

# MATERIAL SAFETY DATA SHEET

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## MOLD-CARE® MOLDICIDE CONCENTRATE

Health Emergencies: CHEMTREC® (800) 424-9300

### SECTION 1 - PRODUCT AND COMPANY IDENTIFICATION

**Packaged and Distributed:** Nisus Corporation  
100 Nisus Drive  
Rockford, TN 37853  
(800) 264-0870, Fax: (865) 577-5825

**Product Trade Name:** MOLD-CARE® MOLDICIDE CONCENTRATE

**EPA Registration No.:** 6836-212-64405

**CAS No.:** See Section 2

**Molecular Formula:** Mixture

**Chemical Name:** (Active) N, N-Didecyl-N, N-dimethyl ammonium chloride

### SECTION 2 - INGREDIENTS INFORMATION

**Chemical Name:** N, N-Didecyl-N, N-dimethylammonium chloride

**CAS No.:** 7173-51-5

**Approx. Wt%:** 80%

**Exposure Limit:** None Established

**Chemical Name:** Ethyl alcohol

**CAS No.:** 64-17-5

**Approx. Wt%:** 10%

**Exposure Limit:** OSHA-PEL 1000 ppm ACGIH- TWA 1000 ppm

**Chemical Name:** Water

**CAS No.:** 7732-18-5

**Approx. Wt%:** 10%

**Exposure Limit:** None Established

### SECTION 3 - HEALTH HAZARD INFORMATION

**HMIS Classification:**

Health Hazard: 3

Flammability: 2

Reactivity: 0

**Primary Routes of Entry:** Skin Contact, Eye Contact, Inhalation, Ingestion

**Effects of Overexposure:** Based on available animal toxicity information for this material, it is anticipated that direct skin or eye contact will produce severe irritation and/or chemical burns with possible irreversible damage. May be fatal if ingested. Ingestion can cause immediate burning pain in the mouth, throat and abdomen; severe swelling of the larynx. Ingestion can cause skeletal muscle paralysis affecting the ability to breathe; circulatory shock; and/or convulsions. Solvent vapors or mists of product may cause irritation of mucous membranes. Prolonged inhalation may produce drowsiness, lassitude and inability to concentrate.

**Overexposure May Aggravate Existing Conditions:** No effects indicated.

**Material Listed as Carcinogen by:**

National Toxicology Program: No

I.A.R.C. Monographs: No

O.S.H.A.: No

### SECTION 4 - EMERGENCY AND FIRST AID MEASURES

**Skin Contact:** Wash with plenty of running water, and soap if available, for 15 minutes. Remove contaminated clothing and shoes. Get immediate medical attention. Wash clothing and decontaminate shoes before reuse.

**Eye Contact:** Immediately flush eyes with large amounts of running water for at least 15 minutes. Hold eyelids apart to ensure rinsing of the entire surface of the eyes and lids with water. Get immediate medical attention. If physician is not available, flush for an additional 15 minutes and then transport victim to medical care.

**Inhalation:** Remove from area to fresh air. Get immediate medical attention. If not breathing, clear airway and start artificial respiration. If victim is having trouble breathing, give supplemental oxygen, if available.

**Ingestion:** Immediately give 3-4 glasses of milk (if unavailable, water). DO NOT induce vomiting. If vomiting does occur, give fluids again. Get immediate medical attention. Have physician determine if patient's condition allows for induction of vomiting or evacuation of the stomach. Do not give anything by mouth to an unconscious or convulsing person.

**Note to Physician:** Probable mucosal damage may contraindicate the use of gastric lavage. Measures against circulatory shock, as well as oxygen and measures to support breathing manually or mechanically may be needed.

### SECTION 5 - FIRE AND EXPLOSION DATA

**Flash Point:** 106°F (41°C) Setaflash

**Decomposition Temperature:** Not Known

**Self Ignition:** Not Known

**Lower Explosion Limit:** Not Known

**Upper Explosion Limit:** Not Known

**Extinguishing Media To Be Used:** Carbon dioxide, Dry chemical, Alcohol foam, Water

**Special Fire Fighting Procedures:** Must wear NIOSH/MSHA approved self-contained breathing apparatus and protective clothing. Cool fire-exposed containers with water spray.

**Unusual Fire and Explosion Hazards:** Products of combustion are toxic. Heated solvent vapors can travel to an ignition source and flash back.

### SECTION 6 - ACCIDENTAL RELEASE MEASURES

**Measures After Spillage / Leakage / Release:** Danger- corrosive and combustible material. Remove all sources of ignition and ground all equipment before beginning cleanup. Floors may become slippery. Wear appropriate protective gear and NIOSH/MSHA approved respirator where mists or vapors of unknown concentrations may be generated (self-contained breathing apparatus preferred). Dike and contain spill with inert material (sand, earth, etc.). Transfer the solid and liquid separately to containers for recovery or disposal. Keep spill out of sewers and open bodies of water.

### SECTION 7 - HANDLING AND STORAGE

**Precautions for Storage and Handling:** Maximum storage temperature: 140°F (60°C). Store containers in compliance with the most recent NFPA Code (NFPA 30). Ground all containers prior to pouring. Keep containers closed until used. Do not contaminate drinking water, food or feed by storage or disposal.

### SECTION 8 - EXPOSURE CONTROLS AND PERSONAL PROTECTION

**Ventilation:** In processes where mists or vapors may be generated, proper ventilation must be provided in accordance with good ventilation practices.

**Respiratory Protection:** In processes where mists or vapors may be generated, a NIOSH/MSHA jointly approved respirator is advised in the absence of proper environmental controls.

**Protective Gloves:** Use rubber or neoprene gloves to prevent skin contact.

**Eye Protection:** Wear chemical splash goggles where there is a potential for eye contact. Use safety glasses with side shields under normal use conditions.

**Other Protective Equipment:** Eye wash; safety shower; protective clothing (long sleeves, coveralls or other as appropriate), when needed, to prevent skin contact.

### SECTION 9 - PHYSICAL AND CHEMICAL PROPERTIES

**Form:** Liquid

**Color:** Colorless to Pale Yellow

**Odor:** Ethanol-Like

**Changes of Physical State**

**Freezing Point:** 10 °C

**Boiling Point:** Not Known

**Specific Gravity:** 0.89 g/ml at 25°C

**Bulk Density:** Not Applicable

**Vapor Pressure:** Not Known

**Vapor Density (Air=1):** Not Known

**Max. Percent Volatile:** 20%

**Evaporation Rate (Butyl Acetate=1):** Not Known

**Viscosity:** Not Known

**Water Solubility:** Soluble

**pH-Value:** 6.5 - 9 (10% active solution)

### SECTION 10 - STABILITY AND REACTIVITY

**Stability:** Stable; Conditions to Avoid: None known

**Hazardous Decomposition Products:**

Thermal decomposition may produce toxic vapors/fumes of hydrogen chloride, amines and other organic materials; and oxides of carbon and nitrogen.

**Hazardous Polymerization:** Will not occur. Conditions to Avoid: None Known

**Incompatibility (materials to avoid):** Strong oxidizing or reducing agents

## SECTION 11 – TOXICOLOGY

No toxicity information is available for this product. The toxicity information provided is for a similar product(s) and/ or component(s) of this product.

### Acute (80% active solution):

Oral LD50: rat: 450 mg/kg  
412 mg/kg (male); 292 mg/kg (female)  
Dermal LD50: rabbit: 3342 mg/kg  
4300 mg/kg (two tests)  
Eye Irritation: rabbit: Severe irritation that did not clear by day 7 post dose.  
Skin Irritation: rabbit: Severe irritation that did not clear by day 7 post dose.

**Acute** (0.2% active solution): Skin Sensitization: guinea pig: Not a sensitizer

**Acute** (50% active solution): Skin corrosivity: rabbit: Corrosive

**Chronic** (50% active solution):

Not mutagenic. Not clastogenic with or without metabolic activation. No evidence of chromosomal damage in the bone marrow of rats treated with 600 mg/kg. No statistically significant teratogenic effects observed with administration of doses from 10 to 50 mg/kg during day 6 through 15 of gestation (rat and rabbit).

## SECTION 12 – ECOLOGICAL INFORMATION

**Toxicity to daphnia and other aquatic invertebrates:** EC50  
Species: Daphnia magna (water flea)  
Exposure time: 48h

**Additional ecological information:** Information given is based on data on the components and the ecotoxicity of similar products.

**The following ecotoxicological data refer to Didecyltrimethylammonium chloride (CAS no. 7173-51-5):**

### Biodegradability:

*Modified Strum Test*  
Concentration: 10 mg/l  
Exposure time: 28 d  
Result: Readily biodegradable  
72%  
Method: OECD Test Guideline 301B

*Die-Away Test*  
Concentration: 0.016 mg/l  
Exposure time: 24-70 d  
91%  
Method: OECD Test Guideline 303A

*Remarks:* The surfactant(s) contained in this mixture comply with the biodegradability criteria as laid down in Regulation (EC) No. 648/2004 on detergents. Data to support this assertion are held at the disposal of the component authorities of the Member States and will be made available to them, at their direct request or at the request of a detergent manufacturer.

### Acute Fish Toxicity:

*Acute toxicity LC50*  
Species: Pimephales promelas (fathead minnow)  
Concentration: 0.19 mg/l  
Exposure time: 96 h  
Analytical monitoring: yes  
Method: US-EPA

*Chronic toxicity NOEC*  
Species: Danio rerio (zebra fish)  
Concentration: 0.03 mg/l  
Analytical monitoring: yes  
Method: OECD Test Guideline 210

### Toxicity to daphnia and other aquatic invertebrates:

*Immobilization EC50*  
Species: Daphnia magna (water flea)  
Concentration: 0.06 mg/l  
Exposure time: 48 h  
Analytical monitoring: yes  
Method: EPA-FIFRA

### Reproduction Test NOEC

Species: Daphnia magna (water flea)  
Concentration: 0.01 mg/l  
Exposure time: 21 d  
Analytical monitoring: yes  
Method: OECD Test Guideline 211

### Toxicity to algae:

Growth inhibition ErC50  
Species: Pseudokirchnerella subcapitata (green algae)  
Dose: 0.02 mg/l  
Exposure time: 96 h  
Analytical monitoring: yes  
Method: OECD Test Guideline 201

### Toxicity to bacteria:

Respiration inhibition EC50  
Species: activated sludge  
Dose: 11.00 mg/l  
Exposure time: 3 h  
Method: OECD Test Guideline 209

## SECTION 13 – DISPOSAL CONSIDERATIONS

### DISPOSAL

Dispose of in compliance with all Federal, state and local laws and regulations. Incineration is the preferred method.

**Container Disposal:** Triple rinse (or equivalent) then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

## SECTION 14 – TRANSPORTATION INFORMATION

### U.S. DEPARTMENT OF TRANSPORTATION

**LAND TRANSPORTATION DOT SHIPPING NAME:** Disinfectant, Liquid Corrosive, N.O.S., 8, PGIII UN1903. Small sizes/quantities may be Limited Quantity or ORM-D.

**BULK SHIPPING:** Contact manufacturer.

## SECTION 15 – REGULATORY INFORMATION

**EPA Registration No.:** 6836-212-64405

**OSHA Hazard:** Corrosive, Flammable

**WHMIS Classification:** E Corrosive Material  
B2 Flammable Liquid

**CERCLA Reportable Quantity:** 1000 lbs.

**SARA 311/312 Hazards:** Acute Health Hazard

### EPCRA - EMERGENCY PLANNING COMMUNITY RIGHT-TO-KNOW

**SARA 302 Components:** No chemicals in the material are subject to the reporting requirements of SARA Title III, Section 302.

**SARA 313 Components:** This material does not contain any chemical components with known CAS numbers that exceed the threshold (De Minimis) reporting levels established by SARA Title III, Section 213.

### US State Regulations:

**Massachusetts, Pennsylvania & New Jersey Right-to-Know Components:**  
Ethanol 64-17-5; Listed

**California, Prop 65 Components:** This product does not contain any chemicals known to the State of California to cause cancer, birth defects, or any other reproductive harm.

This product has been classified according to the hazard criteria of the CPR and the MSDS contains all the information required by the CPR.

## SECTION 16 – OTHER INFORMATION

*The information and recommendations contained herein are based upon data believed to be correct. However, no guarantee or warranty of any kind expressed or implied is made with respect to the information contained herein. This information and product are furnished on the condition that the persons receiving them shall make their own determination as to the suitability of the product for their particular purpose and on the condition that they assume the risk of their use thereof.*

FOR ADDITIONAL REGULATORY INFORMATION AND TOXICOLOGY INFORMATION CONTACT NISUS CORPORATION.



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# BORA-CARE®

Termiticide, Insecticide and Fungicide Concentrate

**For the Prevention and Control of:  
Listed Wood Destroying Beetles, Fungi (Rot) & Drywood Termites**

For use in and around Residential, Industrial and Commercial Structures including Homes, Apartments, Garages, Museums, Public and Private Institutions, Schools, Hotels, Hospitals, Kennels, Stables, Farm Buildings, Trucks, Trailers, Warehouses and Non-Food Areas of Supermarkets, Restaurants and Food Processing Plants.

**Active Ingredient:**

Disodium Octaborate Tetrahydrate (CAS No. 12280-03-4).. 40%

**Other Ingredients**..... 60%

Total..... 100%

**EPA Reg. No. 64405-1**

**EPA Est. 64405-TN-1**

**U.S. Patent Nos. 5,645,828; 7,597,902**

**Keep Out of Reach of Children  
CAUTION**

**PRECAUTIONARY STATEMENTS**

**Hazards to Humans & Domestic Animals**

**WEAR:** Long-sleeved shirt & long pants, socks, shoes and chemical-resistant gloves (such as Barrier Laminate, Butyl Rubber, Nitrile Rubber, Neoprene Rubber, Polyvinyl Chloride (PVC), Viton or others listed in category C on an EPA chemical-resistance category selection chart).

**Environmental Hazards**

This pesticide is toxic to fish and wildlife. Do not apply directly to water, to intertidal areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water when cleaning equipment or disposing of equipment washwaters.

**DIRECTIONS FOR USE**

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

**Notice**

Read and understand the entire label before using. Use only according to label directions.

Before buying or using this product, read **Warranty Disclaimer** and **Limitation of Remedies** statements found elsewhere on this label. If terms are unacceptable, return unopened package to seller for full refund of purchase price. Otherwise, use by the buyer or any other user constitutes acceptance of the terms under **Warranty Disclaimer** and **Limitation of Remedies**.

**Use Restrictions**

Do not use in edible product areas of food processing plants or on countertops and other surfaces where food is prepared. Do not use in serving areas where food is exposed. Do not contaminate feed, water or food. Do not enter or allow others to enter or occupy treated areas until spray has been absorbed into the wood. Treated areas must not be occupied during application.

**Phytotoxicity**

This product may be phytotoxic to plants. When treating around the exterior of structures, cover and protect shrubbery and plants that may be potentially exposed to this product, when applied in accordance with the label directions.

**Personal Protective Equipment (PPE)**

Some materials that are chemical-resistant to this product are barrier laminate; butyl, nitrile, neoprene and natural rubbers ≥ 14 mils; polyethylene; polyvinyl chloride; and viton ≥ 14 mils. If you want more options, follow the instructions for category C on an EPA chemical-resistance category selection chart.

Applicators, mixers and other handlers must wear long-sleeved shirt, long pants, socks, shoes, chemical-resistant gloves and protective eyewear. When applying Bora-Care solutions in confined spaces, provide ventilation or an exhaust system or use of a NIOSH-approved dust/mist filtering respirator (MSHA/NIOSH approval number prefix TC-21C) with a prefilter approved for pesticides (MSHA/NIOSH approval prefix TC-23C), or a canister approved for pesticides (MSHA/NIOSH approval prefix TC-14G) or a NIOSH-approved respirator with any N, R, P or HE prefilter is recommended.

**User Safety Requirements**

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.

## 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.

## I. Mixing Instructions

Bora-Care is a concentrate that must be diluted with clean water before use. The use of warm or hot water, if available, and an impeller-type mixer that can be used with an electric drill aids the dilution process.

For mold control, mix 1 pint of Mold-Care Moldicide Concentrate and 1 gallon of Bora-Care in 5 gallons of water following the procedures below:

**A. Hand Sprayers:** Mix in a clean container and stir the solution until completely uniform. Always mix in a separate container then add the solution to a spray tank. Mixing Bora-Care concentrate directly in a spray tank can block hoses and nozzles.

**B. Hand Volume Pumping Systems:** Add all of the dilution water to tank, start recirculator and slowly add Bora-Care concentrate. Mix until uniform.

The solution will remain stable for up to 30 days. Do not leave unused solution under pressure or in tank overnight. Clean and/or flush equipment and lines with water after use.

Bora-Care may be mixed with Mold-Care Moldicide Concentrate for performance against mold, provided the products' labels contain no prohibition against such mixing, following the more restrictive label's precautions and limitations. Do not exceed label dosage rates.

For tracking purposes (to make it easier to see where Bora-Care solutions have been applied) an appropriate marker dye or pigment may be added as part of the diluent to the Bora-Care solution. Refer to the dye or pigment product label for the recommended amount to add to the Bora-Care solution.

Use soap and water to clean up tools.

## II. General Information

Bora-Care solution is not intended for application to soil; it is not a soil termiticide. **Do not use to directly treat soil.**

**When active infestations exist, get a professional inspection.** Prior to using this product, consult with your state regulatory agency to see if additional qualifications are required to apply this product.

Bora-Care contains an inorganic borate salt, soluble in water, with insecticidal and fungicidal properties effective against wood destroying organisms, including the target pests listed below:

Brown Rot (including dry rot), White Rot, Wood Decay

Drywood Termites: *Kaloterms*, *Incisitermes*

Powderpost Beetles: *Lyctinae*, *Bostrichidae*

Anobiid Beetles: *Anobiidae*

Old House Borers, Longhorned Beetles: *Cerambycidae*, *Hylotrupes*

Bora-Care solutions may be used on all non-food contact surface cellulosic materials including wood, plywood, particle board, paper, oriented strand board (OSB), cardboard (non-food packaging material), wood composite structural components, concrete, block, brick, metals, PVC plumbing pipes and other non-cellulosic materials found in structures. Apply Bora-Care solutions only to bare wood, plywood, particle board and other cellulosic materials where an intact water-repellent barrier, such as paint, stain or sealer, is not present.

## III. Preventative Treatment of Wooden Structures for Drywood Termites, Old House Borers, Powderpost and Other Wood Boring Beetles and Fungi (Rot)

**Note:** Bora-Care is not intended for application to soil.

Bora-Care solution provides only limited and temporary protection of wood in contact with the ground (see specific instructions) and is not a substitute for products registered for protection of wood in contact with the ground.

Apply when access to wooden structural components is optimized such as at the "dried-in" stage when sheathing and roofing are in place, yet before installation of insulation, wiring, plumbing and other mechanical components.

Concentrate application in areas susceptible to attack, to include all sills, plates, floor joists, piers, girders and subfloors. Treat structural wood in all plumbing, electrical and ductwork areas where they penetrate walls and/or floors. Treat all structural wood base plates and studs on interior and exterior walls, especially those surrounding any high moisture areas such as bathrooms, kitchens and laundry rooms. For buildings built on concrete slabs, treat all structural wood in contact with the concrete slab, all interior and exterior wall studs and wall sheathing material. In attics, treat all structural wood including ceiling joists, trusses, top plates, rafters and roof decking. Treat all structural wood sill plates and structural wood contacting garages and porches.

In areas where access is limited to 1 or 2 sides of a wood member including exterior wall base plates and any married studs, apply 2 coats of solution to the exposed surfaces. Allow first application to dry by waiting at least 20 minutes between applications.

Treat all exterior wood including siding, facias, soffits, eaves, roofing, porches, decks and railings.

## IV. Preventative Treatment for Drywood Termites and Powderpost Beetles

Apply 1 coat of solution to the point of surface saturation to all structural wood surfaces using a brush, spray or mist. Apply 2 coats of solution to those surfaces where access is limited to 1 or 2 sides of structural wood members. Allow first application to dry by waiting at least 20 minutes between applications.

## V. Treatment of Exterior Wood Surfaces Less Than Two Inches Thick such as Decks, Sheds and Fences

Apply only to bare wood or to wood surfaces where an intact water repellent or finish is not present. Remove paint or finish prior to application. Apply 1 coat of solution to the point of surface saturation to all wood surfaces. Apply 2 coats of solution to heavily infested areas and to those surfaces where access is limited to 1 or 2 sides of wood members. Allow first application to dry by waiting at least 20 minutes between applications. Do not apply in rain or snow. Do not expose treated exterior wood surfaces to rain or snow for at least 48 hours after treatment. If inclement weather is expected, protect exterior treated surfaces with a plastic tarp.

For wood in contact with the ground or soil, see Section VII.

**A. Finishing and Maintaining Treated Surfaces:** For longer performance, exterior wood surfaces that have been treated will require a topcoating with a water-resistant finish such as paint or exterior stain. Apply the finish or topcoat within 6 weeks of treatment. It is important to allow treated wood to completely dry (at least 48 hours) before applying any protective topcoat. Coat a small section of treated wood with the finish to be used and check for compatibility prior to complete application.

## VI. Dip Treating Logs and Lumber

Sticker bundled wood to ensure the solution covers all wood surfaces. Submerge logs and/or lumber in the solution for at least 1 minute or until all entrapped air has escaped. Protect treated wood from rain or snow for at least 24 hours after treatment.

## VII. Treatment of Wood In Contact With the Ground

A Bora-Care solution treatment to wood in contact with the ground or soil has a limited lifespan and will require periodic reapplication. Protection may be extended with the use of a 40% disodium octaborate tetrahydrate (or borate) gel product.

## VIII. Application Rates

Table A – Dimensional Lumber

Lumber Size (Inches)	1 Gallon of Diluted Bora-Care Will Treat Up To	Minimum Amount of Diluted Bora-Care To Treat 1000 Lineal Feet
1 x 4	1,200 Lineal Feet	0.8 Gal.
1 x 12	400	2.6
2 x 4	600	1.6
2 x 6	400	2.6
2 x 8	308	3.2
2 x 10	240	4.2
2 x 12	200	5.0
4 x 4	300	3.4
4 x 6	200	5.0
4 x 8	150	6.8
4 x 12	100	10.0
6 x 6	133	7.6
6 x 8	100	10.0
6 x 10	80	12.6
6 x 12	68	15.0

Table B – Panels, Siding and Plywood

Thickness (Inches)	1 Gallon of Diluted Bora-Care Will Treat Up To	Minimum Amount of Diluted Bora-Care To Treat 1000 Square Feet
1/4	1,600 sq. ft.	0.6 Gal.
3/8	1,067	1.0
1/2	800	1.2
3/4	533	1.8
1	400	2.6

**Note:** The numbers listed above are based on an application rate of one gallon of Bora-Care solution to 400 board feet of wood.

### Storage and Disposal

*(For product packaged in rigid, nonrefillable containers less than or equal to 5 gallons)*

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

**Pesticide Storage:** Store in a cool, dry preferably locked storage area inaccessible to children and pets. Do not freeze. **Pesticide Disposal:** Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility. **Container Management:** Nonrefillable container; do not reuse or refill this container. Triple rinse (or equivalent) container 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 reconditioning, if appropriate; or puncture and dispose of in a sanitary landfill; or by incineration.

## IX. Warranty Disclaimer

Manufacturer warrants that this 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 not prohibited by applicable law, **MANUFACTURER MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE OR ANY OTHER EXPRESS OR IMPLIED WARRANTY.**

### Inherent Risks of Use

The directions for use of this product are believed to be adequate and must be carefully followed. It is impossible to eliminate all risks associated with use of this product. Lack of performance or other unintended consequences may result because of such factors as use of the product contrary to label instructions, abnormal conditions, the presence of other materials, climatic conditions or the manner of use/application, all of which are beyond the control of the Manufacturer. The buyer/user assumes all such risks.

### Limitation of Remedies

To the extent not prohibited by 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 Manufacturer'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 not prohibited by applicable law: a) Manufacturer shall not be liable for losses or damages resulting from handling or use of this product unless Manufacturer is promptly notified of such loss or damage in writing; and b) **IN NO CASE SHALL MANUFACTURER BE LIABLE FOR CONSEQUENTIAL OR INCIDENTAL DAMAGES OR LOSSES, INCLUDING WITHOUT LIMIT, HEALTH RELATED DAMAGES OR INJURIES.**

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

It is not intended that this product be used to practice any applicable patent, whether mentioned or not, without procurement of a license, if necessary, from the owner, following investigation by the user.



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