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%

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

ARVESTA CORPORATION
100 First Street, Suite 1700
San Francisco, CA 94105
EPA Registration No. 66330-49
EPA Est. No. 554-ND-002
Label Number 20444-C
FIRST AID
If on skin or clothing • 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) 229-5655, Ext. 174.

Note To Physician: No specific antidote is available. Treat the patient symptomatically.

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS
Caution: Hamful if absorbed through skin. Avoid contact with skin, eyes or clothing.

PERSONAL PROTECTIVE EQUIPMENT (PPE)
Applicants 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

See following instructions for cleaning/maintaining PPE. If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

Engineer:ing Control Statement
When handling use in closed areas, enclosed cabinets, or aircraft in a manner that the requirements 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.

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.

Exemption: 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, cheatgrass, crabgrass and numerous other broadleaf weeds, including redtop and shepherd’s purse. In spring, summer and winter wheat, EVEREST also suppresses additional grass and broadleaf weeds, including yellow foxtail, Italian ryegrass and winter streak.

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 not become competitive. For broader spectrum activity, EVEREST may be tank mixed with a broadleaf herbicide. EVEREST will control wild oat and green foxtail biotypes which have developed target site resistance to certain classes of herbicides, including ACCase inhibitors, diquat, and triclopyr.

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

General Use Restrictions
1. For use only in wheat.
2. Do not mix, load or clean spray equipment within 33 feet of well-heads or aquatic systems, including wetlands, marshes, ponds, ditches, streams, lakes, etc.
3. Do not apply within 50 feet of well-heads or the above mentioned aquatic systems.
4. Do not apply when rain is expected within the next 24 hours.
5. Do not apply this chemical to drift onto other crops, especially canola, tame oats or other non-target crops.
6. Do not apply to crops other than the wheat listed on this label.
7. Do not apply after wheat jointing.
8. Do not apply before jointing begins.

Mixing Instructions
Ensure the spray tank is clean. In-line strainers and nozzle screens should be clean and 50 mesh or coarser.
1. Fill the spray tank 1/4 to 1/2 full with clean water and begin agitation or bypass. 2. Add the appropriate rate of EVEREST directly to the spray tank.
3. Add the broadleaf weed herbicide. 4. Add the surfactant. 5. Add micronutrients (if needed). 6. Fill the spray tank to the required level. 7. 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 in environmental conditions supporting 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 mix or apply more than 0.025 lb acid equivalent (i.e., acetamiprid) per 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. flats fan nozzle 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 better provide 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 spray volume 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 Dust 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 when endangered plant species occur in the counties listed in the table below.

<table>
<thead>
<tr>
<th>State</th>
<th>County</th>
<th>State</th>
<th>County</th>
</tr>
</thead>
<tbody>
<tr>
<td>Idaho</td>
<td>Lewis</td>
<td>Montana</td>
<td>Flathead Lake</td>
</tr>
<tr>
<td>Clackamas</td>
<td>Orgeon</td>
<td>Washington</td>
<td>Laramie</td>
</tr>
<tr>
<td>Benton</td>
<td>Montana</td>
<td>Lewis</td>
<td>Lincoln</td>
</tr>
<tr>
<td>Lincoln</td>
<td>Flathead Lake</td>
<td>Spokane</td>
<td>Whitman</td>
</tr>
</tbody>
</table>

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

For aerial applications, the applicator must:
1. Leave a 5-foot untreated buffer between treatment area and native plant communities.
2. Leave a 350-foot untreated buffer between treatment area and native plant communities.
3. For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation.

TIMING OF APPLICATION TO WHEAT

CRAP

GROWTH STAGE

Everest

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.

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 when 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

<table>
<thead>
<tr>
<th>GRASS WEED</th>
<th>GROWTH STAGE</th>
<th>REMARKS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wild oats (Avena fatua)</td>
<td>1 leaf to 6 total leaves</td>
<td>Control</td>
</tr>
<tr>
<td>Foxtail (Setaria viridis)</td>
<td>1 leaf to 6 total leaves</td>
<td>Control</td>
</tr>
<tr>
<td>Foxtail (Setaria glauca)</td>
<td>1 leaf to 6 total leaves</td>
<td>Suppression</td>
</tr>
<tr>
<td>Ryegrass (Lolium spp)</td>
<td>1 leaf to tillering</td>
<td>Suppression</td>
</tr>
<tr>
<td>Cheat grass (Bromus secalinus)</td>
<td>Apply when actively growing</td>
<td>Control – Fall Suppression – Spring</td>
</tr>
<tr>
<td>Japanese Brome (Bromus japonicus)</td>
<td>Apply when actively growing</td>
<td>Control – Fall Suppression – Spring</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>GRASS WEEDS</th>
<th>RATE</th>
<th>NOTES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wild Oats (Avena fatua)</td>
<td>0.4 – 0.6 oz/A</td>
<td>Low to medium infestations – 0.4 oz/A HIGH INFESTATIONS OR WHEN TANK MIXED WITH DICAMBA – 0.6 oz/A.</td>
</tr>
<tr>
<td>Foxtail (Setaria viridis)</td>
<td>0.3 – 0.6 oz/A</td>
<td>For control of foxtail only, use 0.3 oz/A.</td>
</tr>
<tr>
<td>Windgrass (Apera spica-venti)</td>
<td>0.3 oz/A</td>
<td>Control.</td>
</tr>
<tr>
<td>Foxtail (Setaria glauca)</td>
<td>0.6 oz/A</td>
<td>Suppression.</td>
</tr>
<tr>
<td>Italian Ryegrass (Lolium multiflorum)</td>
<td>0.6 oz/A</td>
<td>Suppression.</td>
</tr>
<tr>
<td>Cheat Grass (Bromus secalinus)</td>
<td>0.6 oz/A</td>
<td>Control with fall applications.</td>
</tr>
<tr>
<td>Japanese Brome (Bromus japonicus)</td>
<td>0.6 oz/A</td>
<td>Suppression with spring applications.</td>
</tr>
</tbody>
</table>

1. 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.

<table>
<thead>
<tr>
<th>Broadleaf Weeds</th>
<th>Rate</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mustard Complex (Black, Blue, Tansy, Tumble, Wild)</td>
<td>0.6 oz/A</td>
<td>Control.</td>
</tr>
<tr>
<td>Field Pennycress (Thlaspi arvense)</td>
<td>Control.</td>
<td></td>
</tr>
<tr>
<td>Trifluralin (Descurainia sophia)</td>
<td>Control.</td>
<td></td>
</tr>
<tr>
<td>Redroot Pigweed (Amaranthus retroflexus)</td>
<td>Control.</td>
<td></td>
</tr>
<tr>
<td>Shepherd's Purse (Capsella bursa-pastoris)</td>
<td>Control.</td>
<td></td>
</tr>
<tr>
<td>Small Seeded False Flax (Camelina microcarpa)</td>
<td>Suppression.</td>
<td></td>
</tr>
<tr>
<td>Volunteer Canola (Brassica napus ssp. Canolea)</td>
<td>Suppression.</td>
<td></td>
</tr>
<tr>
<td>Wild Tamp (Brassica napus ssp. Stellvestia)</td>
<td>Suppression.</td>
<td></td>
</tr>
<tr>
<td>Burr Buttercups ( Ranunculus ficlikeal)</td>
<td>Suppression.</td>
<td></td>
</tr>
<tr>
<td>Common Waterhem (Amaranthus tamaniscus)</td>
<td>Suppression.</td>
<td></td>
</tr>
<tr>
<td>Tall Wormseed Wildflower (Erystinae cheilanthodes)</td>
<td>Suppression.</td>
<td></td>
</tr>
</tbody>
</table>

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 WDGs as a stand alone or tank mix treatment may be mixed with a non-ionic surfactant according to the following recommendations:

<table>
<thead>
<tr>
<th>RECOMMENDED ADJUVANT USE RATES FOR SPRING AND DURUM WHEAT</th>
<th>Use 1 quart of nonionic surfactant per 100 gallons (0.25% v/v).</th>
</tr>
</thead>
<tbody>
<tr>
<td>EVEREST alone or with amine water soluble herbicides</td>
<td>Use 1 pint of nonionic surfactant per 100 gallons (0.125% v/v).</td>
</tr>
<tr>
<td>EVEREST with ester or EC base herbicides</td>
<td>Use 1 pint of nonionic surfactant per 100 gallons (0.125% v/v).</td>
</tr>
<tr>
<td>EVEREST with sulfonylurea herbicides + 2,4-D or dicamba1</td>
<td>Use 0.5 – 1 quart of nonionic surfactant per 100 gallons (0.125 – 0.25% v/v).</td>
</tr>
</tbody>
</table>

1. If 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.

<table>
<thead>
<tr>
<th>Tank-mix partners</th>
<th>Rate Per Acre</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amw</td>
<td>0.33 to 1.24 oz</td>
</tr>
<tr>
<td>Aim</td>
<td>0.6 oz</td>
</tr>
<tr>
<td>Busrt 4 Cereals</td>
<td>0.5 to 1 pt</td>
</tr>
<tr>
<td>Brouton</td>
<td>1 to 1.5 pt</td>
</tr>
<tr>
<td>Curtall</td>
<td>2 to 2.67 pt</td>
</tr>
<tr>
<td>Curtatt M</td>
<td>1.75 pt</td>
</tr>
<tr>
<td>Dicamba (4 lbs/gal)</td>
<td>2 to 4 oz</td>
</tr>
<tr>
<td>MCPA Amin or Ester</td>
<td>0 to 1 pt</td>
</tr>
<tr>
<td>Starane</td>
<td>0.67 pt</td>
</tr>
<tr>
<td>Slinger</td>
<td>0.25 to 0.33 pt</td>
</tr>
<tr>
<td>2,4-D Amin (4 lbs/gal)</td>
<td>0.5 to 1 pt</td>
</tr>
<tr>
<td>2,4-D Lo Isolete Ester (4 lbs/gal)</td>
<td>0.5 to 1 pt</td>
</tr>
<tr>
<td>2,4-D Lo Isolete Ester (6 lbs/gal)</td>
<td>0.33 to 0.67 pt</td>
</tr>
</tbody>
</table>

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

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

3. Nozzles must always point backward, parallel with the airstream and never be pointed downwards more than 45 degrees.

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

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 fields. 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.
3. Application height should be set at the lowest height that is safe for aircraft operation.
4. Boom length should be set at the lowest length that is safe for aircraft operation.
5. Pressure should be set at the lowest pressure that is safe for aircraft operation.
6. Nozzle type should be set at the lowest nozzle type that is safe for aircraft operation.
7. Nozzle orientation should be set perpendicular to the airstream.
8. Nozzle orientation should be set parallel to the airstream.
9. Application rate should be set at the lowest application rate that is safe for aircraft operation.
10. Application rate should be set at the lowest application rate that is safe for aircraft operation.

AERIAL DRIFT REDUCTION ADVISORY INFORMATION

In 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.

For in-flight conditions, see Wind, Temperature, 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 used, reduce nozzle size to increase pressure.
• Number of Nozzles—Use the minimum number of nozzles that provide uniform coverage.
• Nozzle Orientation—Orient 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 the preferred 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.

When using some set using practices, 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 drift to evaporation and wind.

Swath Adjustment

When applications are made with a crosswind, the swath will be displaced downwind. Therefore, on the up and down 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, smallier 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, EXRESSED 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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