

SPECIMEN LABEL

Agri Star[®]
By Albaugh Inc.

Weed-Hoe[®] 108

ARSONATE LIQUID FOR POSTEMERGENCE WEED CONTROL IN COTTON, NON-BEARING ALMOND AND WALNUT ORCHARDS, PLANTINGS OF NON-BEARING APPLES, APRICOTS, CHERRIES, PEACHES, PEARS, PLUMS AND PRUNES, BEARING AND NON-BEARING CITRUS ORCHARDS SUCH AS GRAPEFRUIT, ORANGE, TANGERINE, LEMON AND LIME, GOLF-COURSES, TURFGRASS, GRASS SEED CROPS, FORESTRY, AND OTHER NON-CROP AREAS SUCH AS DRAINAGE DITCH BANKS, RIGHTS-OF-WAY (INCLUDING HIGHWAY, RAILROAD, PIPELINE, AND UTILITY), FENCE ROWS, GOLF COURSE SAND TRAPS AND STORAGE YARDS.

Manufactured for:

ALBAUGH, INC.
Ankeny, Iowa 50021

**FOR CHEMICAL SPILL, LEAK,
FIRE, OR EXPOSURE, CALL
CHEMTREC (800) 424-9300**

ACTIVE INGREDIENT:

Monosodium Acid Methanearsonate 47.8%

INERT INGREDIENTS: 52.2%

TOTAL 100.0%

Total arsenic, all in water soluble form, expressed as elemental 22.1%. This product contains 6 lbs. MSMA per gallon.

EPA Reg. No. 42750-29
AD012304

EPA Est. No. 42750-MO-1

**KEEP OUT OF REACH OF CHILDREN
CAUTION**

FIRST AID

If swallowed:	<ul style="list-style-type: none">• 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 a poison control center or doctor.• Do not give anything by mouth to an unconscious person.
If in eyes:	<ul style="list-style-type: none">• Hold eye open and rinse slowly and gently with water for 15-20 minutes.• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.• Call a poison control center or doctor for treatment advice.
If on skin or clothing:	<ul style="list-style-type: none">• Take off contaminated clothing.• Rinse skin immediately with plenty of water for 15-20 minutes.• Call a poison control center or doctor for treatment advice.

HOT LINE NUMBER

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-800-424-9300 for emergency medical treatment information.

See inside booklet for additional PRECAUTIONARY STATEMENTS.

**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS
CAUTION**

Harmful if swallowed. Avoid contact with eyes, skin and clothing. Do not contaminate feed and food stuffs.

PERSONAL PROTECTIVE EQUIPMENT

Applicators and other handlers (other than mixers and loaders) must wear:

- Long-sleeved shirt and long pants
- Chemical-resistant gloves
- Shoes plus socks.

Mixers and loaders must wear:

- Long-sleeved shirt and long pants
- Chemical-resistant gloves
- Shoes plus socks
- Protective eyewear
- Chemical-resistant headgear
- Chemical-resistant apron when mixing or loading.

Flagmen should be fully protected during spray operations or mechanical flagmen used.

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.

When handlers use closed systems, enclosed cabs, or aircraft in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.240 (d) (4-6)], the handler PPE requirements may be reduced or modified as specified in the WPS.

USER SAFETY RECOMMENDATIONS:

Users should: Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet. Remove clothing 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, to areas where surface water is present, or to intertidal areas below the mean high water mark. Do not contaminate water by cleaning of equipment or disposal of wastes.

CHEMIGATION PROHIBITION

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

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.

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, waterproof gloves, and shoes plus socks.

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, forest, nurseries, or greenhouses.

Keep children and pets out of treated area until sprays have dried.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Storage should be under lock and key and secure from access by unauthorized persons and children. Store product in a cool, dry area away from any heat or ignition source. High heat may form volatile arsenic compounds. Keep container tightly sealed when not in use. Store in original container only.

PESTICIDE DISPOSAL: Pesticide wastes are toxic. If these wastes cannot be disposed of by the use according to label instructions or disposal at an approved waste disposal facility, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste Representative at the nearest EPA Regional Office for guidance.

CONTAINER DISPOSAL [Agricultural Use Containers]: Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or incineration, or if allowed by state and local authorities, by burning. If burned, stay out of smoke.

CONTAINER DISPOSAL [Homeowner Use Containers]:

If empty: Do not reuse this container. Place in trash or offer for recycling if available.

If partly filled: Your local government may forbid pesticides in their landfills. Therefore, call your local solid waste agency for disposal instructions. Never place unused product down any indoor or outdoor drain.

GENERAL INFORMATION

This product is a herbicide for use in cotton, fruit, nuts, golf-courses, turf, grass seed crops, forestry, and non-crop areas. This product contains a surfactant (wetting agent). Additional surfactant may be required depending on the application spray volume. Local conditions and recommendations vary; consult local agricultural experiment station or extension service weed specialists for recommendations in your area.

A partial list of weeds controlled with this product includes:

Bahiagrass	Dallisgrass	Pigweed
Barnyardgrass	Foxtail	Puncturevine
Brachiaria spp.	(Green & Yellow)	Ragweed
Bullnettle	Goosegrass	Sandbur
Chickweed	Johnsongrass	Watergrass
Cocklebur*	Morningglory	Wood Sorrel
Crabgrass	Nutsedge	
(Smooth & Large)		

*Arsenical resistant varieties may not be controlled.

See Golf Course and Turf Uses for weeds controlled at those sites.

MIXING INSTRUCTIONS: WEED-HOE 108 must be thoroughly dissolved. Fill the spray equipment reservoir about half full with water and add the required amount of herbicide with agitation. Finish filling the reservoir with water and apply. Clean application equipment thoroughly after use by flushing with water in a safe place. Do not store spray solution in tank for a prolonged period.

APPLICATION METHODS

This product should be applied with a low-volume, low-pressure, properly calibrated sprayer having satisfactory pumping and bypass action. For ground directed spray applications adjust nozzles in a manner to allow maximum coverage of weeds (and in a manner to keep spray off cotton foliage). DO NOT apply with hose-end applicators. This product is somewhat corrosive to certain metals; therefore, use in galvanized steel or aluminum equipment is not recommended.

For aerial application with fixed-wing aircraft or helicopter application, an exactly even swath deposition cannot be achieved, and consequently crop injury or pesticide nonperformance may result wholly or in part. Do not apply by air during periods of thermal inversion.

Apply during warm weather when weeds are in an active stage of growth. Adequate coverage is very important for effective weed control.

AERIAL SPRAY DRIFT MANAGEMENT

Spray Drift Management

AVOIDING SPRAY DRIFT AT THE APPLICATION SITE IS THE RESPONSIBILITY OF THE APPLICATOR AND GROWER. The interaction of many equipment-and-weather-related factors determine the potential for spray drift. The applicator and grower are responsible for considering all these factors when making decisions.

The following drift management requirements must be followed to avoid off-target 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 outer most 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 air stream and never be pointed downwards more than 45 degrees.

Where states have more stringent regulations, they shall be observed.

The applicator should be familiar with and take into account the information covered in the [Aerial Drift Reduction Advisory](#).

Aerial Drift Reduction Advisory

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

Information on Droplet Size

The most effective way to reduce drift potential is to apply large droplets. The best drift management strategy is to apply the largest droplets that provide sufficient coverage and control. Applying larger droplets reduces drift potential, but will not prevent drift if applications are made improperly, or under unfavorable environmental conditions (See Wind, Temperature and Humidity, and Temperature Inversions).

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 target plants unless a greater height is required for aircraft safety. Making applications at the lowest height that is safe reduces exposure of droplets to evaporation and wind.

Swath Adjustment

When applications are made with a crosswind, the swath will be displaced downwind. Therefore, on the up and downwind edges of the field, the applicator 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 2-10 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 into the morning. Their presence can be indicated by ground fog; however, if fog is not present, inversions can also be identified by the movement of smoke from a ground source or an aircraft smoke generator. Smoke that layers and moves laterally in a concentrated cloud (under low wind conditions) indicates an inversion, while smoke that moves upward and rapidly dissipates indicates good vertical air mixing.

Sensitive Areas

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

USE DIRECTIONS

COTTON: This product is useful for the control of weeds listed above and many similar weeds. Application can be made: 1) Preplant or postplant up to cracking of soil before cotton emergence using ground or aircraft equipment. 2) Postemergent, over the top, when cotton is 3 to 6 inches high or up to early first square stage, whichever occurs first using ground or aircraft equipment. 3) Postemergent as a directed spray with ground equipment when cotton is 3 inches high to first bloom.

1) PREPLANT OR POSTPLANT UP TO CRACKING APPLICATION ON COTTON: A single ground or aircraft application of this product can be made to prepared cotton seedbeds when planting has been delayed and weeds have emerged, or as a post-plant treatment, but no later than initial cracking of soil in field before emergence of cotton. Planting of cotton may immediately follow the preplant application. Mix at the rate of 2 lbs. a.i. (2 2/3 pints) of this product in 40 gallons of water for ground equipment or in 5 to 10 gallons of water for aircraft application, and apply using a properly calibrated sprayer to one acre. See SPECIAL PRECAUTIONS below. DO NOT make more than one application preplant or postplant up to cracking of soil before cotton emergence.

2) POSTEMERGENT APPLICATION ON COTTON USING GROUND OR AIRCRAFT EQUIPMENT AS AN OVER-THE-TOP BROADCAST SPRAY when cotton is 3 inches high until early first square stage as a salvage operation. Mix at the rate of 1 to 1 1/4 pints of this product in 40 gallons of water for ground equipment or in 5 to 10 gallons of water for aircraft application and apply using a properly calibrated sprayer to one acre. DO NOT apply more than 1.0 lb. a.i. (1 1/4 pints) of this product per acre per application. A second or repeat application, if needed, should be timed 1 to 3 weeks after the first application. Apply only as a salvage operation. Apply only to healthy, rapidly growing cotton, 3 inches high, but no later than 6 inches high or early square, whichever occurs first. Preference should be given to directed sprays. In order to minimize injury, the second application should be made as a directed spray when possible. DO NOT make more than two (2) applications total of either DSMA or MSMA (or a combination) per season.

3) POSTEMERGENT DIRECTED SPRAY APPLICATION ON COTTON when weeds are small using ground equipment. Mix this product at the rate of 2 2/3 pints in 40 gallons of water per acre. For band applications, apply 1 gallon in 40 gallons of water per acre. For band applications, apply 1 gallon of above diluted spray per acre for each 1 inch band width to be treated of cotton grown on 40 inch row spacing. DO NOT apply more than 2.0 lbs. a.i. (2 2/3 pints) of this product per acre per application. A second or repeat application, if needed, should be timed about 1 to 3 weeks after the first application. Keep spray off cotton foliage. Apply only when cotton is 3 inches high to first bloom. Do not apply after first bloom. DO NOT make more than two (2) applications total of either DSMA or MSMA (or a combination) per season.

Slight burning and reddish discoloration of cotton foliage may occasionally be seen following recommended treatment; however, cotton plants will develop normally.

Special precautions: DO NOT allow spray or spray drift to contact adjacent crops or injury will result. Apply only on still days when weather conditions DO NOT favor drift from areas being treated. Aircraft applications of this product should only be made by applicators experienced in use of herbicides, and application should be made in accordance with State and Federal regulations.

Note: Applications to cotton in Florida should be confined to band treatments.

NON-BEARING FRUIT AND NUTS: This product is effective as directed postemergence spray for control of the above listed weeds in non-bearing almond and walnut orchards and plantings of non-bearing apples, apricots, cherries, peaches, pears, plums, and prunes. Mix at a rate of 2 2/3 pints of this product in 50 to 100 gallons of water, as needed for thorough coverage and apply to an area of one acre. For spot treatment of weeds, mix 2 2/3 pints of this product in 50 gallons of water and apply to point of run-off. Application should be made when weeds are small during warm weather and when conditions are favorable for good weed growth. If regrowth occurs, repeat applications should be made, but not more than three (3) applications per year. DO NOT apply more than 2.0 lbs. a.i. (2 2/3 pints) of this product per acre per application. DO NOT allow spray solution to contact foliage, stems or bark of trees or vines. DO NOT use around trees or vines from which crops will be harvested within one year. DO NOT GRAZE TREATED AREAS. In Florida, use only as a spot treatment.

CITRUS, BEARING AND NON-BEARING: This herbicide is useful as a directed application in citrus orchards, such as orange, grapefruit, tangerine, lemon and lime orchards. It should be applied at the rate of 2 2/3 to 5 1/3 pints per acre. Mix at the rate of 2 2/3 pints in 50 gallons of water. Apply as a directed spray in interspaces and around base of trees. Spray unwanted vegetation to just short of run-off. If regrowth occurs, reapply as required; however, DO NOT exceed three (3) applications per year. DO NOT apply more than 4 lbs. a.i. (5 1/3 pints) of this product per acre per application. DO NOT allow spray solution to contact fruit, leaves, stems or bark. Use a shield, if necessary, for nursery plantings or young trees. In Florida, use only as a spot treatment.

BLUEGRASS, FESCUE, & RYEGRASS GROWN FOR SEED (Pacific Northwest): For control of wild oats and certain other broadleaf and grassy weeds, apply 6 to 8 pints of this product per acre in sufficient water for good coverage. Application can be made any time after weeds emerge and before grass has reached boot stage. Use on grasses grown for seed only. DO NOT apply more than 6 lbs. a.i. (8 pints) of this product per acre. DO NOT use more than one application per year. DO NOT apply after boot stage. DO NOT graze treated crop or allow hay, seeds or seed screenings from treated crop to be used for food or feed.

GOLF COURSE AND ORNAMENTAL TURFGRASS: This product can be used for selective control of Bahiagrass, Barnyardgrass, Chickweed, Smooth and Large Crabgrass, Dallisgrass, Nutsedge, Sandbur, and Wood Sorrel with little or no injury to well established, actively growing turfgrass. Mow turfgrass to a height of 1 to 1 1/2 inches before treatment. On new lawns, do not treat until after three mowings. Mix at a rate of 2 1/2 to 2 2/3 pints in 40 to 100 gallons of water for application to one acre. DO NOT apply more than 2 lbs. a.i. (2 2/3 pints) of this product per acre per application. For small areas, mix 1 fluid ounce (2 table-spoons) in 5 gallons of water for application to an area of 1,000 square feet. On established Bermuda and Zoysiagrass, up to 2 fluid ounces in 5 gallons of water per 1000 sq. ft. may be used. Application should be uniform and thorough to adequately wet all undesirable plants.

Two or more repeat treatments at 14-day intervals may be necessary. Do not make more than three (3) applications per year. Make applications during warm weather when temperature is between 80 and 90°F. DO NOT water turf for at least 24 hours after application. Turfgrasses may be temporarily discolored. Bermudagrass, Bluegrass and Zoysiagrass have shown tolerance to properly applied MSMA. Injury may result if applied to Bentgrasses and Fescues. DO NOT apply to St. Augustinegrass, Carpetgrass, Centipedegrass, or to Dichondra lawns. DO NOT reseed until 2 weeks after last application.

FORESTRY:

GENERAL INFORMATION ON TREE CONTROL: This product is designed for crown kill of undesirable trees through spaced-cut injection methods. It is useful for the control of the following conifers: Cedar, Douglas fir, Grand fir, Lodgepole pine, Ponderosa pine, Jack pine, Red pine, Silver fir, and Western hemlock. It is also useful for the control of Big leaf maple, but not most hardwoods. It shows negligible translocation through root grafts and has no residual phytotoxic action in the soil. Forked trees require individual treatment.

CARE OF EQUIPMENT: This product is entirely soluble in water. Rinse all injection equipment thoroughly after use.

USE INSTRUCTIONS:

1. SPACED-CUT INJECTION WITH ANSUL "HYPO-HATCHET" INJECTOR: The Ansul HYPO-HATCHET injector cuts and injects in one operation. When a tree is struck with the injector, a pre-set amount of this product is injected automatically into the sapstream of the tree immediately after impact. The injector works by inertia and is designed to inject at least 1 milliliter of chemical per stroke. The cuts should be evenly spaced around the trunk to give proper distribution into the sapwood. For detailed instructions on how to use the Ansul HYDRO-HATCHET injector, refer to the Operation Manual.

CONIFERS (See General Information on Tree Control) **AND BIG LEAF MAPLE** (Growing Season): For trees less than 8 inches diameter at breast height (DBH), make one cut per 2 inches of DBH (4 1/2" spacing between cut edges) at waist height or below. For trees 8 inches DBH and larger, make one cut per 1 inch DBH (1 1/2" spacing between cut edges).

CONIFERS (Dormant Season): Make one cut per 1 inch of DBH (1 1/2" spacing between cut edges) at waist height or below.

BIG LEAF MAPLE (Dormant Season): Make a complete frill at waist height or below (cuts need not be overlapping).

2. SPACED-CUT APPLICATION: Although spaced-cut application is facilitated by use of the Ansul HYDRO-HATCHET injector, a hatchet or similar cutting tool can be used to make horizontal frills. The number of cuts per tree depends upon the size of the cuts and the volume to be injected, but in any case, should be sufficient to hold the herbicide without running down the trunk. Make certain that each cut penetrates into the sapwood. Large trees with full crowns require almost overlapping frills to effect control. Apply this product with a pump-type oil can, plastic squeeze bottle, or other suitable dispenser.

CONIFERS (See General Information on Tree Control) **AND BIG LEAF MAPLE** (Growing Season): For trees less than 8 inches diameter breast height (DBH), apply 1 to 2 milliliters of this product per cut per 2 inches of DBH (6" spacing between cut centerlines) at waist height or below. For trees 8 inches DBH and larger, use 1 to 2 milliliters per cut per 1 inch DBH (3" spacing between centerlines).

CONIFERS (Dormant Season): Apply 1 to 2 milliliters of this product per cut per 1 inch of DBH (3" spacing between cut centerlines)

BIG LEAF MAPLE (Dormant Season): Apply 1 to 2 milliliters of this product per cut in a complete frill at waist height or below (cuts need not be overlapping).

1 fluid ounce = 29.57 milliliters
1 gallon = 3785 milliliters

NON-CROP: This product is effective in control of the above listed weeds and many similar weeds on drainage ditch banks, rights-of-way (including highway, railroad, pipeline, and utility), fence rows, golf course sand traps, storage yards and many similar non-crop areas. Application should be made when weeds are small and conditions are favorable for good weed growth. Mix at a rate of 2 1/2 to 6 pints of this product in 40 to 50 gallons of water for application to one acre. DO NOT apply more than 4.5 lbs. a.i. (6 pints) of this product per acre per application. Use higher rates and spray volume for dense weed growth. For small areas, use 1 to 2 fluid ounces in 5 gallons per 1,000 square feet. Spray undesirable vegetation thoroughly to point of runoff. Adequate coverage and complete wetting of foliage is important for effective control. Repeat applications may be necessary if regrowth occurs. DO NOT make more than five (5) applications per year. Use only as spot treatment in Florida.

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. or the Seller. All such risks shall be assumed by the Buyer.

ALBAUGH, INC. warrants 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. **ALBAUGH, INC. MAKES NO 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.**

BUYER'S EXCLUSIVE REMEDY AND MANUFACTURER'S OR SELLER'S EXCLUSIVE LIABILITY 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. **IN NO CASE SHALL ALBAUGH, INC. OR THE SELLER BE LIABLE FOR CONSEQUENTIAL, SPECIAL OR INDIRECT DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT.** ALBAUGH, INC. 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. or the Seller is authorized to vary or exceed the terms of this Warranty in any other manner.