

Sonar[®] Q

Aquatic Herbicide

SPECIMEN



An herbicide for management of aquatic vegetation in fresh water ponds, lakes, reservoirs, potable water sources, drainage canals, irrigation canals and rivers.

Active Ingredient

fluridone: 1-methyl-3-phenyl-5-[3-(trifluoromethyl)phenyl]-4(1*H*)-pyridinone 5.0%

Other Ingredients 95.0%

TOTAL 100.0%

Contains 0.05 lbs active ingredient per pound.

Keep Out of Reach of Children

CAUTION / PRECAUCIÓN

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.)

Refer to inside of label booklet for additional precautionary information and Directions for Use including Storage and Disposal.

NOTICE: Read the entire label before using. Use only according to label directions. Before buying or using this product, read *Terms and Conditions of Use, Warranty Disclaimer, Inherent Risks of Use and Limitation of Remedies* inside label booklet.

Sonar is a registered trademark of SePRO Corporation.

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PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION. Harmful If Swallowed, Absorbed Through Skin, or If Inhaled. Avoid breathing of dust or contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse.

KEEP OUT OF REACH OF CHILDREN CAUTION/PRECAUCIÓN

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.)

FIRST AID

If in eyes	<ul style="list-style-type: none">Hold eye open and rinse slowly and gently with water for 15 to 20 minutes.Remove contact lenses, if present, after the first 5 minutes; then continue rinsing eye.Call a poison control center 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 to 20 minutes.Call a poison control center or doctor for treatment advice.
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 inhaled	<ul style="list-style-type: none">Move person to fresh air.If person is not breathing, call 911 or an ambulance; then give artificial respiration, preferably mouth-to-mouth, if possible.Call a poison control center or doctor for further treatment advice.

ENVIRONMENTAL HAZARDS

Follow use directions carefully so as to minimize adverse effects on non-target organisms. Trees and shrubs growing in water treated with Sonar Q may occasionally develop chlorosis. Do not apply in tidewater/brackish water. Lowest rates should be used in shallow areas where the water depth is considerably less than the average depth of the entire treatment site, for example, shallow shoreline areas.

DIRECTIONS FOR USE

It is a violation of Federal Law to use this product in a manner inconsistent with its labeling.

Read all Directions Carefully Before Applying Sonar Q.

STORAGE AND DISPOSAL

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

Pesticide Storage: Store in original container only. Do not store near feed or foodstuffs. In case of leak or spill, contain material and dispose as waste.

Pesticide Disposal: Wastes resulting from use of this product may be used according to label directions or disposed of at an approved waste disposal facility.

Container Disposal

Nonrefillable Container. DO NOT reuse or refill this container. Triple rinse or pressure rinse container (or equivalent) promptly after emptying; then offer for recycling, if available, or reconditioning, if appropriate, or puncture and dispose of in a sanitary landfill, or by incineration, or by other procedures approved by state and local authorities.

Triple rinse containers small enough to shake (capacity ≤ 50 pounds) as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container ¼ full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank, or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times.

Triple rinse containers too large to shake (capacity > 50 pounds) as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container ¼ full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank, or store rinsate for later use or disposal. Repeat this procedure two more times.

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

Refillable Container. Refill this container with pesticide only. DO NOT reuse this container for any other purpose. Triple rinsing the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. Triple rinse as follows: To clean the container before final disposal, empty the remaining contents from this container into application equipment or mix tank. Fill the container about 10% full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times. When this container is empty, replace the cap and seal all openings that have been opened during use; return the container to the point of purchase or to a designated location. This container must only be refilled with a pesticide product. Prior to refilling, inspect carefully for damage such as cracks, punctures, abrasions, worn-out threads and closure devices. Check for leaks after refilling and before transport. **DO NOT** transport if this container is damaged or leaking. If the container is damaged, or leaking, or obsolete and not returned to the point of purchase or to a designated location, triple rinse emptied container and offer for recycling, if available, or dispose of container in compliance with state and local regulations.

PRODUCT INFORMATION

Sonar Q herbicide is a selective systemic aquatic herbicide for management of aquatic vegetation in fresh water ponds, lakes, reservoirs, drainage canals, irrigation canals, and rivers. Sonar Q is a pelleted formulation containing 5% fluridone. Sonar Q is absorbed from water by plant shoots and from hydrosol by the roots of aquatic vascular plants. It is important to maintain Sonar Q in contact with the target plants for as long as possible. Rapid water movement or any condition which results in rapid dilution of Sonar Q in treated water will reduce its effectiveness. In susceptible plants, Sonar Q inhibits the formation of carotene. In the absence of carotene, chlorophyll is rapidly degraded by sunlight.

Herbicidal symptoms of Sonar Q appear in seven to ten days and appear as white (chlorotic) or pink growing points. Under optimum conditions 30 to 90 days are required before the desired level of aquatic weed management is achieved with Sonar Q. Species susceptibility to Sonar Q may vary depending on time of year, stage of growth and water movement. For best results, apply Sonar Q prior to initiation of weed growth or when weeds begin active growth. Application to mature target plants may require an application rate at the higher end of the specified rate range and may take longer to control.

Sonar Q is not corrosive to application equipment.

The label provides recommendations on the use of a chemical analysis for the active ingredient. SePRO Corporation recommends the use of a High-Performance Liquid Chromatography (HPLC) for the determination of the active ingredient concentration in the water. Contact SePRO Corporation to incorporate this test, known as a FasTEST, into your treatment program. Other proven chemical analyses for the active ingredient may also be used. The FasTEST is referenced in this label as the preferred method for the rapid determination of the concentration of the active ingredient in the water.

Application rates are provided in pounds of Sonar Q to achieve a desired concentration of the active ingredient in parts per billion (ppb). **The maximum application rate or sum of all application rates is 90 ppb in ponds and 150 ppb in lakes and reservoirs per annual growth cycle.** This maximum concentration is the amount of product calculated as the target application rate, NOT determined by testing the concentrations of the active ingredient in the treated water.

Use Precautions and Restrictions

- **Obtain Required Permits:** Consult with appropriate state or local water authorities before applying this product. Permits may be required by state or local public agencies.
- **New York State:** Application of Sonar Q is not permitted in waters less than two (2) feet deep, except as permitted under FIFRA Section 24(c), Special Local Need registration.
- **Hydroponic Farming:** Do not use Sonar Q treated water for hydroponic farming unless a FasTEST has been run and confirmed that concentrations are less than 1 ppb.
- **Greenhouse and Nursery Plants:** Consult with SePRO Corporation for site-specific recommendations prior to any use of Sonar Q treated water for irrigating greenhouse or nursery plants. Without site-specific guidance from SePRO, do not use Sonar Q treated water for irrigating greenhouse or nursery plants unless a FasTEST has been run and confirmed that concentrations are less than 1 ppb.
- **Water Use Restrictions Following Applications With Sonar Q (Days)**

Application Rate	Drinking [†]	Fishing	Swimming	Livestock/ Pet Consumption	Irrigation ^{††}
Maximum Rate (150 ppb) or less	0	0	0	0	See irrigation instructions below

[†] Note below, under *Potable Water Intakes*, the information for application of Sonar Q within ¼ miles (1,320 feet) of a functioning potable water intake.

^{††} Note below, under *Irrigation*, specific time frames or fluridone concentrations that provide the widest safety margin for irrigating with fluridone treated water.

- **Potable Water Intakes:** Concentrations of the active ingredient fluridone up to 150 ppb are allowed in potable water sources; however, in lakes and reservoirs or other sources of potable water, do not apply Sonar Q at application rates greater than 20 ppb within one-fourth (1/4) mile (1,320 feet) of any functioning potable water intake. At application rates of 8-20 ppb, Sonar Q may be applied where functioning potable water intakes are present. **NOTE: Existing potable water intakes which are no longer in use, such as those replaced by connections to potable water wells or a municipal water system, are not considered to be functioning potable water intakes.**

- **Irrigation:** Irrigation with Sonar Q treated water may result in injury to the irrigated vegetation. Follow these precautions and inform those who irrigate from areas treated with Sonar Q of the irrigation time frames or FasTEST requirements presented in the table below. These time frames and FasTEST recommendations are suggestions which should be followed to reduce the potential for injury to vegetation irrigated with water treated with Sonar Q. Greater potential for crop injury occurs where Sonar Q treated water is applied to crops grown on low organic and sandy soils.

Application Site	Days After Application		
	Established Tree Crops	Established Row Crops/ Turf/Plants	Newly Seeded Crops/Seedbeds or Areas to be Planted Including Overseeded Golf Course Greens
Ponds and Static Canals [†]	7	30	FasTEST required
Canals	7	7	FasTEST required
Rivers	7	7	FasTEST required
Lakes and Reservoirs ^{††}	7	7	FasTEST required

[†] For purposes of Sonar Q labeling, a pond is defined as a body of water 10 acres or less in size. A lake or reservoir is greater than 10 acres.

^{††} In lakes and reservoirs where one-half or greater of the body of water is treated, use the pond and static canal irrigation precautions.

Where the use of Sonar Q treated water is desired for irrigating crops prior to the time frames established above, the use of a FasTEST is recommended to measure the concentration in the treated water. Where a FasTEST has determined that concentrations are less than 10 parts per billion, there are no irrigation precautions for irrigating established tree crops, established row crops or turf. **For tobacco, tomatoes, peppers or other plants within the Solanaceae Family and newly seeded crops or newly seeded grasses such as overseeded golf course greens, do not use Sonar Q treated water if concentration are greater than 5 ppb; furthermore, when rotating crops, do not plant members of the Solanaceae family in land that has been previously irrigated with fluridone concentrations in excess of 5 ppb. It is recommended that a SePRO Aquatic Specialist be consulted prior to commencing irrigation of these sites.**

PLANT CONTROL INFORMATION

Sonar Q selectivity is dependent upon dosage, time of year, stage of growth, method of application, and water movement. The following categories, controlled, partially controlled, and not controlled are provided to describe expected efficacy under ideal treatment conditions using higher to maximum label rates. Use of lower rates will increase selectivity of some species listed as controlled or partially controlled. Additional aquatic plants may be controlled, partially controlled, or tolerant to Sonar Q. It is recommended to consult a SePRO Aquatic Specialist prior to application of Sonar Q to determine a plant's susceptibility to Sonar Q.

Vascular Aquatic Plants Controlled by Sonar Q: ¹

Submersed Plants:

- bladderwort (*Utricularia* spp.)
- common coontail (*Ceratophyllum demersum*) [†]
- common Elodea (*Elodea canadensis*) [†]
- egeria, Brazilian Elodea (*Egeria densa*)
- fanwort, Cabomba (*Cabomba caroliniana*)
- hydrilla (*Hydrilla verticillata*)
- naiad (*Najas* spp.) [†]
- pondweed (*Potamogeton* spp., except Illinois pondweed) [†]
- watermilfoil (*Myriophyllum* spp. except variable-leaf milfoil)

Shoreline Grasses:

- paragrass (*Urochloa mutica*)

¹ Species denoted by a dagger (†) are native plants that are often tolerant to fluridone at lower use rates. Please consult a SePRO Aquatic Specialist for recommended Sonar Q use rates (not to exceed maximum labeled rates) when selective control of exotic species is desired.

Vascular Aquatic Plants Partially Controlled by Sonar Q:

Submersed Plants:

Illinois pondweed (*Potamogeton illinoensis*)
 limnophila (*Limnophila sessiliflora*)
 tapegrass, American eelgrass (*Vallisneria americana*)
 watermilfoil--variable-leaf (*Myriophyllum heterophyllum*)

Emersed Plants:

alligatorweed (*Alternanthera philoxeroides*)
 American lotus (*Nelumbo lutea*)
 cattail (*Typha* spp.)
 creeping waterprimrose (*Ludwigia peploides*)
 parrotfeather (*Myriophyllum aquaticum*)
 smartweed (*Polygonum* spp.)
 spatterdock (*Nuphar luteum*)
 spikerush (*Eleocharis* spp.)
 waterlily (*Nymphaea* spp.)
 waterpurslane (*Ludwigia palustris*)
 watershield (*Brasenia schreberi*)

Floating Plants:

Salvinia (*Salvinia* spp.)

Shoreline Grasses:

barnyardgrass (*Echinochloa crusgalli*)
 giant cutgrass (*Zizaniopsis miliacea*)
 reed canarygrass (*Phalaris arundinaceae*)
 southern watergrass (*Hydrochloa caroliniensis*)
 torpedograss (*Panicum repens*)

Vascular Aquatic Plants Not Controlled by Sonar Q:

Emersed Plants:

American frogbit (*Limnobium spongia*)
 arrowhead (*Sagittaria* spp.)
 bacopa (*Bacopa* spp.)
 big floatingheart, banana lily (*Nymphoides aquatica*)
 bulrush (*Scirpus* spp.)
 pickerelweed, lanceleaf (*Pontederia* spp.)
 rush (*Juncus* spp.)
 water pennywort (*Hydrocotyle* spp.)

Floating Plants:

floating waterhyacinth (*Eichhornia crassipes*)
 waterlettuce (*Pistia stratiotes*)

Shoreline Grasses:

maidencane (*Panicum hemitomon*)

NOTE: algae (chara, nitella, and filamentous species) are not controlled by Sonar Q

APPLICATION DIRECTIONS

The aquatic plants present in the treatment site should be identified prior to application to determine their susceptibility to Sonar Q. It is important to determine the area (acres) to be treated and the average depth in order to select the proper application rate. Do not exceed the maximum labeled rate for a given treatment site per annual growth cycle.

Application to Ponds

Sonar Q may be applied to the entire surface area of a pond. For single applications, rates may be selected to provide 45 to 90 ppb to the treated water, although actual concentrations in treated water may be substantially lower at any point in time due to the slow-release formulation of this product. When treating for optimum selective control, lower rates may be applied for sensitive target species. Use the higher rate within the rate range where there is a dense weed mass, when treating more difficult to control species, and for ponds less than 5 acres in size with an average depth less than 4 feet. Application rates necessary to obtain these concentrations in treated water are shown in the following table. For additional application rate calculations, refer to the *Application Rate Calculation—Ponds, Lakes and Reservoirs* section of this label. Split or multiple applications may be used where dilution of treated water is anticipated; however, the sum of all applications should total 45 to 90 ppb and must not exceed a total of 90 ppb per annual growth cycle.

Average Water Depth of Treatment Site (feet)	Pounds of Sonar Q per Treated Surface Acre	
	45 ppb	90 ppb
1	2.5	5.0
2	5.0	10.0
3	7.5	15.0
4	10.0	20.0
5	12.5	25.0
6	15.0	30.0
7	17.0	34.0
8	19.5	39.0
9	22.0	44.0
10	24.5	49.0

Application to Lakes and Reservoirs

The following treatments may be used for treating both whole lakes or reservoirs and partial areas of lakes or reservoirs (bays, etc.). For best results in treating partial lakes and reservoirs, Sonar Q treatment areas should be a minimum of 5 acres in size. Treatment of areas smaller than 5 acres or treatment of narrow strips such as boat lanes or shorelines may not produce satisfactory results due to dilution by untreated water. Rate ranges are provided as a guide to include a wide range of environmental factors, such as target species, plant susceptibility, selectivity and other aquatic plant management objectives. Application rates and methods should be selected to meet the specific lake/reservoir aquatic plant management goals.

A. Whole Lake or Reservoir Treatments (Limited or No Water Discharge)

Single Application to Whole Lakes or Reservoirs

Where single applications to whole lakes or reservoirs are desired, apply Sonar Q at an application rate of 16 to 90 ppb. Application rates necessary to obtain these concentrations in treated water are shown in the following table. For additional application rate calculations, refer to the *Application Rate Calculation—Ponds, Lakes and Reservoirs* section of this label. Choose an application rate from the table below to meet the aquatic plant management objective. **Where greater plant selectivity is desired such as when controlling Eurasian watermilfoil and curlyleaf pondweed, choose an application rate lower in the rate range.** For other plant species, SePRO recommends contacting a SePRO Aquatic Specialist in determining when to choose application rates lower in the rate range to meet specific plant management goals. Use the higher rate within the rate range where there is a dense weed mass or when treating more difficult to control plant species or in the event of a heavy rainfall event where dilution has occurred. In these cases, a second application or more may be required; however, the sum of all applications cannot exceed 150 ppb per annual growth cycle. Refer to the section of this label entitled, *Split or Multiple Applications to Whole Lakes or Reservoirs*, for guidelines and maximum rate allowed.

Average Water Depth of Treatment Site (feet)	Pounds of Sonar Q Per Treated Surface Acre	
	16 ppb	90 ppb
1	0.9	5.0
2	1.7	10.0
3	2.6	15.0
4	3.5	20.0
5	4.3	25.0
6	5.2	30.0
7	6.0	34.0
8	6.9	39.0
9	7.8	44.0
10	8.6	49.0
11	9.5	54.0
12	10.4	59.0
13	11.2	64.0
14	12.1	68.0
15	13.0	73.0
16	13.8	78.0
17	14.7	83.0
18	15.6	88.0
19	16.4	93.0
20	17.3	98.0

Split or Multiple Applications to Whole Lakes or Reservoirs

To meet certain plant management objectives, split or multiple applications may be desired in making whole lake treatments. Split or multiple application programs are desirable when the objective is to use the minimum effective dose and to maintain this lower dose for the sufficient time to ensure efficacy and enhance selectivity. Under these situations, use the lower rates (16 to 75 ppb) within the rate range. **In controlling Eurasian watermilfoil and curlyleaf pondweed and where greater plant selectivity is desired, choose an application rate lower in the rate range.** For other plant species, SePRO recommends contacting a SePRO Aquatic Specialist in determining when to choose application rates lower in the rate range to meet specific plant management goals. For split or repeated applications, the sum of all applications must not exceed 150 ppb per annual growth cycle.

NOTE: In treating lakes or reservoirs that contain potable water intakes and the application requires treating within ¼ mile of a potable water intake, no single application can exceed 20 ppb. Additionally, the sum of all applications cannot exceed 150 ppb per annual growth cycle.

B. Partial Lake or Reservoir Treatments

Where dilution of Sonar Q with untreated water is anticipated, such as in partial lake or reservoir treatments, split or multiple applications may be used to extend the contact time to the target plants. The application rate and use frequency of Sonar Q in a partial lake is highly dependent upon the treatment area. An application rate at the higher end of the specified rate range may be required and frequency of applications will vary depending upon the potential of untreated water diluting the Sonar Q concentration in the treatment area. Use a rate at the higher end of the rate range where greater dilution with untreated water is anticipated.

Application Sites Greater Than ¼ Mile from a Functioning Potable Water Intake

For single applications, apply Sonar Q at application rates from 45 to 150 ppb. Split or multiple applications may be made; however, the sum of all applications cannot exceed 150 ppb per annual growth cycle. Split applications should be conducted to maintain a sufficient concentration in the target area for a period of 45 days or longer. The use of a FasTEST is recommended to maintain the desired concentration in the target area over time.

Application Sites within ¼ Mile of a Functioning Potable Water Intake
In treatment areas that are within ¼ mile of a potable water intake, no single application can exceed 20 ppb. When utilizing split or repeated applications of Sonar Q for sites which contain a potable water intake, a FasTEST is required to determine the actual concentration in the water. Additionally, the sum of all applications cannot exceed 150 ppb per annual growth cycle.

Application Rate Calculation — Ponds, Lakes and Reservoirs

The amount of Sonar Q to be applied to provide the desired ppb concentration of active ingredient equivalents in treated water may be calculated as follows:

$$\text{Pounds of Sonar Q required per treated acre} = \text{Average water depth of treatment site} \times \text{Desired ppb concentration of active ingredient equivalents} \times 0.054$$

For example, the pounds per acre of Sonar Q required to provide a concentration of 25 ppb of active ingredient equivalents in water with an average depth of 5 feet is calculated as follows:

$$5 \times 25 \times 0.054 = 6.75 \text{ pounds per treated surface acre.}$$

NOTE: Calculated rates may not exceed the maximum allowable rate in pounds per treated surface acre for the water depth listed in the application rate table for the site to be treated.

Application to Drainage Canals, Irrigation Canals and Rivers

Static Canals:

In static drainage and irrigation canals, apply Sonar Q at the rate of 20 to 40 pounds per surface acre.

Moving Water Canals and Rivers:

The performance of Sonar Q will be enhanced by restricting or reducing water flow. In slow moving bodies of water use an application technique that maintains a concentration of 10 to 40 ppb in the applied area for a minimum of 45 days. Sonar Q can be applied by split or multiple broadcast applications or by metering in the product to provide a uniform concentration of the herbicide based upon the flow pattern. The use of a FasTEST is recommended to maintain the desired concentration in the target area over time.

Static or Moving Water Canals or Rivers Containing a Functioning Potable Water Intake

In treating a static or moving water canal or river which contains a functioning potable water intake, applications of Sonar Q greater than 20 ppb must be made more than ¼ mile from a functioning potable water intake. Applications less than 20 ppb may be applied within ¼ mile from a functioning potable water intake; however, if applications of Sonar Q are made within ¼ mile from a functioning water intake, a FasTEST must be utilized to demonstrate that concentrations do not exceed 150 ppb at the potable water intake.

Application Rate Calculation — Drainage Canals, Irrigation Canals and Rivers

The amount of Sonar Q to be applied through a metering system to provide the desired ppb concentration of active ingredient in treated water may be calculated as follows:

1. Average flow rate (feet per second) x average width (ft.) x average depth (ft.) x 0.9 = CFS (cubic feet per second)
2. CFS x 1.98 = acre feet per day (water movement)
3. Acre feet per day x desired ppb x 0.054 = pounds Sonar Q required per day.

ERMS AND CONDITIONS OF USE

If terms of the following *Warranty Disclaimer*, *Inherent Risks of Use* and *Limitation of Remedies* are not acceptable, return unopened package at once to the seller for a full refund of purchase price paid. Otherwise, to the extent consistent with applicable law, use by the buyer or any other user constitutes acceptance of the terms under *Warranty Disclaimer*, *Inherent Risks of Use*, and *Limitation of Remedies*.

WARRANTY DISCLAIMER

SePRO Corporation warrants that the product conforms to the chemical description on the label and is reasonably fit for the purposes stated on the label when used in strict accordance with the directions, subject to the inherent risks set forth below. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, SEPRO CORPORATION MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR ANY OTHER EXPRESS OR IMPLIED WARRANTY.

INHERENT RISKS OF USE

It is impossible to eliminate all risks associated with use of this product. Plant injury, lack of performance, or other unintended consequences may result because of such factors as use of the product contrary to label instructions (including conditions noted on the label such as unfavorable temperatures, soil conditions, etc.), abnormal conditions (such as excessive rainfall, drought, tornadoes, hurricanes), presence of other materials, the manner of application, or other factors, all of which are beyond the control of SePRO Corporation or the seller. To the extent consistent with applicable law, all such risks shall be assumed by buyer.

LIMITATION OF REMEDIES

To the extent consistent with applicable law, the exclusive remedy for losses or damages resulting from this product (including claims based on contract, negligence, strict liability, or other legal theories) shall be limited to, at SePRO Corporation's election, one of the following:

- (1) Refund of purchase price paid by buyer or user for product bought, or
- (2) Replacement of amount of product used.

To the extent consistent with applicable law, SePRO Corporation shall not be liable for losses or damages resulting from handling or use of this product unless SePRO Corporation is promptly notified of such losses or damages in writing. In no case shall SePRO Corporation be liable for consequential or incidental damages or losses.

The terms of the *Warranty Disclaimer*, *Inherent Risks of Use* and this *Limitation of Remedies* cannot be varied by any written or verbal statements or agreements. No employee or sales agent of SePRO Corporation or the seller is authorized to vary or exceed the terms of the *Warranty Disclaimer* or this *Limitation of Remedies* in any manner.

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