

RESTRICTED USE PESTICIDE

Due to toxicity to fish and aquatic organisms. For retail sale to and use only by certified applicators, or persons under their direct supervision and only for those uses covered by the certified applicator's certification.

BIFENTHRIN | **GROUP 3A** | **INSECTICIDE**



CAPTURE[®]

3RIVE 3D[®]

Liquid insecticide for use in a 3RIVE 3D system only.

EPA Reg. No. 279-3467

EPA Est. 279-NY-1

Active Ingredient:	By Wt.
Bifenthrin*:	17.68%
Other Ingredients:	82.32%
	100.0%

*Cis isomers 97% minimum, trans isomers 3% maximum
This product contains 1.6 lbs active ingredient per gallon.

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.• Call a poison control center or doctor for treatment advice.
If on Skin:	<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.
HOTLINE 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 1-800-331-3148 for emergency medical treatment information.	
NOTE TO PHYSICIAN	
This product is a pyrethroid. If large amounts have been ingested, the stomach and intestines should be evacuated. Treatment is symptomatic and supportive. Digestible fats, oils, or alcohol may increase absorption and so should be avoided.	

Net Contents: 2.5 Gallons

Sold By:



FMC Corporation
2929 Walnut Street
Philadelphia, PA 19104

SL-4653A 011222 11-19-2021

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

CAUTION

Harmful if swallowed. Harmful if absorbed through skin. Causes moderate eye irritation. Avoid contact with eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.

Personal Protective Equipment

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

- Long-sleeved shirt and long pants
- Waterproof gloves or chemical-resistant gloves made of: barrier laminate, butyl rubber (≥ 14 mils), nitrile rubber (≥ 14 mils), neoprene rubber (≥ 14 mils), natural rubber (≥ 14 mils), polyethylene, polyvinyl chloride (PVC) (≥ 14 mils), or viton (≥ 14 mils)
- Shoes plus socks

Mixers and Loaders must wear:

- Long-sleeved shirt and long pants
- Waterproof gloves or chemical-resistant gloves made of: barrier laminate, butyl rubber (≥ 14 mils), nitrile rubber (≥ 14 mils), neoprene rubber (≥ 14 mils), natural rubber (≥ 14 mils), polyethylene, polyvinyl chloride (PVC) (≥ 14 mils), or viton (≥ 14 mils)
- Shoes plus socks
- Protective eyewear

User Safety Requirements

Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them. 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.

User Safety Recommendations

Users should:

Remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. Remove PPE immediately after handling this product. Wash outside of gloves before removing. As soon as possible, wash and change into clean clothing.

Environmental Hazards

This pesticide is extremely toxic to fish and aquatic invertebrates. Use with care when applying in areas adjacent to any body of water. 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 make applications when weather conditions favor drift from treated areas. Drift and runoff from treated areas may be hazardous to aquatic organisms in neighboring areas. Do not contaminate water when disposing of equipment washwaters.

This product is highly toxic to bees exposed to direct treatment or residues on blooming crops or weeds. Do not apply this product or allow it to drift to blooming crops or weeds if bees are visiting the treatment area.

The use of bifenthrin is prohibited in areas that may result in exposure of endangered species to bifenthrin. Prior to use in a particular county contact the local extension service for procedures and precautions to use to protect endangered species.

DIRECTIONS FOR USE

RESTRICTED USE PESTICIDE

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.

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

Capture 3RIVE 3D must be applied in-furrow with the seed or transplant. Do not make foliar applications of this product.

Do not apply this product by air.

3RIVE 3D System Information: Capture 3RIVE 3D must be applied with a 3RIVE 3D system. Refer to the 3RIVE 3D equipment and user manual for information on system operation and calibration.

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 or Chemical-resistant gloves, such as barrier laminate, butyl rubber (≥ 14 mils), nitrile rubber (≥ 14 mils), neoprene rubber (≥ 14 mils), natural rubber (≥ 14 mils), polyethylene, polyvinyl chloride (PVC) (≥ 14 mils), or viton (≥ 14 mils) and shoes plus socks.

Resistance Management

For resistance management, Capture 3RIVE 3D contains a Group 3A insecticide. Any insect population may contain individuals naturally resistant to Capture 3RIVE 3D and other Group 3A insecticides. The resistant individuals may dominate the insect population if this group of insecticides are used repeatedly in the same fields. Appropriate resistance-management strategies should be followed.

To delay insecticide resistance, take the following steps:

- Rotate the use of Capture 3RIVE 3D or other Group 3A insecticides within a growing season, or among growing seasons, with different groups that control the same pests.
- Use tank mixtures with insecticides from a different group that are equally effective on the target pest when such use is permitted. Do not rely on the same mixture repeatedly for the same pest population. Consider any known cross-resistance issues (for the targeted pests) between the individual components of a mixture. In addition, consider the following recommendations provided by the Insecticide Resistance Action Committee (IRAC):
 - o Individual insecticides selected for use in mixtures should be highly effective and be applied at the rates at which they are individually registered for use against the target species.
 - o Mixtures with components having the same IRAC mode of action classification are not recommended for insect resistance management.
 - o When using mixtures, consider any known cross-resistance issues between the individual components for the targeted pests.
 - o Mixtures become less effective if resistance is already developing to one or both active ingredients, but they may still provide pest management benefits.
 - o The insect resistance management benefits of an insecticide mixture are greatest if the two components have similar periods of residual insecticidal activity. Mixtures of insecticides with unequal periods of residual insecticidal activity may offer an insect resistance management benefit only for the period where both insecticides are active.
- Adopt an integrated pest management program for insecticide use that includes scouting, uses historical information related to pesticide use, crop rotation, record keeping, and which considers cultural, biological and other chemical control practices.
- Monitor after application for unexpected target pest survival. If the level of survival suggests the presence of resistance, consult with your local university specialist or certified pest control advisor.
- Contact your local extension specialist or certified crop advisors for any additional pesticide resistance-management and/or IPM recommendations for the specific site and pest problems in your area.

To reduce the potential for pesticide resistance, use this product in a rotation program with other classes of chemistry and modes of action. Always apply this product at the recommended rates and in accordance with the use directions.

In areas where large corn rootworm populations are present, use a multi-approach system for optimal pest management. However, if the population level is not known and if a corn rootworm adult scouting program along with threshold adult control measures were not completed during the previous growing season, then utilize a maximum dosage seed treatment program or genetically modified corn rootworm resistant hybrid in addition to Capture 3RIVE 3D.

Application and Mixing Instructions

Capture 3RIVE 3D is an insecticide that contains 1.6 pounds of bifenthrin per gallon. The rate of application is variable according to pest pressure, timing of treatments and field scouting. Use lower labeled rates under light to moderate pest infestations, and higher labeled rates under heavier pest pressure. In arid climates application rates are generally higher. Capture 3RIVE 3D must be used in equipment designed specifically for application of this type of formulation.

Capture 3RIVE 3D must be applied in-furrow with the seed or transplant.

Do not mix with any other product unless that product has been specifically designed to work with the Capture 3RIVE 3D formulation.

Use rates in the individual crop sections are listed as fl oz/A and fluid oz/1000 Linear ft based on 30 inch row spacings. For conversion to rates applicable to other row spacings, see the table below.

The maximum application rate per acre per year (lb ai/A/year) as listed under the use directions for each crop must not be exceeded.

Capture 3RIVE 3D Required Per Acre for Various Row Spacings						
Row Spacing	36"	30"	20"	15"	Twin Row 30" centers	7.5"
Linear row ft/acre	14,520 ft	17,424 ft	26,136 ft	34,848 ft	34,848 ft	69,696
Conversion						
0.19 fl oz/1000 Linear ft =	2.8 fl oz/acre	3.3 fl oz/acre	5.0 fl oz/acre	6.6 fl oz/acre	6.6 fl oz/acre	13.2 fl oz/acre
0.23 fl oz/1000 Linear ft =	3.4 fl oz/acre	4.0 fl oz/acre	6.0 fl oz/acre	8.0 fl oz/acre	8.0 fl oz/acre	16.0 fl oz/acre
0.31 fl oz/1000 Linear ft =	4.5 fl oz/acre	5.4 fl oz/acre	8.1 fl oz/acre	10.8 fl oz/acre	10.8 fl oz/acre	
0.46 fl oz/1000 Linear ft =	6.7 fl oz/acre	8.0 fl oz/acre	12.0 fl oz/acre	16.0 fl oz/acre	16.0 fl oz/acre	
0.55 fl oz/1000 Linear ft =	8.0 fl oz/acre	9.6 fl oz/acre	14.4 fl oz/acre			
0.67 fl oz/1000 Linear ft =	9.7 fl oz/acre	11.7 fl oz/acre				
0.80 fl oz/1000 Linear ft =	11.6 fl oz/acre	13.9 fl oz/acre				
0.92 fl oz/1000 Linear ft =	13.4 fl oz/acre	16.0 fl oz/acre				
1.38 fl oz/1000 Linear ft =	20.0 fl oz/acre	24.0 fl oz/acre				

Rates less than the equivalent of 8.0 fl oz/A at 30" row spacing may not provide adequate control of corn rootworm.

VEGETATIVE FILTER STRIPS

Construct and maintain a vegetative filter strip, according to the width specified below, of grass or other permanent vegetation between the field edge and nearby down gradient aquatic habitat (such as, but not limited to, lakes; reservoirs; rivers; streams; marshes; or natural ponds; estuaries; and commercial fish farm ponds).

Only apply products containing bifenthrin onto fields where a maintained vegetative filter strip of at least 25 feet exists between the field edge and where a down gradient aquatic habitat exists. This minimum required width of 25 feet may be reduced or removed under the following conditions:

- For Western irrigated agriculture, a maintained vegetative filter strip of at least 10 feet wide is required. Western irrigated agriculture is defined as irrigated farmland in the following states:
WA, OR, CA, ID, NV, UT, AZ, MT, WY, CO, NM, and TX (west of I-35).
 - o For Western irrigated agriculture, if a sediment control basin is present, a vegetative filter strip is not required.
- In all other areas, a vegetative filter strip with a minimum width of 25 feet is required, unless the following conditions are met. The vegetative filter strip requirement may be reduced from 25 feet to 15 feet if at least one of the following applies:
 - o The area of application is considered prime farmland (as defined in 7 CFR § 657.5)
 - o Conservation tillage is being implemented on the area of application. Conservation tillage is defined as any system that leaves at least 30% of the soil surface covered by residue after planting. Conservation tillage practices can include mulch-till, no-till, or strip-till.
 - o A functional terrace system is maintained on the area of application.
 - o Water and sediment control basins for the area of application are functional and maintained.
 - o The area of application is less than or equal to 10 acres.

For further guidance on vegetated filter strips, refer to the following publication for information on constructing and maintaining effective buffers:

Conservation Buffers to Reduce Pesticide Losses. Natural Resources Conservation Services. <https://www.regulations.gov/document?D=EPA-HQ-OPP-2008-0331-0175>

Crop Rotation Restrictions

Crops for which bifenthrin tolerances exist may be rotated at any time. All other crops may be rotated 30 days following the final application of bifenthrin

Maximum Allowable Capture 3RIVE 3D Use per Acre per Year

Refer to the individual crop sections for maximum allowable Capture 3RIVE 3D usage per acre per year. The maximum allowable use of the bifenthrin active ingredient must include all registered use patterns including at-plant, soil applied and foliar applications of all bifenthrin containing products for a 12-month period. The 12-month period is to begin upon the initial application to the acre.

BUFFER ZONES TO WATER BODIES

Ground Application

- Do not apply within 25 feet of aquatic habitats (such as, but not limited to lakes, reservoirs, rivers, streams, marshes, ponds, estuaries, and commercial fish ponds).

In New York State this product may not be applied within 100 feet (using ground equipment) of coastal marshes or streams that drain into coastal marshes.

CROP USES

CORN

Field Corn, Popcorn, Field Corn Grown for Seed, Sweet Corn, Sweet Corn Grown for Seed

PEST	USE RATES		
	fl oz/acre	fl oz/1000 Linear ft.	lb ai/ A
Corn rootworm larvae (Northern, Southern and Western)	8.0 – 16.0	0.46 – 0.92	0.1 – 0.2
Wireworm Grape colaspis Grubs Seedcorn maggot Root aphids Army cutworm Cutworm spp. True armyworm Armyworm spp. Stalkborer Seed corn beetle Sugarcane beetle	4.0 - 16.0	0.23 - 0.92	0.05 - 0.2

Heavy Corn Rootworm Pressure Management Program: In areas where large corn rootworm populations are present, use a multi-approach system for optimal pest management. However, if the population level is not known and if a corn rootworm adult scouting program along with threshold adult control measures were not completed during the previous year, then utilize a maximum dosage seed treatment program or genetically modified corn rootworm resistant hybrid in addition to Capture 3RIVE 3D.

Restrictions:

- Do not apply more than 0.2 lb ai/A (16.0 fl oz/A) per year as an at-plant application.
- **For field corn:** Do not apply more than 0.3 lb ai/A total per year including PPI, PRE, at-plant, and foliar applications of Capture 3RIVE 3D and other bifenthrin containing products.
- **For sweet corn:** Do not apply more than 0.2 lb ai/A total per year including PPI, PRE, at-plant, and foliar applications of Capture 3RIVE 3D and other bifenthrin containing products.

DRIED BEANS AND PEAS (except Soybean) – Crop Subgroup 6C

Dried cultivars of Bean (*Lupinus* spp.); Bean (*Phaseolus* spp.) (field bean, kidney bean, lima bean (dry), navy bean, pinto bean, tepary bean); Bean (*Vigna* spp.) (adzuki bean, blackeyed pea, catjang, cowpea, crowder pea, moth bean, mung bean, rice bean, southern pea, urd bean); Broad bean (dry); Chickpea; Guar; Lablab bean; Lentil; Pea (*Pisum* spp.) (field pea); Pigeon pea

PEST	USE RATES		
	fl oz/acre	fl oz/1000 Linear ft.	lb ai/A
Grape colaspis Wireworm Grubs Root maggot Army cutworm Cutworm spp. True armyworm Armyworm spp.	3.2 -16.0	0.19 - 0.92	0.04 - 0.2

Restrictions:

- Do not apply more than 0.2 lb ai/A (16.0 fl oz/A) per year as an at-plant application.
- Do not apply more than 0.2 lb ai/A to peas and 0.3 lb ai/A to beans total per year including at-plant and foliar applications of Capture 3RIVE 3D and other bifenthrin containing products.

SOYBEANS

PEST	USE RATES		
	fl oz/acre	fl oz/1000 Linear ft.	lb ai/A
Wireworm Grape colaspis Grubs Root maggot Seedcorn maggot Army cutworm Cutworm spp. True armyworm Armyworm spp. Seed corn beetle	3.2 - 8.0	0.19 - 0.46	0.04 - 0.1

Restrictions:

- Do not apply more than 0.1 lb ai/A (8.0 fl oz/A) per year as an at-plant application.
- Do not apply more than 0.2 lb ai/A total per year including at-plant and foliar applications of Capture 3RIVE 3D and other bifenthrin containing products.

SUNFLOWER (Crop Subgroup 20B)

Calendula, Castor Oil Plant, Chinese Tallowtree, Euphorbia, Evening Primrose, Jojoba, Niger Seed, Rose Hip, Safflower, Stokes Aster, Tallowwood, Tea Oil Plant, Vernonia, cultivars, varieties, and/or hybrids of these

At-Plant

PEST	USE RATES		
	fl oz/acre	fl oz/1000 Linear ft.	lb ai/ A
Wireworm Grape colaspis White Grub spp. Seedcorn maggot Root aphids Army cutworm Cutworm spp.	4.0 -16.0	0.23 - 0.92	0.05 - 0.2

Restrictions:

- Do not apply more than 0.2 lb ai/A (16.0 fl oz/A) per year.
- Do not make more than 1 application per year.
- Labeled use rates are based on 30 inch row spacings.

STORAGE AND DISPOSAL

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

Pesticide Storage

If storing this product below freezing, user should shake or roll the container to ensure proper product consistency. Keep out of reach of children and animals. Store in original containers only. Store in a cool, dry place and avoid excess heat. Carefully open containers. After partial use, replace lids and close tightly. Do not put concentrate or dilute material into food or drink containers. Do not contaminate other pesticides, fertilizers, water, food, or feed by storage or disposal. In case of spill, avoid contact, isolate area and keep out animals and unprotected persons. Confine spills. Call CHEMTREC (Transportation and Spills): (800) 424-9300. To confine spill: If liquid, dike surrounding area or absorb with sand, cat litter or commercial clay. If dry material, cover to prevent dispersal. Place damaged package in a holding container. Identify contents.

Pesticide Disposal

Pesticide wastes are toxic. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative of the nearest EPA Regional Office for guidance.

Container Handling

Non-refillable Container [bag in box]: Do not reuse or refill this container. Completely empty bag into application equipment, then offer for recycling if available or 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.

Non-refillable Container [in sizes 5 gallons or less]: Do not reuse or refill this container. Clean container promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or mix tank and drain for 10 seconds after flow begins to drip. Fill the container ¼ full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or mix tank or store rinsate for later use or disposal. Drain for 10 seconds after flow begins to drip. Repeat this procedure two more times. Then offer for recycling if available 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.

Non-refillable Container [in sizes greater than 5 gallons]: Do not reuse or refill this container. Triple rinse or pressure rinse container promptly after emptying. **Triple rinse as follows:** Empty 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 back and forth several times. Turn the container over onto its other end and tip 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.

Then offer for recycling if available 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.

Pressure rinse as follows: Empty remaining contents into application equipment or a mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold the container upside down over application equipment or a 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. Then offer for recycling if available 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.

Returnable/Refillable Container: Do not rinse container. Do not empty remaining formulated product. Do not break seals. Return intact to point of purchase. Refill this container with pesticide only. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To clean the container before final disposal, empty the remaining contents into application equipment or mix tank or rinsate collection system. 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. Then offer for recycling if available 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.

Returnable/Non-refillable Container: Do not rinse container. Do not empty remaining formulated product. Return intact to point of purchase. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. To clean the container before final disposal, empty the remaining contents into application equipment or mix tank or rinsate collection system. 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. Then offer for recycling if available 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 and Limitation of Warranty and Liability:

NOTICE: Read the entire Directions for Use and Conditions of Sale and Limitation of Warranty and Liability before buying or using this product. If the terms are not acceptable, return the product at once, unopened, and the purchase price will be refunded.

The Directions for Use of this product must be followed carefully. It is impossible to eliminate all risks inherently associated with the use of this product. Crop injury, ineffectiveness, or other unintended consequences may result because of such factors as manner of use or application, weather or crop conditions beyond the control of FMC or Seller. All such risks shall be assumed by Buyer and User, and Buyer and User agree to hold FMC and Seller harmless for any claims relating to such factors.

Seller warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated on the Directions for Use when used in accordance with the directions under normal conditions of use. To the extent consistent with applicable law, FMC MAKES NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE, NOR ANY OTHER EXPRESS OR IMPLIED WARRANTIES WITH RESPECT TO THE SELECTION, PURCHASE, OR USE OF THIS PRODUCT. Any warranties, express or implied, having been made are inapplicable if this product has been used contrary to label instructions, or under abnormal conditions, or under conditions not reasonably foreseeable to (or beyond the control of) Seller or FMC, and Buyer assumes the risk of any such use.

To the extent consistent with applicable law, FMC or Seller shall not be liable for any incidental, consequential or special damages resulting from the use or handling of this product. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE EXCLUSIVE LIABILITY OF FMC AND 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 THE PRODUCT OR, AT THE ELECTION OF FMC OR SELLER, THE REPLACEMENT OF THE PRODUCT.

This Conditions of Sale and Limitation of Warranty and Liability may not be amended by any oral or written agreement.

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