



STartUPTM FLUDI
Seed Treatment

For use as a seed treatment for protection of seed and seedlings against listed diseases on specified crops.

ACTIVE INGREDIENT:

Fludioxonil (CAS No. 131341-86-1)..... 40.0%

OTHER INGREDIENTS: 60.0%

TOTAL: 100.0%

STartUP FLUDI contains 4 lbs active ingredient per gallon.

EPA Reg. No. 70506-334

**KEEP OUT OF REACH OF CHILDREN
CAUTION**

FIRST AID

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.
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.

In Case of Emergency Call Rocky Mountain Poison and Drug Center at 1-866-673-6671. Have a product container or label with you when calling a poison control center or doctor, or going for treatment.

FOR CHEMICAL EMERGENCY: Spill, leak, fire, exposure, or accident, call CHEMTREC 1-800-424-9300.

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

CAUTION

Harmful if absorbed through skin. Causes moderate eye irritation. Avoid contact with skin, eyes, or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet. Remove and wash contaminated clothing before reuse.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Chemical-resistant gloves: barrier laminate or butyl rubber or nitrile rubber or neoprene rubber or polyvinyl chloride (PVC) or Viton®
- Shoes plus socks

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

ENGINEERING CONTROL STATEMENTS

When handlers use closed systems 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/PPE 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 product is toxic to fish and aquatic invertebrates. 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 when disposing of equipment washwater or rinsate.

PHYSICAL AND CHEMICAL HAZARDS

Do not mix or allow to come into contact with oxidizing agents. Hazardous chemical reaction may occur.

DIRECTIONS FOR USE

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

STartUP FLUDI must be used only in accordance with directions on this label or in separately published UPI supplemental labeling approved by EPA for this product.

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. Exception: If the seed is treated with the product and the treated seed is soil-injected or soil-incorporated, the Worker Protection Standard, under certain circumstances, allows workers to enter the treated area if there will be no contact with anything that has been treated.

PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil, or water is:

- Coveralls
- Chemical-resistant gloves: barrier laminate or butyl rubber or nitrile rubber or neoprene rubber or polyvinyl chloride (PVC) or Viton
- Shoes plus socks

FAILURE TO FOLLOW THE DIRECTIONS FOR USE AND PRECAUTIONS ON THIS LABEL MAY RESULT IN CROP INJURY, POOR DISEASE CONTROL, AND/OR ILLEGAL RESIDUES.

USE INFORMATION

RESISTANCE MANAGEMENT

STartUP FLUDI contains fludioxonil, a Group 12 fungicide. Fludioxonil belongs to the phenylpyrrole class of chemistry and has a unique mode of action which prevents fungal respiration.

Fungal populations may contain individuals naturally resistant to Group 12 fungicides. If Group 12 fungicides are used repeatedly in the same fields, then resistant members may eventually dominate the population. Because resistance development cannot be predicted, the use of this product should conform to sound resistance management strategies established for the crop and use area.

Seed treatment use should be based on an IPM program that includes field sanitation, scouting, historical information related to pesticide use, and crop rotation. The IPM program should also consider cultural, biological, and other chemical control practices.

Where possible, rotate or mix the use of Group 12 fungicides with different fungicide groups to which resistance has not developed.

PRODUCT INFORMATION

STartUP FLUDI, will protect against *Fusarium*, *Rhizoctonia*, *Helminthosporium*, weakly pathogenic fungi (such as *Penicillium* or *Aspergillus*) and other seed- and soil-borne diseases for listed crops. Using higher listed rate (if rate ranges are provided) will give best results under conditions of heavy disease pressure. Unless treating compromised seeds (with existing disease) as a restorative measure, best results will be obtained by treating healthy, high quality seeds. If seeds are unhealthy (scarred, damaged or reduced vigor) or poor quality when treated, results can be poor (reduction of seed or seedling vigor, decreased germinations).

When treating seeds that are damaged, scarred, unhealthy or of lesser quality, it is recommended that a small amount be treated (using the same or similar equipment that will be used for treating entire lot) and tested for germination potential prior to treating the entire seed lot.

USE RESTRICTION: When using formulations that do not contain dye, to comply with 40 CFR 153.155, all seed treated with an economic poison must be colored to distinguish and prevent subsequent inadvertent use as a food for man or feed for animals.

MIXING PROCEDURES

STartUP FLUDI is applied as a water based slurry by mixing the indicated amount of product in water, observing the specified dilution rate indicated in the CROP USE DIRECTIONS section of this label, and the amount of water/volume dictated by the particular slurry seed treater used for seed treatment.

Apply with standard slurry seed treatment equipment, making sure the equipment provides consistent and even seed coverage (follow instructions provided for the particular seed treatment device being used).

- Continually mix STartUP FLUDI slurry throughout treatment of seeds.
- Seeds should be left to dry prior to bagging or packaging.
- If seeds are not planted immediately after treatment, they must be colored with a dye or colorant approved by EPA, to give the seeds an atypical color, to identify them as having undergone seed treatment.
- Be advised that seeds treated unevenly or incompletely can result in less than optimum disease control.

Tank Mixing: Diseases caused by *Phytophthora* spp. or *Pythium* spp. will not be controlled by STartUP FLUDI. If these diseases are expected to be present, consider tank mixing with an EPA registered fungicide containing metalaxyl (such as STartUP METXL Seed Treatment), mefenoxam or other EPA registered seed treatment fungicide labeled for use against these diseases.

It is the pesticide user's responsibility to ensure that all products are registered for the intended use. Read and follow the applicable restrictions and limitations and directions for use on all product labels involved in tank mixing. Users must follow the most restrictive directions for use and precautionary statements of each product in the tank mixture.

SEED CONTAINER LABEL REQUIREMENTS

THE FEDERAL SEED ACT REQUIRES THAT CONTAINERS OF TREATED SEEDS BE LABELED WITH THE FOLLOWING STATEMENTS:

- This seed has been treated with STartUP FLUDI.
- **DO NOT** use for feed, food or oil purposes.

THE US ENVIRONMENTAL PROTECTION AGENCY REQUIRES THE FOLLOWING STATEMENTS ON CONTAINERS OF SEEDS TREATED WITH STartUP FLUDI (fludioxonil):

- Store treated seed away from feeds and foodstuffs.
- Wear long-sleeved shirt, long pants, and chemical-resistant gloves when handling treated seed.
- **DO NOT** allow children, pets or livestock to have access to treated seed.
- Treated seeds exposed on soil surface may be hazardous to wildlife. Cover or collect treated seeds spilled during loading and planting.
- Excess or leftover seed may be double-sown around the headland or buried away from bodies of water in accordance with local requirements.
- **DO NOT** contaminate water bodies when disposing of planting equipment washwater.
- Dispose of seed packaging in accordance with local requirements.
- Excess treated seed may be used for ethanol production only if (1) by-products are not used for livestock feed, and (2) no measurable residues of pesticides remain in the ethanol by-products that are used in agronomic practice.
- Forage may not be grazed until 30 days after planting.

Seed Treatment - Export Use

FOR TREATMENT OF THE SEED FOR EXPORT ONLY TO COUNTRIES REQUIRING TREATMENT WITH FLUDIOXONIL BEFORE IMPORTATION: User should verify actual registered rate in country of destination and/or use.

Seed treated in accordance with the export use pattern must be labeled as follows: TREATED SEED: FOR EXPORT ONLY - NOT FOR DOMESTIC SALE OR USE. TREATED WITH THE FUNGICIDE, FLUDIOXONIL.

CROP USE DIRECTIONS

CROP	USE RATE	NOTES AND INFORMATION
Brassica (Cole) Leafy Vegetables Group: Broccoli; broccoli, Chinese; broccoli raab; Brussels sprouts; cabbage; cabbage, Chinese (bok choy); cabbage, Chinese (napa); cabbage, Chinese mustard; cauliflower; cavalo broccoli; collards; kale; kohlrabi; mizuna; mustard greens; mustard spinach, rape greens	0.08 - 0.16 fl oz per 100 lbs of seed	For control of fungi (seed borne and soil borne) that result in seedling blights, damping-off or seed decay.
Bulb Vegetables: Garlic; garlic, great headed; leek; onion, dry bulb and green; onion, Welch; shallot	0.08 - 0.16 fl oz per 100 lbs of seed or propagating material	For control of fungi (seed borne and soil borne) that result in seedling blights, damping-off or seed decay.
Cereal Grains (includes forage and silage): Corn (Field corn and popcorn)	0.08 - 0.16 fl oz per 100 lbs of seed -OR- 0.036 - 0.072 fl oz per 80,000 kernel count (0.0064 - 0.0128 mg ai per kernel)	For control of fungi (seed borne and soil borne) that result in seedling blights, damping-off or seed decay, and for control of seed borne head smut (<i>Sphacelotheca reiliana</i>). For control of <i>Pythium</i> spp., use STartUP FLUDI with an EPA registered seed treatment product containing metalaxyl (such as STartUP METXL Seed Treatment) mefenoxam or azoxystrobin, or other product labeled for use against <i>Pythium</i> spp. Read and follow the label of each tank mix product used for precautionary statements, directions for use, rates and timings and other restrictions. RESTRICTIONS: <ul style="list-style-type: none"> • Treated seed cannot be used for oil, food or feed. • Do not graze forage from treated seed for 30 days after planting.
Cereal Grains (includes forage and silage): Sweet corn	0.08 fl oz per 100 lbs of seed	For control of fungi (seed borne and soil borne) that result in seedling blights, damping-off or seed decay. For control of <i>Pythium</i> spp. or for use on sweet corn or grain sorghum cultivars resistant to downy mildew, use STartUP FLUDI with an EPA registered seed treatment product containing metalaxyl (such as STartUP METXL Seed Treatment) or mefenoxam or other products labeled for use against <i>Pythium</i> spp. or downy mildew. Read and follow the label of each tank mix product used for precautionary statements, directions for use, rates and timings and other restrictions. RESTRICTIONS: <ul style="list-style-type: none"> • Treated seed cannot be used for oil, food or feed. • Do not graze forage from treated seed for 30 days after planting.
Cereal Grains (includes forage and silage): Sorghum (grain)	0.08 - 0.16 fl oz per 100 lbs of seed (0.0008 - 0.0016 mg ai per seed, based on 14,500 seeds per lb)	For control of fungi (seed borne and soil borne) that result in seedling blights, damping-off or seed decay. For control of <i>Pythium</i> spp. or for use on sweet corn or grain sorghum cultivars resistant to downy mildew, use STartUP FLUDI with an EPA registered seed treatment product containing metalaxyl (such as STartUP METXL Seed Treatment) or mefenoxam or other products labeled for use against <i>Pythium</i> spp. or downy mildew. Read and follow the label of each tank mix product used for precautionary statements, directions for use, rates and timings and other restrictions. RESTRICTIONS: <ul style="list-style-type: none"> • Treated seed cannot be used for oil, food or feed. • Do not graze forage from treated seed for 30 days after planting.
Cereal Grains (includes forage and silage): Rice	0.02 - 0.08 fl oz per 100 lbs of seed	For control of fungi (seed borne and soil borne) that result in seedling blights, damping off or seed decay. RESTRICTIONS: <ul style="list-style-type: none"> • Treated seed cannot be used for oil, food or feed. • Do not graze forage from treated seed for 30 days after planting.
Cereal Grains (includes forage and silage): Barley; buckwheat; millet (pearl and proso); oats; rye; teosinte; triticale; wheat and wild rice	0.08 - 0.16 fl oz per 100 lbs of seed	For control of fungi (seed borne and soil borne) that result in seedling blights, damping off or seed decay. RESTRICTIONS: <ul style="list-style-type: none"> • Treated seed cannot be used for oil, food or feed. • Do not graze forage from treated seed for 30 days after planting.

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CROP USE DIRECTIONS (continued)

CROP	USE RATE	NOTES AND INFORMATION
Cucurbit Vegetables: Chayote; Chinese waxgourd; citron melon; cucumber; gherkin; gourd - edible (hyotan, cucuzza, hechma, Chinese okra); <i>momordica</i> spp.; all muskmelon; pumpkin; all squash and watermelon	0.08 - 0.16 fl oz per 100 lbs of seed	For control of fungi (seed borne and soil borne) that result in seedling blights, damping off or seed decay.
Flax, Cotton, Jajoba, Safflower	0.08 - 0.16 fl oz per 100 lbs of seed	For control of fungi (seed borne and soil borne) that result in seedling blights, damping off or seed decay.
Sunflower	0.08 - 0.16 fl oz per 100 lbs of seed -OR- 0.0025 - 0.005 mg ai per seed	For control of fungi (seed borne and soil borne) that result in seedling blights, damping off or seed decay.
Foliage of Legume Vegetables: Any cultivar of bean (<i>Phaseolus</i> spp.), pea (<i>Pisum</i> spp.), and soybean	0.08 - 0.16 fl oz per 100 lbs of seed	For control of fungi (seed borne and soil borne) that result in seedling blights, damping off or seed decay.
Fruiting Vegetables Except Cucurbits: Eggplant; groundcherry; pepino; pepper (bell, chili, cooking, pimento and sweet); tomatillo; and tomato	0.08 - 0.16 fl oz per 100 lbs of seed	For control of fungi (seed borne and soil borne) that result in seedling blights, damping off or seed decay.
Grass Forage, Fodder and Hay: All grasses (turfgrass, bermudagrass, bluegrass, and fescue or brome grass), <i>Gramineae</i> family (green or cured) - except sugarcane and those included in the cereal grains group, that will be fed to or grazed by livestock, all pasture and range grasses and grasses grown for hay or silage	0.08 - 0.16 fl oz per 100 lbs of seed	For control of fungi (seed borne and soil borne) that result in seedling blights, damping off or seed decay. RESTRICTIONS: • Do not graze forage from treated seed until 30 days after planting.
Herbs and Spices: Allspice; angelica; anise; anise (star); annatto; balm; basil; borage; burnet; chamomile; caper buds; caraway; caraway (black); cardamom; cassia bark; cassia buds; catnip; celery seed; chervil; chive; Chinese chive; cinnamon; clary; clove bud; coriander (Chinese parsley or cilantro); costmary; culantro (seed); cumin; curry (leaf); dill (seed) and dillweed; fennel (common, Florence); fenugreek; grains of paradise; horehound; hyssop; juniper berry; lavender; lemongrass; lovage; lovage (seed); mace; marigold; marjoram; mustard (seed); nasturtium; nutmeg; parsley (dried); pennyroyal; pepper (black and white); poppy (seed); rosemary; rue; saffron; sage; savory (summer, winter); sweet bay; tansy; tarragon; thyme; vanilla; wintergreen; woodruff and wormwood	0.08 - 0.16 fl oz per 100 lbs of seed or propagating root or tuber material	For control of fungi (seed borne and soil borne) that result in seedling blights, damping off or seed decay.
Leafy Vegetables Except Brassica: Amaranth (leafy, Chinese spinach, tampala); arugula; cardoon; celery; Chinese celery; celtuce; chervil; chrysanthemum (edible-leaved and garland); corn salad; cress (garden and upland); dandelion; dock; endive; fennel (finocchio); lettuce (head and leaf); orach; parsley; purslane (garden and winter); radicchio; rhubarb; spinach (including New Zealand, vine); and Swiss chard	0.08 - 0.16 fl oz per 100 lbs of seed	For control of fungi (seed borne and soil borne) that result in seedling blights, damping off or seed decay.
Leaves of Root and Tuber Vegetables: Beet (garden, sugar); burdock (edible); carrot; cassava (bitter, sweet); chervil (turnip rooted); chicory; dasheen (taro); parsnip; radish; oriental radish; rutabaga; salsify (black); sweet potato; tanager, turnip and true yam	0.08 - 0.16 fl oz per 100 lbs of seed or propagating root or tuber material	For control of fungi (seed borne and soil borne) that result in seedling blights, damping off or seed decay.
Legume Vegetables (Succulent or Dry) (Except Soybeans): Bean (<i>Lupinus</i> spp. - grain, sweet and white lupin); bean (<i>Phaseolus</i> spp. - field, kidney, lima, navy, pinto, runner, snap, tepary, wax bean), bean (<i>Vigna</i> spp. - adzuki bean, asparagus bean, blackeyed pea, catjang, Chinese longbean, cowpea, Crowder pea, moth bean, mung bean, rice bean, southern pea, urd bean, and yardlong bean); broad bean; chickpea; guar; jackbean; lablab bean; lentil; pea (dwarf, edible-pod, English, field, garden, green, snow, sugar snap); pigeon pea; soybean (immature) and sword bean	0.08 - 0.16 fl oz per 100 lbs of seed or propagating root or tuber material	For control of fungi (seed borne and soil borne) that result in seedling blights, damping off or seed decay.

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CROP USE DIRECTIONS (continued)

CROP	USE RATE	NOTES AND INFORMATION
Nongrass Animal Feeds (Forage, Fodder, Straw and Hay): Alfalfa; bean (velvet); clover; kudzu; lespedeza; lupin; sainfoin; trefoil; and vetch (including crown and milk)	0.08 - 0.16 fl oz per 100 lbs of seed	For control of fungi (seed borne and soil borne) that result in seedling blights, damping off or seed decay. RESTRICTIONS: • Do not graze forage from treated seed until 30 days after planting.
Peanuts	0.08 - 0.16 fl oz per 100 lbs of seed	For control of fungi (seed borne and soil borne) that result in seedling blights, damping off or seed decay.
Rapeseed Crop Subgroup 20A (Except Flax Seed - see Flax section): Borage; crambe; cuphea; echium; gold of pleasure; hare's ear mustard; lesquerella; lunaria; meadowfoam; milkweed; mustard seed; oil radish; poppy seed; rapeseed (canola); sesame; sweet rocket; and cultivars, varieties, and/or hybrids of these	0.08 - 0.16 fl oz per 100 lbs of seed	For control of fungi (seed borne and soil borne) that result in seedling blights, damping off or seed decay.
Root and Tuber Vegetables (Except Potato - see Potato section): Arracacha; arrowroot; artichoke (Chinese, Jerusalem); beet (garden, sugar); burdock (edible); canna (edible); carrot; cassava (bitter and sweet); celery root; chayote; chervil; chicory; chufa; dasheen; ginger; ginseng; horseradish; leren; parsley; parsnip; radish; radish, oriental; rutabaga; salsify (oyster, black, Spanish); skirret; sweet potato; tanier; turmeric; turnip; yam bean (jicama, manioc pea); and true yam	0.08 - 0.16 fl oz per 100 lbs of seed or propagating root or tuber material	For control of fungi (seed borne and soil borne) that result in seedling blights, damping off or seed decay.
Potato	0.08 fl oz per 100 lbs of seed or propagating root or tuber material	For control of fungi (seed borne and soil borne) that result in seedling blights, damping off or seed decay. Apply this product to potato seed pieces only through certain types of application equipment designed for use with potato seed pieces. For more information, contact your local extension service or United Phosphorus Inc. representative. For resistance management, if treated potato seed pieces are intended for seed production, apply a mancozeb seed treatment dust, or registered pesticide product containing azoxystrobin (lower labeled rate for soil borne diseases is adequate) to potato pieces after treatment with STartUP FLUDI.
Soybeans	0.08 - 0.16 fl oz per 100 lbs of seed -OR- 0.0373 - 0.0747 fl oz per 140,000 seeds* -OR- 0.00027 - 0.00053 fl oz per 1000 seeds* * Based on 3000 soybean seeds per lb (0.0038 - 0.0076 mg ai per seed)	For control of fungi (seed borne and soil borne) that result in seedling blights, damping off or seed decay.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store in a cool, dry, secure place.

PESTICIDE DISPOSAL: Wastes resulting from the use of this product may be disposed of onsite or at an approved waste disposal facility. If these wastes cannot be used according to label instructions, contact your State Pesticide or Environmental Control Agency or the Hazardous Waste representative at the nearest EPA regional office for guidance in proper disposal methods.

CONTAINER HANDLING [less than or equal to 5 gallons]: Non-refillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container 1/4 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. Then offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration, or by other procedures approved by state and local authorities.

CONTAINER HANDLING [greater than 5 gallons]: Non-refillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container 1/4 full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least once 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. Then offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration, or by other procedures approved by state and local authorities.

IMPORTANT INFORMATION READ BEFORE USING PRODUCT

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 reflect the opinion of experts based on field use and tests, and must be followed carefully. It is impossible to eliminate all risks 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, presence of other materials or other influencing factors in the use of the product, which are beyond the control of United Phosphorus, Inc. or Seller. Handling, storage, and use of the product by Buyer or User are beyond the control of United Phosphorus, Inc. and Seller. To the extent consistent with applicable law, all such risks shall be assumed by Buyer and User, and Buyer and User agree to hold United Phosphorus, Inc. and Seller harmless for any claims relating to such factors.

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