

EVEREST®

70% Water Dispersible Granular Herbicide

FOR POST EMERGENCE CONTROL OF WILD OAT,
GREEN FOXTAIL AND OTHER GRASS AND BROADLEAF
WEEDS IN SPRING, DURUM AND WINTER WHEAT.

ACTIVE INGREDIENT	By wt.
Flucarbazone-sodium*, 4,5-Dihydro-3-methoxy-4-methyl-5-oxo-N- -[[2-(trifluoromethoxy)phenyl]sulfonyl]-1H- -1,2,4-triazole-1-carboxamide, sodium salt.....	70%
INERT INGREDIENTS	30%
	<hr/> 100%



* 66% Flucarbazone acid equivalent

EVEREST® is a registered trademark of Arvesta Corporation.

**READ THE ENTIRE LABEL BEFORE USE.
KEEP OUT OF REACH OF CHILDREN**

CAUTION

SEE INSIDE FOR ADDITIONAL PRECAUTIONARY STATEMENTS

NET CONTENTS: 20 OUNCES

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EPA Registration No. 66330-49
EPA Est. No. 554-ND-002
Label Number 20444-C

FIRST AID	
If on skin or clothing	<ul style="list-style-type: none"> Take off contaminated clothing. Rinse skin immediately with plenty of water for 15 to 20 minutes. Call a poison control center or doctor for treatment advice.
Have an EVEREST container or label with you when calling a poison control center or doctor. In case of emergency call Day or Night (800) 228-5635, Ext. 174.	
Note To Physician: No specific antidote is available. Treat the patient symptomatically.	

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

Caution: Harmful if absorbed through skin. Avoid contact with skin, eyes or clothing.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Chemical-resistant gloves (Category A) made of materials such as butyl rubber ≥ 14 mils, natural rubber ≥ 14 mils, neoprene rubber ≥ 14 mils, or nitrile rubber ≥ 14 mils.
- Shoes plus socks

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

ENGINEERING CONTROL 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:

User should:

- Wash hands 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

Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Do not apply when weather conditions favor drift from areas treated. Do not contaminate water when disposing of equipment washwaters.

Do not allow sprays to drift onto adjacent desirable plants.

IMPORTANT: Read these entire DIRECTIONS FOR USE and CONDITIONS OF SALE before using EVEREST.

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), 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 following application.

Exception: If the product is soil-injected or soil-incorporated, the Worker Protection Standard, under certain circumstances, allows workers to enter the treated area if there will be no contact with anything that has been treated. 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
- Chemical-resistant gloves (Category A) made of materials such as butyl rubber ≥ 14 mils, natural rubber ≥ 14 mils, neoprene rubber ≥ 14 mils, or nitrile rubber ≥ 14 mils.
- Shoes plus socks

GENERAL INFORMATION

EVEREST is a selective postemergence herbicide for the control of wild oats, green foxtails, windgrass, cheatgrass and numerous broadleaf weeds, including redroot pigweed and shepherd's purse, in spring, durum and winter wheat. EVEREST also suppresses additional grass and broadleaf weeds, including yellow foxtail, Italian ryegrass and wild buckwheat.

EVEREST is absorbed by foliage and roots of susceptible weeds, which cease growth soon after application. Maximum weed control may not be seen for one to two weeks, however, weeds will stop growing and will no longer be competitive. For broader spectrum activity, EVEREST may be tank mixed with a broadleaf herbicide listed on this label. See section on Tank Mixes for recommended products.

EVEREST will control wild oat and green foxtail biotypes which have developed target site resistance to certain classes of herbicides, including ACCase inhibitors, dinitroanilines and triallates.

Read these entire DIRECTIONS FOR USE and CONDITIONS OF SALE before using EVEREST.

GENERAL USE RESTRICTIONS

- For use only in wheat.
- Do not mix, load or clean spray equipment within 33 feet of well-heads or aquatic systems, including marshes, ponds, ditches, streams, lakes, etc.
Do not apply within 50 feet of well-heads or the above mentioned aquatic systems.
- Do not apply when rain is expected within the next hour.
- Do not allow this chemical to drift onto other crops, especially canola, tame oats or other non-target crops.
- Observe minimum interval to harvest of 60 days after treatment, after which wheat grain and straw from treated fields may be fed to livestock.
- Do not apply this product through any type of irrigation system.
- Do not use flood irrigation to apply or incorporate EVEREST.

MIXING INSTRUCTIONS

Ensure the spray tank is clean. In-line strainers and nozzle screens should be clean and 50 mesh or coarser.

- Fill the spray tank 1/4 to 1/2 full with clean water and begin agitation or bypass.
- Add the appropriate rate of EVEREST directly to the spray tank.
- Add the broadleaf weed herbicide.
- Add the surfactant.
- Add micronutrients (if needed).
- Fill the spray tank to the required level.
- Maintain sufficient agitation during both mixing and application of EVEREST.

APPLICATION PROCEDURES

EVEREST must always be applied postemergence to crop and weeds. Do not apply preemergence.

Best weed control is observed when environmental conditions support vigorous growth of crop and weeds. Research has demonstrated that optimum wheat yield is obtained by early removal of grassy weeds before tillering. Apply EVEREST to spring wheat when the majority of plants have one leaf to a maximum of 4 leaves on the main stem plus two tillers. For winter wheat apply either in the fall or spring when the majority of plants have one leaf to a maximum of 6 total leaves on main stem plus any number of tillers.

Do not apply before crop emergence is completed.

To avoid crop injury, apply EVEREST before jointing begins.

Do not apply more than 0.025 lb acid equivalent (a.e.)/acre flucarbazone (0.6 ounce/acre of EVEREST) per growing season.

Do not make more than one application of EVEREST per growing season.

GROUND APPLICATION

Apply in a spray volume of 5 to 10 gallons/acre (or 50 to 100 liters/hectare) at 30 to 50 PSI to ensure proper weed coverage. Flat fan nozzles of 80 to 110 degrees are recommended for optimum coverage. Do not use floodjet or control droplet application equipment. Nozzles may be oriented 45 degrees forward to enhance crop penetration and to give better weed coverage.

AERIAL APPLICATION

Apply in water using a minimum spray volume of 3 gallons/acre (or 30 liters/hectare). For best results, use a minimum of 5 gallons/acre (or 50 liters/hectare) under dry conditions or heavy weed infestations. Use nozzles that provide 200 to 350 micron size droplets for best results and to insure uniform spray coverage. Aerial applications with EVEREST should be made with low drift nozzles at a maximum height of 10 feet above the crop and at a maximum pressure of 40 PSI. Do not apply aerially when wind speed is greater than 10 mph. Do not allow spray to drift onto adjacent crops, as injury may occur.

See the *Aerial Drift Reduction Advisory Information* section of this label for additional information on how to reduce drift during aerial application.

ENDANGERED SPECIES PROTECTION

To avoid adverse effects on endangered dicot plant species, the following measures will be required where endangered plant species occur in the counties listed in the table below:

State	County	State	County	State	County
Idaho	Idaho Lewis Nez Perce	Oregon	Benton Clackamas Lane Linn Marion Polk Union Wallowa Washington Yamhill	Washington	Asotin Chelan Cowlitz Lewis Lincoln Spokane Whitman
	Minnesota		Brown Cottonwood Goodhue Jackson Renville		Wyoming
Montana	Flathead Lake				

For ground applications, the applicator must:

- Apply when there is sustained wind away from native plant communities, OR
- Use low-pressure nozzles according to manufacturer's specifications that produce only coarse or very coarse droplets, OR
- Leave a 50-foot untreated buffer between treatment area and native plant communities.

For aerial applications, the applicator must:

- Apply only when there is sustained wind away from native plant communities, OR
- Leave a 350-foot untreated buffer between treatment area and native plant communities.

TIMING OF APPLICATION TO WHEAT

CROP	GROWTH STAGE
Spring Wheat Including durum	1 leaf to a maximum of 4 leaves on the main stem plus 2 tillers. Apply before jointing begins.
Winter Wheat Fall application	Minimum of 1 leaf in the fall.
Winter Wheat Spring application	Apply in spring as soon as wheat growth resumes. 1 leaf minimum to 6 total leaves on main stem and any number of tillers. Apply before jointing begins.

REMARKS: For control of wild oats and green foxtail, and suppression of yellow foxtail and Italian ryegrass. EVEREST may be applied with a non-ionic surfactant alone or in combination with a broadleaf herbicide. Apply to spring wheat when the majority of plants have one leaf to a maximum of 4 leaves on the main stem plus two tillers or to winter wheat either in the fall or spring when the majority of plants have one leaf to a maximum of 6 total leaves on main stem plus any number of tillers.
Apply before jointing begins.

CONTROL AND TIMING OF APPLICATION – GRASS WEEDS

GRASS WEED	GROWTH STAGE	REMARKS
Wild oats (<i>Avena fatua</i>)	1 leaf to 6 total leaves ¹	Control
Green foxtail (<i>Setaria viridis</i>)	1 leaf to 6 total leaves ¹	Control
Windgrass (<i>Apera spica-venti</i>)	1 leaf to 6 total leaves ¹	Control
Yellow foxtail (<i>Setaria glauca</i>)	1 leaf to 6 total leaves ¹	Suppression
Italian Ryegrass (<i>Lolium spp</i>)	1 leaf to tillering ²	Suppression
Cheat Grass (<i>Bromus secalinus</i>)	Apply when actively growing	Control – Fall Suppression – Spring
Japanese Brome (<i>Bromus japonicus</i>)	Apply when actively growing	Control – Fall Suppression – Spring

¹ 1 leaf to 4 leaves on main stem plus 2 tillers

² 1 leaf to 4 leaves on main stem until end of tillering

RECOMMENDED RATES FOR SPRING, DURUM AND WINTER WHEAT

GRASS WEEDS	RATE	NOTES
Wild Oats (<i>Avena fatua</i>)	0.4 – 0.6 oz/A	Low to medium infestations – 0.4 oz/A. High infestations or when tank mixed with dicamba ¹ – 0.6 oz/A.
Green Foxtail (<i>Setaria viridis</i>)	0.3 – 0.6 oz/A	For control of green foxtail only, use 0.3 oz/A
Windgrass (<i>Apera spica-venti</i>)	0.6 oz/A	Control.
Yellow Foxtail (<i>Setaria glauca</i>)	0.6 oz/A	Suppression.
Italian Ryegrass (<i>Lolium multiflorum</i>)	0.6 oz/A	Suppression.
Cheat Grass (<i>Bromus secalinus</i>)	0.6 oz/A	Control with fall applications. Suppression with spring applications.
Japanese Brome (<i>Bromus japonicus</i>)	0.6 oz/A	Control with fall applications. Suppression with spring applications.

¹If EVEREST is applied in a tank mix combination with a dicamba-containing broadleaf herbicide, wild oat control may be reduced.

In addition to grass weeds, EVEREST alone will control or suppress the following broadleaf weeds. Applications should be made before broadleaf weeds are two inches in height.

RECOMMENDED RATES FOR SPRING, DURUM AND WINTER WHEAT		
BROADLEAF WEEDS	RATE	NOTES
Mustard Complex (Black, Blue, Tansy, Tumble, Wild)	0.6 oz/A	Control.
Field Pennycress (<i>Thlaspi arvense</i>)		Control.
Flixweed (<i>Descurania sophia</i>)		Control.
Redroot Pigweed (<i>Amaranthus retroflexus</i>)		Control.
Shepherd's Pursue (<i>Capsella bursa-pastoris</i>)		Control.
Small Seeded False Flax (<i>Camelina microcarpa</i>)		Control.
Volunteer Canola (<i>Brassica rapa ssp. Canola</i>)		Control.
Wild Turnip (<i>Brassica rapa ssp. Sylvestris</i>)		Control.
Burr Buttercup (<i>Ranunculus testiculatus</i>)		Suppression.
Common Waterhemp (<i>Amaranthus tamariscinus</i>)		Suppression.
Tall Wormseed Wildflower (<i>Erysimum cheiranthoides</i>)		Suppression.
Wild Buckwheat (<i>Polygonum convolvulus</i>)	Suppression.	

Wheat exposed to water logged or saturated soils or temperature extremes such as heat or drought, low fertility, freezing weather or plant disease at application could show unacceptable injury symptoms. Weed control may also be reduced by these same conditions.

Adjuvant Use Rates

EVEREST 70 WDG as a stand alone or tank mix treatment may be mixed with a non-ionic surfactant according to the following recommendations.

RECOMMENDED ADJUVANT USE RATES FOR SPRING AND DURUM WHEAT	
EVEREST alone or with amine water soluble herbicides	Use 1 quart of nonionic surfactant per 100 gallons (0.25% v/v).
EVEREST with ester or EC base herbicides	Do not add surfactant.
EVEREST with sulfonyleurea herbicides + 2,4-D or dicamba ¹	Use 1 pint of nonionic surfactant per 100 gallons (0.125% v/v). Do not add surfactant if mixing with an ester or EC base 2,4-D

RECOMMENDED ADJUVANT USE RATES FOR WINTER WHEAT

EVEREST alone or with any recommended herbicide tankmix	Use 0.5 – 1 quart of nonionic surfactant per 100 gallons (0.125 – 0.25% v/v).
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¹If EVEREST is applied in a tank mix combination with a dicamba-containing broadleaf herbicide, wild oat control may be reduced.

Tank Mixes

For broader spectrum control of broadleaf weeds, EVEREST may be mixed with the broadleaf herbicides listed in the following table. Also, a non-ionic surfactant may be included in the spray solution. See Adjuvant Use Rates section.

With all tank mix partners, read and follow that use directions, rates, precautions, timing, recropping restriction, grazing interval restrictions and recommendations on broadleaf herbicide and surfactant labels. The tank mix must be used in accordance with the more restrictive label limitations and precautions for all pesticides used.

EVEREST Tank-mix partners	Rate Per Acre
Aim	0.33 to 1.24 oz
Aim EW	0.5 fl oz
Buctril 4 Cereals	0.5 to 1 pt
Bronate	1 to 1.5 pt
Curtail	2 to 2.67 pt
Curtail M	1.75 pt
Dicamba (4 lbs/gal) ¹	2 to 4 fl oz
MCPA Amine or Ester ²	8 oz a.e.
Starane	0.67 pt
Stinger	0.25 to 0.33 pt
2,4-D Amine (4 lbs/gal)	0.5 to 1.5 pt
2,4-D Lo Volatile Ester (4 lbs/gal)	0.5 to 1 pt
2,4-D Lo Volatile Ester (6 lbs/gal)	0.33 to 0.67 pt

¹If EVEREST is applied in a tank mix combination with a dicamba-containing broadleaf herbicide, wild oat control may be reduced.

²Do not apply EVEREST in combination with MCPA/MCPA Ester (MCPE) within 72 hours of frost.

If one of the sulfonyleurea herbicides in the following table is included with EVEREST for broadleaf control, 2,4-D or dicamba¹ is required at the rate range listed in the table below. For adjuvant recommendations, see Adjuvant Use Rates section.

EVEREST + Sulfonyleurea + 2,4-D or Dicamba ¹ Tankmix		
Sulfonyleurea Tank-mix partners	Rate Per Acre	2,4-D or Dicamba ¹ Rate Per Acre
Ally	0.1 oz	2,4-D Amine or LV Ester (4 lbs/gal): 0.25 – 0.75 pt 2,4-D LV Ester (6 lbs/gal): 0.17 – 0.5 pt Dicamba ¹ (4 lbs/gal): 2 – 4 fl oz
Amber	0.28 - 0.47 oz	
Canvas	5 - 10 acres/pack	
Express	0.17 to 0.33 oz	
Finesse	0.2 to 0.4 oz	
Harmony Extra	0.3 to 0.6 oz	
Harmony GT	0.3 to 0.6 oz	

¹If EVEREST is applied in a tank mix combination with a dicamba-containing broadleaf herbicide, wild oat control may be reduced.

SPRAYER CLEAN-UP

Clean sprayer using the following procedures:

1. Drain the tank and thoroughly rinse spray tank, boom and hoses with clean water especially all visible deposits.
2. Fill the tank with water and add household ammonia to make a 1% v/v solution (1 gal/100 gal). Flush the hoses, boom and nozzles with the cleaning solution. Circulate for at least 15 minutes. Flush hoses, boom and nozzles once more and then drain the tank.
3. Clean nozzles and screens in a separate container using the 1% v/v solution of ammonia and water.
4. Repeat step 2.
5. Rinse tank, boom and hoses with clean water.

Do not clean sprayer near desirable vegetation, wells or other water sources:

1. Dispose of all rinsate in accordance with pertinent regulations.
2. Check tank mix partner label for any additional clean-up procedures.

RESISTANCE MANAGEMENT

EVEREST is an acetolactate synthase (ALS) inhibiting herbicide. Any weed population may contain or develop plants naturally resistant to a herbicidal mode of action. Resistant biotypes may eventually dominate the weed population if herbicides with an identical mode of action are used repeatedly in the same field and weed control may fail. Where possible, rotate the use of EVEREST with herbicides that have a different mode of action. Other resistance mechanisms that are not linked to site of action, but specific for individual chemicals, such as enhanced metabolism, may also exist. The use of EVEREST should conform to resistance management strategies established for the use area. Consult your agricultural advisor for resistance management strategies and recommended pest management practices for your area.

CROP ROTATION RESTRICTIONS

After the application of EVEREST the following crops can be planted after the waiting period listed below.

4 months		
Wheat		
9 months		
Barley Canola	Potatoes Soybeans	Sugar beets
11 months		
Field peas		
12 months		
Beets Broccoli Cabbage	Carrots Kale Radishes	Sweet potatoes Yams
24 months		
Lentils	Mustard	

AERIAL DRIFT REDUCTION ADVISORY INFORMATION

Avoiding spray drift at the application site is the responsibility of the applicator. The interaction of many equipment-and-weather-related factors determines 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 formulations.

1. The distance of the outermost nozzles on the boom must not exceed 3/4 the length of the wingspan or rotor.
2. Nozzles must always point backward, parallel with the airstream and never be pointed downwards more than 45 degrees.

When applying EVEREST in a tank mix with other herbicides (e.g., 2,4-D, bromoxynil, dicamba, MCPA, sulfonyleurea herbicides) in eastern Washington, observe all applicable Washington State Department of Agriculture herbicide rules.

The applicator should be familiar with and take into account the information covered in the *Aerial Drift Reduction Advisory Information*.

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).

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 3/4 of the wingspan or rotor length may further reduce drift without reducing swath width.

Application Height

Applications should not be made at a height greater than 10 feet above the top of the largest plants unless a greater height is required for aircraft safety. Making applications at the lowest height that is safe reduces exposure or 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 must 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 to 10 mph. However, many factors, including droplet size and equipment type determine drift potential at any given speed. Application should 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 evaporation is most severe when conditions are both hot and dry.

Temperature Inversions

Applications should 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 in 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.

STORAGE AND DISPOSAL

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

Pesticide Storage: Store in a cool, dry place and in such a manner as to prevent cross contamination with other pesticides, fertilizers, food, and feed. Store in original container and out of the reach of children, preferably in a locked storage area.

Handle and open container in a manner as to prevent spillage. If the container is leaking or material spilled for any reason or cause, carefully sweep material into a pile. Refer to Precautionary Statements on label for hazards associated with the handling of this material. Do not walk through spilled material. Dispose of pesticide as directed below. In spill or leak incidents, keep unauthorized people away. For help with any spill, leak, fire or exposure involving this material, call day or night CHEMTREC (703) 527-3887 or (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: Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

CONDITIONS OF SALE

1. Arvesta Corporation warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated on the label only when used in accordance with the directions under normal conditions of use.
2. This warranty does not extend to the use of this product contrary to directions for use on the label or to use/performance of this product in or during weather conditions that are not ordinary and customary in the geographic area where this product is used. Arvesta Corporation therefore offers this product on the express condition that use of this product contrary to label directions and/or use/performance of this product in or during weather conditions that are not ordinary and customary in the geographic area where the product is used are the sole responsibility of the buyer and user of this product. Except as provided in No. 1 above, buyer and user of the product acknowledge and assume all risks and liability resulting from handling, storage, and use of this product.
3. Warning: Failure to follow label directions and/or weather conditions, other than those ordinary and customary in the geographic area where the product is used, may result in insufficient control of pests, injury to the crop to which this product is applied, and/or injury to crops, including later planted crops, animals, humans, or the environment.
4. **ARVESTA CORPORATION DISCLAIMS ALL OTHER WARRANTIES, EXPRESSED OR IMPLIED, INCLUDING ANY WARRANTY OF FITNESS OR MERCHANTABILITY. SELLER SHALL NOT BE LIABLE FOR CONSEQUENTIAL, SPECIAL OR INDIRECT DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT AND SELLER'S SOLE LIABILITY AND BUYER'S AND USER'S EXCLUSIVE REMEDY SHALL BE LIMITED TO THE REFUND OF THE PURCHASE PRICE. ARVESTA DOES NOT AUTHORIZE ANY AGENT OR REPRESENTATIVE TO MAKE ANY OTHER WARRANTY, GUARANTEE OR REPRESENTATION CONCERNING THIS PRODUCT.**

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