

# Transtect™ 70WSP

## INSECTICIDE

**Net Weight:**  
0.75 pounds  
(contains  
20/0.6 oz WSP  
packets)

### KEEP OUT OF REACH OF CHILDREN CAUTION

SEE NEXT PAGE FOR ADDITIONAL PRECAUTIONARY STATEMENTS.

**For foliar and systemic control of sucking and chewing insects** infesting ornamental plants grown in outdoor landscapes (commercial, industrial, recreational and residential), parks, schools, cemeteries, airport grounds, military grounds, golf courses, woodlots and athletic fields.

For outdoor use only.

| Active Ingredient    | By Wt. |
|----------------------|--------|
| *Dinotefuran.....    | 70%    |
| Other Ingredients... | 30%    |
| Total.....           | 100%   |

\*N-methyl-N'-nitro-N"-[(tetrahydro-3-furanyl)methyl]guanidine

EPA Reg. No. 59639-170-74779

EPA Est. No. 46275-IL-2

Distributed by:



**Rainbow Treecare Scientific Advancements**

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1-877-272-6747

www.treecarescience.com

#### FIRST AID:

##### IF ON SKIN OR CLOTHING

- Take off contaminated clothing.
- Rinse skin immediately with plenty of water for 15-20 minutes.
- Call poison control center or doctor immediately for treatment advice.

##### IF SWALLOWED

- Call poison control center or doctor immediately for treatment advice.
- Do not induce vomiting unless told to do so by the poison control center or doctor.
- Have person sip a glass of water if able to swallow.
- Do not give anything by mouth to an unconscious person.

##### IF IN EYES

- Hold eye open and rinse slowly and gently with water for 15-20 minutes.
- Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.
- Call a poison control center or doctor for further treatment advice.

##### IF INHALED

- 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 poison control center or doctor immediately for treatment advice.

Have the product container or label with you when calling a poison control center or doctor or going for treatment.

#### HOT LINE NUMBER

For 24 hour medical emergency assistance (human or animal), or chemical emergency assistance (spill, leak or accident).

**Call CHEMTREC at 1-800-424-9300.**

#### PRECAUTIONARY STATEMENT

**HAZARDS TO HUMANS AND DOMESTIC ANIMALS**

### CAUTION

#### PERSONAL PROTECTIVE EQUIPMENT (PPE):

Some materials that are chemical-resistant to this product are listed below. If you want more options, follow the instructions for category A on an EPA chemical resistance category selection chart.

#### USER SAFETY REQUIREMENTS

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

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Chemical-resistant gloves made of any waterproof material such as polyethylene or polyvinyl chloride
- Shoes plus socks.

## 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

This pesticide is toxic to shrimp. 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 treated areas. Drift and runoff from treated areas may be hazardous to aquatic organisms in water adjacent to treated areas. Do not dispose of equipment washwaters or rinsate into a natural drain or water body. Do not contaminate water when disposing of equipment washwaters or rinsate.

This compound is toxic to honey bees. The persistence of residues and potential residual toxicity of Dinotefuran in nectar and pollen suggest the possibility of chronic risk to honey bee larvae and the eventual instability of the hive.

This product is toxic to bees exposed to treatment for more than 38 hours following treatment. Do not apply this product to blooming, pollen-shedding or nectar-producing parts of plants during this time period, unless the application is made in response to a public health emergency declared by appropriate state and federal authorities.

Dinotefuran and its degradate, MNG have the properties and characteristics associated with chemicals detected in ground water. The high water solubility of Dinotefuran, and its degradate, MNG, coupled with its very high mobility, and resistance to biodegradation indicates that this compound has a strong potential to leach to the subsurface under certain conditions as a result of labeled use. Use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in ground water contamination. Periodic monitoring of shallow groundwater in the use area is recommended.

## PHYSICAL OR CHEMICAL HAZARDS

Do not use, pour, spill or store near heat or open flame.

## SPRAY DRIFT ADVISORY

Do not apply under conditions involving possible drift to food, forage or other plantings that might be damaged or the crop thereof rendered for sale, use or consumption.

## DIRECTIONS FOR USE

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

### READ ENTIRE LABEL, USE STRICTLY IN ACCORDANCE WITH PRECAUTIONARY STATEMENTS AND DIRECTIONS, AND WITH APPLICABLE STATE AND FEDERAL REGULATIONS.

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.

## NON-AGRICULTURAL USE REQUIREMENTS

The requirements in this box apply to uses of this product that are NOT within the scope of the Worker Protection Standard for agricultural pesticides (40 CFR Part 170). The WPS applies when this product is used to produce agricultural plants on farms, forests, nurseries or greenhouses.

Keep all unprotected persons out of operating areas, or vicinity where there may be drift.  
Do not enter treated areas without protective clothing until sprays have dried.

## TANK MIXES

NOTICE: Tank mixing or use of this product with any other product which is not specifically and expressly authorized by the label shall be the exclusive risk of user, applicator and/or application advisor.

Read and follow the entire label of each product to be used in the tank mix with this product.

## RESISTANCE MANAGEMENT RECOMMENDATIONS

Transtect 70WSP Insecticide contains a Group 4A insecticide. Insect biotypes with acquired resistance to Group 4A may eventually dominate the insect population if Group 4A insecticides are used repeatedly in the same field or in successive years as the primary method of control for targeted species. This may result in partial or total loss of control of those species by Transtect 70WSP Insecticide or other Group 4A insecticides.

To delay insecticide resistance consider:

- Avoiding the consecutive use of Transtect 70WSP Insecticide, or other Group 4A insecticides that have similar target site of action, on the same insect species.
- Using tank mixtures or premixes with insecticides from a different target site of action Group as long as the involved products are all registered for the same use and have different sites of action.
- Basing insecticide use on a comprehensive IPM program.
- Monitoring treated insect populations for loss of field efficacy.
- Contacting your local extension specialist, certified crop advisors, and/or manufacturers for insecticide resistance management and/or IPM recommendations for the specific site and resistant pest problems.
- For further information, contact Rainbow Treecare Scientific Advancements at the following toll free number: 1-877-272-6747.

## APPLICATION INFORMATION

Transtect 70WSP Insecticide is a systemic insecticide that is taken up by the root system, foliage or through the bark and translocated upward throughout the plant. Apply Transtect 70WSP Insecticide by soil injection, soil drench, basal trunk spray or foliar spray to ornamental plants growing in outdoor landscapes (commercial, industrial, recreational, and residential), parks, schools, cemeteries, airport grounds, military grounds, golf courses, woodlots and athletic fields

**Note:** The active ingredient in Transtect 70WSP Insecticide has been found to be effective on a wide range of insect species. Before using Transtect 70WSP Insecticide for insects not listed in the directions for use, test Transtect 70WSP Insecticide on a small scale basis and evaluate for insect control prior to widespread use.

## USE PRECAUTIONS

- Do not apply when the target site is saturated with water. Adequate distribution of the active ingredient cannot be achieved when these conditions exist.

## RESTRICTIONS

- Do not graze treated areas or use clippings from treated areas for feed or forage.
- Do not allow runoff or puddling of irrigation water following application.
- Do not apply to areas which are water logged or saturated or frozen which will not allow penetration into the root zone of the plant.
- When making foliar applications or basal trunk sprays keep children and pets away from the treated area until the spray has dried.

## MIXING INSTRUCTIONS:

**Transtect 70WSP Insecticide Alone:** Add 1/2 of the required amount of water to the mix tank. With the agitator running, add the desired amount of Transtect 70WSP Insecticide to the tank. Continue agitation while adding the remainder of the water. Begin application of the solution after Transtect 70WSP Insecticide has completely disappeared into the mix water. Maintain agitation until all of the mixture has been applied.

**Transtect 70WSP Insecticide + Tank Mixtures:** Add 1/2 of the required amount of water to the mix tank. Start the agitator before adding any tank mix partners. Add tank mix partners in this order: products packaged in water soluble packaging, wettable powders, wettable granules (dry flowables), liquid flowables, liquids, emulsifiable concentrates, surfactants and adjuvants. Always allow each tank mix partner to become fully dispersed before adding the next product. Provide sufficient agitation while adding the remainder of the water. Maintain agitation until all the mixture has been applied.

**MIXING INSTRUCTIONS (continued):**

**Note:** When tank mixing, add the Transtect 70WSP Insecticide water soluble packets first, followed by any additional products in water soluble packaging. Allow the water soluble packaging to completely dissolve and the product(s) to completely disperse before adding any other tank mix partner to the tank.

If using Transtect 70WSP Insecticide in a tank mixture, observe all directions for use, crops/sites, use rates, dilution ratios, precautions and limitations which appear on the tank mix product label. Do not exceed the label dosage rate, and follow the most restrictive label precautions and limitations. Do not mix this product with any product which prohibits such mixing. Tank mixtures or other applications of products referenced on this label are permitted only in those states in which the referenced products are labeled.

**COMPATIBILITY**

**IMPORTANT: The risk factors of all potential tank mixes have not been tested on all plants. Before applying any tank mixture not specifically recommended on this label, confirm risk factors to the target plant.**

Transtect 70WSP Insecticide is compatible with most commonly used pesticides, adjuvants, and nutritional sprays. However, since it is not possible to test all possible mixtures, pre-test to assure the physical compatibility and lack of phytotoxic effect of any proposed mixture with Transtect 70WSP Insecticide. To determine the physical compatibility of Transtect 70WSP Insecticide with other products, use the test described below. When an adjuvant is to be used with this product. Rainbow Treecare Scientific Advancements recommends the use of a Chemical Producers and Distribution Association Certified adjuvant.

In an appropriately sized container, add 1 (0.6 oz) packet of Transtect 70WSP Insecticide along with the proportionate amounts of additional products to 5 qt of water. Add wettable powders and water dispersible granular products first, then liquid flowables and emulsifiable concentrates last. After thoroughly mixing, let stand for at least 5 minutes. If the combination remains mixed or can be remixed readily, it is physically compatible. Once compatibility has been proven, use the same procedure for additional required ingredients to the spray tank.

**APPLICATION TECHNIQUES**

**Notes:**

- Use higher labeled rates for broadleaf evergreens with dense foliage (example hollies), for applications on large trees, for difficult to control insects, for therapeutic treatments, or for preventive applications made greater than 4 weeks in advance of the target pest infestation
- Transtect 70WSP Insecticide water dilution rates can range from 1 fl oz of water up to 1 gallon of water per foot of shrub height or inch of trunk diameter. Specific dilution rates will depend further on the application equipment and use patterns for each individual.
- Keep soil moist for at least 7 days after application.
- Heavy rainfall or inadequate irrigation immediately following application will decrease performance.
- Applications made during severe drought conditions will result in slower uptake and translocation.

**USE RESTRICTIONS**

- Do not apply to excessively dry, saturated or frozen soil.

**DETERMINING DIAMETER AT BREAST HEIGHT (DBH)**

**Single Stem:** Measure the standard DBH of the tree at 4' 6" above the soil.

**Multi Individual Trees Growing in Close Proximity:** For trees that have grown close together, measure the DBH of each stem and treat each tree individually. Also, because of close proximity of trees, it may be necessary to apply Transtect 70WSP Insecticide to the outer perimeter of clumped trees.

**Multi-stem Split Below DBH:** For a tree that has multiple stems splitting below DBH, measure the tree at the narrowest point between the root flare and the split.

**Stem Clusters:** For trees that are grown too close together to be treated as individual trees, measure the DBH of each stem and add the measurements together. Also, because of close proximity of trees, it may be necessary to apply Transtect 70WSP Insecticide to the outer perimeter of clumped trees.

**Tree Splits at DBH:** For a tree that splits into two or more stems at DBH, measure and add the diameter of the stems and measure the narrowest point below the split. Take the average of these values.

**SOIL APPLICATION**

Remove landscape mulch, landscape fabric, and surface organic matter prior to application to ensure solution is delivered to the mineral soil.

**Soil Drench:** Measure the diameter of the tree. Mix required dose in water and uniformly apply to soil around the base of tree. make applications within 12 inches of the trunk of the tree. Pull back mulch before drenching. For optimal performance, combine Transtect 70WSP Insecticide packets in sufficient water to achieve an application of at least 1 quart of dilute solution per foot of shrub height or inch of trunk diameter. If lower drench volume is used, apply 1/2 inch of irrigation immediately after application to move product into root zone.

**Soil Injection:** Measure the diameter of the tree. Mix required dose in water and apply to each shrub or tree using a soil injection application system. For optimal performance, combine Transtect 70WSP Insecticide in sufficient water to achieve an application of at least 8.5 oz (250 ml) of diluted solution per foot of shrub height or inch of trunk diameter. Divide the required dose evenly among injection sites spaced as uniformly as possible around the tree. For trees less than 6 inches DBH, use at least 4 injection sites evenly spaced around the tree. Inject diluted solution approximately 2 to 6 inches deep into the mineral soil. Orient injection orifices to release the diluted product horizontally at the point of injection.

**Basal System (preferred method):** Apply Transtect 70WSP Insecticide by placing the injection sites at the base of the tree within 12 inches of the trunk. Evenly space the injection sites around the base of the tree. For most species a high density of fibrous roots are located at the base of the tree and is an excellent area for uptake.

**Grid System:** Space injections on a 2.5 ft center within the drip line of the tree.

**Circle System:** Make injections every 2 to 3 feet within the dripline forming concentric circles around the base of the tree.

**For Emerald Ash Borer:** Preferred application timing is late April to mid May. Applications should be made before trees are heavily infested and showing obvious symptoms of decline.

Notes: Application to heavily infested trees may not prevent the decline or death of trees due to existing damage and tree stress.

**Soil application for systemic insect control on ornamental plants in outdoor landscapes (commercial, industrial, recreational, and residential), parks, schools, cemeteries, airport grounds, military grounds, golf courses, woodlots and athletic fields.**

| PESTS  | RATE  |
|--|---|
| Adelgids (such as: Hemlock Woolly)<br>Aphids<br>Flatheaded borers<br>(such as Emerald Ash Borer, Appletree)<br>Glassy-Winged Sharpshooter<br>Japanese beetle (adults)<br>Lacebugs (such as: Azalea, Hawthorn)<br>Leaf Beetle (such as Viburnum)<br>Leafhoppers<br>Leafminers (such as: Boxwood, Serpentine)<br>Mealybugs (such as: Citrus, Long-tailed, Madeira, Obscure, Pink hibiscus, Root)<br>Psyllids (such as Asian citrus)<br>Root Weevils (larvae and adults) (such as: Black vine)<br>Roundheaded borers (excluding Asian Longhorned Beetle)<br>Scales (Armored and Soft)<br>Thrips (suppression) (such as: Chili)<br>Whiteflies (such as: Giant, Silver/Sweetpotato)<br>White Grubs (such as: Oriental beetle) | For optimal control, apply early in plant's annual growing cycle.<br><br><b>For Trees:</b><br>Apply 1 (0.6 oz) packet of Transtect 70WSP Insecticide per 5 – 17 inches of trunk diameter at breast height (DBH)<br><br><b>For Shrubs:</b><br>Apply 1 (0.6 oz) packet of Transtect 70WSP Insecticide per 10 to 17 ft of height.<br><br>(Each packet contains approximately 0.026 lbs active ingredient)<br><br><b>For Soil Drench:</b><br>Combine Transtect 70WSP Insecticide packets in sufficient water to achieve an application of at least 1 quart of dilute solution per foot of shrub height or inch of trunk diameter<br><br><b>For Soil Injection:</b><br>Combine Transtect 70WSP Insecticide in sufficient water to achieve an application of at least 8.5 oz (250 ml) of diluted solution per foot of shrub height or inch of trunk diameter. |

Do not apply more than 0.77 lbs (0.54 lbs ai) Transtect 70WSP Insecticide per acre of landscape per year.

## FOLIAR APPLICATION

Apply in sufficient water to ensure good coverage of ornamental plants. In situations where a dense canopy exists and/or pest pressure is high, use greater water volumes. The use of a spray adjuvant may improve spray coverage. When making applications to plants with hard to wet foliage such as holly or pine, the addition of a spreader/sticker is recommended. Read and understand adjuvant product labels prior to mixing and applying them with Transtect 70WSP Insecticide.

To assure optimum effectiveness, the product must be placed where the growing portion of the target plant can absorb the active ingredient. For optimal control, make application just before pest populations reach an economic threshold. If necessary, make a second application after 14 to 21 days.

| Foliar application for systemic insect control on ornamental plants in outdoor landscapes (commercial, industrial, recreational, and residential), parks, schools, cemeteries, airport grounds, military grounds, golf courses, woodlots and athletic fields.  |  |
|--|--|
| PESTS  | RATE   |
| Adelgids (such as: Hemlock Woolly)<br>Aphids<br>Glassy-Winged Sharpshooter<br>Japanese beetle (adults)<br>Lacebugs (such as: Azalea, Hawthorn)<br>Leaf Beetle (such as Viburnum)<br>Leafhoppers<br>Leafminers (such as: Boxwood, Serpentine)<br>Mealybugs (such as: Citrus, Long-tailed, Madeira, Obscure, Pink hibiscus, Root)<br>Psyllids (such as Asian citrus)<br>Root Weevils (adults) (such as: Black Vine)<br>Scales (Armored and Soft)<br>Thrips (suppression) (such as: Chili)<br>Whiteflies (such as: Giant, Silver/Sweetpotato) | Apply 1 (0.6 oz) packet of Transtect 70WSP Insecticide per 25 to 50 gals<br><br>(Each packet contains approximately 0.026 lbs active ingredient)<br><br>25 gallons of spray mix will treat approximately 5,000 square feet of area |
| Do not apply more than 0.77 lbs (0.54 lbs ai) Transtect 70WSP Insecticide per acre of landscape per year.  |  |

## BARK APPLICATION

**Application Equipment:** Transtect 70WSP Insecticide may be applied using many different types of low pressure sprayers. Before applying, start with a clean, well maintained sprayer. Apply a sufficient amount of water to ensure good coverage to the entire circumference of the lower 5 feet of the tree trunk. To reduce drift, use a spray nozzle that produces medium-sized droplets.

**Mixing Instructions:** Fill a clean spray tank to 2/3 of desired level with clean water. Add six (0.6 oz) packets (3.6 oz) of Transtect 70WSP Insecticide per gallon of spray solution. When using a surfactant, follow all label directions and precautions on the surfactant product label. Fill spray tank to desired level with clean water. Continue agitation until all spray solution has been applied. Prepare no more spray mixture than is required for immediate spray application.

Use a low pressure sprayer operated at 10 to 20 psi to reduce spray drift or splash back on non-target plants. Spray solution onto the tree trunk from 4" to 60" above the soil surface. Adjust sprayer nozzle to uniformly distribute spray solution on bark covering the entire circumference of the tree trunk. Wet the bark just to the point of saturation and run-off to the soil surface.

## Mixing Instructions (continued):

Certain surfactants may cause phytotoxicity upon direct contact with the foliage of non-target plants or the foliage on the tree that is being treated. Make sure the spray solution with surfactant does not contact foliage. Bark penetrating surfactants may change the color of lichens causing an objectionable appearance on the bark surface following treatment.

### Restrictions

- Do not apply to wet bark, during rainfall, or if rain is expected within 12 hours after application.
- Do not make more than one application per year.
- Do not apply more than 0.77 lbs (0.54 lbs ai) Transtect 70WSP Insecticide per acre per year.
- Application to heavily infested trees may not prevent the decline or death of trees due to existing damage and tree stress.
- Do not make bark applications when trees are dormant, under drought stress or not actively taking up water from the soil.

**For Emerald Ash Borer:** Preferred application timing is late April to mid May. Applications should be made before trees are heavily infested and showing obvious symptoms of decline. When treating for Emerald Ash Borer use a bark penetrating surfactant in the spray solution according to manufacturer's recommendation.

| Bark application for systemic insect control on ornamental plants in outdoor landscapes (commercial, industrial, recreational, and residential), parks, schools, cemeteries, airport grounds, military grounds, golf courses, woodlots and athletic fields. |  |
|---|--|
| PEST  | RATE   |
| Adelgids (such as: Hemlock Woolly)<br>Flatheaded Borers (such as Emerald Ash, Appletree)<br>Soft Scale<br>Whiteflies  | Use 6 (0.6 oz) packets (3.6 oz) of Transtect 70WSP Insecticide per gallon of water<br><br>(Each packet contains approximately 0.026 lbs active ingredient)<br><br>Spray bark on root flare (buttress roots) and on trunk between soil surface and 4 to 5 feet above the soil surface. Adjust nozzle to uniformly distribute spray over the entire circumference of the tree trunk and buttress roots. Wet bark just to the point of saturation and run off onto soil. Apply with a low volume sprayer operated at 10 to 20 PSI to prevent tree damage, bounce back and drift.<br><br>Depending on bark type and thickness, one gallon of spray solution will cover 40 to 50 inches of trunk diameter when measured at 4.6 feet above the soil. |
| Do not apply more than 0.77 lbs (0.54 lbs ai) Transtect 70WSP Insecticide per acre of landscape per year.   |  |

## STORAGE AND DISPOSAL

### PESTICIDE STORAGE

Keep pesticide in original container. Do not put concentrate or dilute into food or drink containers. Store in a cool dry place. Do not store diluted spray. Do not contaminate water, food or feed by storage, disposal or cleaning of equipment.

For help with any spill, leak, fire or exposure involving this material, call CHEMTREC day or night 1-800-424-9300.

### PESTICIDE DISPOSAL

Wastes resulting from use of this product may be disposed of on site or at an approved waste disposal facility.

### CONTAINER DISPOSAL

Nonrefillable outer bag. Do not reuse or refill the outer bag. Completely empty bag into application equipment. Then dispose of empty bag in a sanitary landfill or by incineration, or, if allowed by State and local authorities, by burning. If burned, stay out of smoke.

**DISCLAIMER, RISKS OF USING THIS PRODUCT, LIMITED WARRANTY AND LIMITATION OF LIABILITY**

**IMPORTANT:** Read the entire Label including this Disclaimer, Risks of using this Product, Limited Warranty and Limitation of Liability before using this product. If the terms are not acceptable THEN DO NOT USE THIS PRODUCT; rather, return the unopened product within 15 days of purchase for a refund of the purchase price.

**RISKS OF USING THIS PRODUCT**

The Buyer and User (referred to collectively herein as "Buyer") of this product should be aware that there are inherent unintended risks associated with the use of this product which are impossible to eliminate. These risks include, but are not limited to, injury to plants and crops to which this product is applied, lack of control of the target pests, resistance of the target pest to this product, injury caused by drift, and injury to rotational crops caused by carryover in the soil. Such risks of crop injury, non-performance, resistance or other unintended consequences are unavoidable and may result because of such factors as weather, soil conditions, disease, moisture conditions, irrigation practices, condition of the crop at the time of application, presence of other materials either applied in the tank mix with this product or prior to application of this product, cultural practices or the manner of use or application (or a combination of such factors) all of which are factors beyond the control of Rainbow Treecare Scientific Advancements.

The Buyer should be aware that these inherent unintended risks may reduce the harvested yield of the crop in all or a portion of the treated acreage, or otherwise affect the crop such that additional care, treatment and expense are required to take the crop to harvest. If the Buyer chooses not to accept these risks, THEN THIS PRODUCT SHOULD NOT BE APPLIED. By applying this product Buyer acknowledges and accepts these inherent unintended risks AND TO THE FULLEST EXTENT ALLOWED BY LAW, AGREES THAT ALL SUCH RISKS ASSOCIATED WITH THE APPLICATION AND USE ARE ASSUMED BY THE BUYER.

Rainbow Treecare Scientific Advancements shall not be responsible for losses or damages (including, but not limited to, loss of yield, increased expenses of farming the crop or such incidental, consequential or special damages that may be claimed) resulting from use of this product in any manner not set forth on the label. Buyer assumes all risks associated with the use of this product in any manner or under conditions not specifically directed or approved on the label.

**LIMITED WARRANTY**

Rainbow Treecare Scientific Advancements warrants only that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated in the label, under average use conditions, when used strictly in accordance with the label and subject to the Risks of Using This Product as described above. To the extent consistent with applicable law AND AS SET FORTH ABOVE, RAINBOW TREECARE SCIENTIFIC ADVANCEMENTS MAKES NO OTHER WARRANTIES, EITHER EXPRESSED OR IMPLIED. No agent or representative of Rainbow Treecare Scientific Advancements or Seller is authorized to make or create any other express or implied warranty.

**LIMITATION OF LIABILITY**

To the fullest extent allowed by law, Rainbow Treecare Scientific Advancements or Seller is not liable for any incidental, consequential, indirect or special damages resulting from the use or handling of this product. The limitation includes, but is not limited to, loss of yield on all or any portion of the treated acreage, increased care, treatment or other expenses required to take the crop to harvest, increased finance charges or altered finance ratings, emotional or mental distress and/or exemplary damages.

TO THE FULLEST EXTENT ALLOWED BY LAW, THE EXCLUSIVE REMEDY OF THE BUYER, AND THE EXCLUSIVE MAXIMUM LIABILITY OF RAINBOW TREECARE SCIENTIFIC ADVANCEMENTS OR SELLER FOR ANY AND ALL CLAIMS, LOSSES, INJURIES OR DAMAGES (INCLUDING CLAIMS BASED ON BREACH OF WARRANTY, CONTRACT, NEGLIGENCE, TORT, STRICT LIABILITY OR OTHERWISE) RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT SHALL BE THE RETURN OF THE PURCHASE PRICE OF THIS PRODUCT OR, AT THE ELECTION OF RAINBOW TREECARE SCIENTIFIC ADVANCEMENTS OR SELLER, THE REPLACEMENT OF THE PRODUCT.

**PROMPT NOTICE OF CLAIM**

Rainbow Treecare Scientific Advancements must be provided with prompt notice of any claim so that an immediate inspection of the affected property or plants can be made. To the extent applicable law allows such requirement, notice of a claim shall be given promptly to Rainbow Treecare Scientific Advancements, whether the claim is based on contract, negligence, strict liability or other tort or otherwise be barred from any remedy.

**NO AMENDMENTS**

Rainbow Treecare Scientific Advancements and Seller offer this product, and Buyer accepts it, subject to the foregoing Disclaimer, Risks of Using This Product, Limited Warranty and Limitation of Liability, which may not be modified by any oral or written agreement.



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