescue, and other turfgrasses. Optimum application timing for control of seedling diseases is just prior to, during or just after seeding. **Rate Ranges:** Use the shorter specified application interval and/or the higher specified rate when prolonged favorable disease conditions exist.

DIRECTIONS FOR APPLICATION TO TURF

		ARM G Rates	Retreatment	
Disease Control	Lb Product/ Product / 1,000 sq ft		Interval (days)	Remarks
Anthracnose* (Foliar Infection Phase) (Colletotrichum graminicola)	100-200	2.3 - 4.6	14 - 28	Use preventatively. Begin applications when conditions are favorable for disease development. Under severe conditions tank-mix with another fungicide labeled for control of Anthracnose.
Anthracnose* (Crown Rot Phase) (Colletotrichum graminicola)	100-200	2.3 - 4.6	14 - 21	Use preventatively. Begin applications when conditions are favorable for disease development. Tank-mix with another fungicide labeled for control of Anthracnose.
Brown Ring/Waitea Patch	100-200	2.3 – 4.6	14 - 28	Apply when conditions are

	DIS	ARM G	Retreatment Interval (days)	
	Use	Rates		Remarks
Disease Control	Lb Product / Acre	Lb Product/ 1,000 sq ft		
(Waitea circinata)				favorable for disease development
Brown Patch (Rhizoctonia solani)	50-200	1.2 - 4.6	14 - 28	Apply when conditions are favorable for disease development.
Cool Weather Brown Patch Yellow Patch (Rhizoctonia cerealis)	100-200	2.3 - 4.6	28	Make one or two applications in fall or when conditions are favorable for disease development.
Dollar Spot* (Sclerotinia homoeocarpa)	100-200	2.3 - 4.6	14 – 21	DISARM G provides preventive control of light to moderate dollar spot pressure when used to control other diseases. Under heavy dollar spot pressure or where dollar spot is the only target use the high rate in combination with or in alternation with other fungicides labeled for control of Dollar Spot.
Fairy Ring (Basidiomycete fungi)	100-200	2.3 - 4.6	21 - 28	Apply where Fairy Rings have been observed in the past or at the first sign of fairy ring development. Irrigate after application to move the fungicide into the root zone. Repeat as necessary.
Gray Leaf Spot* (Pyricularia grisea)	100-200	2.3 - 4.6	14 - 28	Begin applications before disease is present. Under heavy disease pressure use in combination with other fungicides labeled for control of Gray Leaf Spot.
Leaf Spot (Bipolaris sorokiniana)	100-200	2.3 - 4.6	14 - 21	Apply when conditions are favorable for disease development.
Melting Out (Drechslera poae)	100-200	2.3 - 4.6	14 - 21	Apply when conditions are favorable for disease developments
Microdochium (Fusarium) Patch (Microdochium nivale)	100-200	2.3 - 4.6	14 - 28	Use preventatively. Begin applications when conditions are favorable for disease infection, prior to disease symptom development.
Pink Patch	100-200	2.3 - 4.6	14 - 28	Apply when conditions are

	DIS	ARM G	Retreatment Interval		
D. 0 / 1	Use	Rates			
Disease Control	Lb Product / Acre	Lb Product/ 1,000 sq ft	(days)	Remarks	
(Limonomyces roseipellis)				favorable for disease development.	
Powdery Mildew (Erysiphe graminis)	100-200	2.3 - 4.6	14 - 28	Apply at first sign of infection. Repeat as necessary.	
Pythium Blight * (Pythium aphanidermatum)	100-200	2.3 - 4.6	7 - 14	Use preventatively. Begin applications when conditions are favorable for disease infection, prior to disease symptom development. During periods of prolonged favorable conditions, treat on the 14-day application interval. When conditions are favorable for heavy Pythium Blight pressure use DISARM G in combination or alternation with another product registered for Pythium Blight control.	
Pythium Root Rot (Pythium spp.)	100-200	2.3 - 4.6	7 – 10	Apply when conditions are favorable for disease development.	
Pythium Damping Off (Pythium spp.)	100-200	2.3 - 4.6	7 – 10	Apply uniformly to the seed bed before, during or just after seeding. Lightly irrigate after application. Repeat application if conditions remain favorable for disease.	
Pythium Root Dysfunction** (Pythium volutum)	150-200	3.6 4.6	14 - 28	Apply when conditions are favorable for disease development (when mean daily soil temperatures are between 50°F and 75°F).	
Red Thread (Laetisaria fuciformis)	100-200	2.3 - 4.6	14 - 28	Apply when conditions are favorable for disease development.	
Rust (Puccinia spp.)	100-200	2.3 - 4.6	14 – 28	Apply at the first sign of infection or when conditions are favorable for disease development. Repeat as necessary.	
Snow Mold, Pink (Microdochium nivale)	100-200	2.3 - 4.6	28	Apply 1 to 2 applications prior to permanent snow cover.	

		ARM G Rates	Retreatment	Remarks
Disease Control	Lb Product / Acre	Lb Product/ 1,000 sq ft	Interval (days)	
Snow Mold, Typhula Blight (Typhula incarnata)	100-200	2.3 - 4.6	28	
Southern Blight (Sclerotium rolfsii)	100-200	2.3 - 4.6	14 - 28	Apply when conditions are favorable for disease development.
Spring Dead Spot (Leptosphaeria korrae) or (Gaeumannomyces graminis var. graminis) or (Ophiosphaerella herpotricha)	100-200	2.3 - 4.6	14 - 28	Apply 1 or 2 applications approximately one month prior to Bermudagrass dormancy. Apply ¼" to ½" of irrigation after application.
Summer Patch (Magnaporthe poae)	100-200	2.3 - 4.6	14 - 28	Start applications in the spring when soil temperatures at 2" depth reach 60 - 65° F or as prescribed by local turf specialists.
Take-All Patch (Gaeumannomyces graminis var. avenae)	100-200	2.3 - 4.6	28	Begin applications before disease is present and continue applications while conditions are favorable for disease development. Make two applications in the spring and two applications in the fall.
Zoysia Patch Large Patch of Zoysia (Rhizoctonia solani and/or Gaeumannomyces spp.)	100-200	2.3 - 4.6	14 - 28	Make 1 – 2 applications in the fall before dormancy. Consult with local turfgrass experts for optimum timing in your area.

^{*}See RESISTANCE MANAGEMENT section when using DISARM G for control of these diseases.

Restrictions and Other Information

- Do not apply more than 880 lb (2.2 lb ai) of **DISARM G** per acre per year, or no more than 5.7 lb/1,000 sq ft per application.
- There is a maximum number of 4 applications per season, and a minimum interval of 7 days between applications.
- Under conditions of high disease pressure, use the higher rates, the shortest application interval or both.
- For soil-borne diseases, use sufficient water to move the active ingredient into the crown and upper root zone.

DIRECTIONS FOR APPLICATION TO ORNAMENTALS

DISARM G is recommended for control of certain pathogens causing foliar, root and stem diseases of ornamentals. Applications can be made to plants growing in containers, benches, flats, plugs and beds in greenhouses, shadehouses, outdoor nurseries, field plantings, retail nurseries, interiorscapes, residential, public and commercial landscape areas.

DISARM G may be applied to control foliar, soilborne, seedling, and crown diseases of production ornamentals (greenhouse, shadehouse, container grown and field grown) when applied to the surface of the growing media or when incorporated into the growing mix before planting. Make applications prior to infection as healthy roots are necessary to optimize product uptake, systemic translocation and disease protection. Surface applications of Disarm G are not recommended where crops are watered through subsurface or flood irrigation systems.

For surface applications apply DISARM G at 150-200 lb/Acre (3.5-4.6 lb/1,000 sq ft, 0.35 - 0.46 oz/100 sq ft). Under light to moderate disease pressure, use the lower rate (3.5 lb/1,000 sq ft). Use the higher rate (4.6 lb/1,000 sq ft) where disease pressure is heavy. Additional applications may be made at 28 day intervals as needed. Restriction: Do not apply more than 2.2 lb active ingredient per acre per year.

Water in after application with enough water to completely wet the growing media.

DISARM G may be incorporated into the growing mix before planting. Incorporate 18 oz Disarm G (0.0028 lb ai) per cubic yard uniformly throughout the potting mix. If this treated potting mix is used a topdressing or soil amendment, do not use more than 1 cu ft of treated potting mix per 55.68 sq ft of soil surface.

The following diseases will be controlled by surface or potting mix applications of Disarm G.

Foliar Diseases

Disarm G will control certain foliar diseases of ornamentals when applications are made in advance of infection periods. The application must be made sufficiently in advance of foliar infection periods to allow the active ingredient to be translocated throughout the plants. Depending upon the plant species, the stage of growth and the environmental conditions, it may take 1-3 weeks for the fungicide to protect plants from foliar disease infection. The length of control will vary with the plant species and the pathogen.

Restriction: do not apply more than 2.2 lb of fluoxastrobin per acre per year.

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Foliar Diseases (Pathogens) Controlled by Disarm G **LEAF BLIGHTS / SPOTS** Ascochyta spp. Alternaria Leaf Spot (Alternaria spp.) Anthracnose (Colletrichum spp., Elsinoe spp.) Cercospora Leaf Spot (Cercospora spp.) Downy Mildew (Peronospora spp., Pseudoperonospora spp., Plasmophora spp., Bremia spp.) Corynespora spp. Diplocarpon spp. Sclerotinia spp. Venturia spp. Myrothecium Leaf Spot (Myrothecium spp.) Septoria Leaf Spot (Septoria spp.) **POWDERY MILDEWS** Erysiphe spp. Microsphaera azaleae Sphaerotheca parnnosa Podospaera spp., Uncinula spp. **RUSTS** Needle Rust (Melampsora spp.) Phragmidium spp. Puccinia spp. Uromyces spp. **FLOWER BLIGHTS** Anthracnose (Collectotrichum spp., Elsinoe spp.) Botrytis blight

(Botrytis spp.)

Soil Borne Diseases

SHOOT/STEM DISEASES

(Crown Spray)

Aerial/Shoot Blight (Phytophthora spp.)

SOILBORNE DISEASES

Rhizoctonia solani Sclerotium rolfsii Fusarium spp.

PLANT SAFETY: DISARM G has been shown to be safe when applied to the ornamental plants listed in the table below. However, due to the large number of genera, species and varieties of ornamental and nursery plants, it is impossible to test every variety or cultivar for tolerance to DISARM. Neither the manufacturer nor the seller has determined whether or not DISARM can be used safely on genera, species, or varieties of ornamental and nursery plants not specified on this label. The professional user should conduct small scale testing to insure plant safety prior to broad scale commercial use on plant genera and species not listed in this label.

NOTE: DO NOT USE DISARM G ON LEATHERLEAF FERN OR OTHER FERNS GROWN UNDER NATURAL OR ARTIFICIAL SHADE.

African Violet	Impatiens, Walleriana	
Ageratum	Lantana	
Angelonia	Lobelia	
Argyranthemum	Lupine	
Bacopa	Monarda	
Begonia	Nemesia	
Calibrachoa	Osteospermum	
Chrysanthemum	Pentas	
Coleus	Petunia	
Dahlia	Poinsettia	
Dianthus	Rose	
Diascia	Scaevola	
Dogwood	Snapdragon	
Geranium	Torenia	
Gerbera Daisy	Verbena	
Hollyhock	Zinnia	2027
mpatiens, New Guinea		272 2

Curandan	GRANULAR SPREADER SETTINGS						
Spreader	2 lb/1,000 sq ft	3 lb/ 1,000 sq ft	4 ib/1,000 sq.ft				
Cyclone	3	4	3233 41/4 3372				
Lely	3	4 11	37733 5 II *				
Lesco	10	15	16 30000				
Scotts R8A/SR-1		K	Lin				
Spyker	3	3 1/2	4 1/4				
Vicon	20	22	23				

Note: Spreader settings are approximate starting points for calibrating equipment.

Warranty and Disclaimer Statement

The directions for use of this product are believed to be adequate and must be followed carefully. However, it is impossible to eliminate all risks associated with the use of this product. Such risks may arise from weather conditions, soil factors, off-target movement, unconventional farming techniques, the presence of other materials, the manner of use or application, or other unknown factors, all of which are beyond the control of Arysta LifeScience North America, LLC ("Arysta"), and can cause crop injury, injury to non-target crops or plants, ineffectiveness of the product, or other unintended consequences. To the extent consistent with applicable law, all such risks shall be assumed by the user or buyer.

Arysta 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, subject to the inherent risks described above, when used in accordance with the Directions for Use under normal conditions. This warranty does not extend to the use of this product contrary to label instructions or under conditions not reasonably foreseeable to Arysta, and is subject to the inherent risks described above.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, ARYSTA DISCLAIMS ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, INCLUDING ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, ARYSTA, MANUFACTURER, AND SELLER DISCLAIM AND SHALL NOT BE LIABLE FOR ANY SPECIAL, INCIDENTAL, INDIRECT, OR CONSEQUENTIAL DAMAGES RESULTING FROM THE USE, HANDLING, APPLICATION, STORAGE, OR DISPOSAL OF THIS PRODUCT OR FOR DAMAGES IN THE NATURE OF PENALTIES, AND THE USER AND BUYER WAIVE ANY RIGHT THAT THEY MAY HAVE TO SUCH DAMAGES. NO AGENT, REPRESENTATIVE OR EMPLOYEE OF ARYSTA IS AUTHORIZED TO MAKE ANY WARRANTY, GUARANTEE OR REPRESENTATION BEYOND THOSE CONTAINED HEREIN OR TO MODIFY THE WARRANTIES CONTAINED HEREIN.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE TOTAL LIABILITY OF ARYSTA, MANUFACTURER, AND SELLER, SHALL BE LIMITED TO THE PURCHASE PRICE PAID, OR AT ARYSTA'S ELECTION, THE REPLACEMENT OF THE PRODUCT.

DISARM G (PENDING) 0722/11