ADA 46701 SC

[Alternate Brand Name: Brevis SC]

Fruit Thinner, For Use on Pome Fruit (Apples and Pears)

Product to be used only in the following States: California, Idaho, Massachusetts, Michigan, Minnesota, Missouri, New Jersey, New York, North Carolina, Oregon, Pennsylvania, Utah, Virginia, Washington, and Wisconsin.

ACTIVE INGREDIENT:	**% BY WT.**
Metamitron(1,2,4-Triazin-5(4H)-one, 4-amino-3-methyl-6-phenyl)*	14.41%
OTHER INGREDIENTS:	85.59%
TOTAL	100.0%

*Contains 1.25 lbs. of Metamitron per gallon. ADA 46701 is a suspension concentrate (SC)

KEEP OUT OF REACH OF CHILDREN
CAUTION / PRECAUCION

Si usted no entiende la etiqueta, busque a alquien para que se la explique a usted en detalle.
(If you do not understand the label, find someone to explain it to you in detail.)

Manufactured for:
Makhteshim Agan of North America, Inc. d/b/a ADAMA
8601 Six Forks Road, Suite 300
Raleigh, NC 27615
How can we help? 1-866-406-6262

EPA Reg. No. 66222-xxx **EPA Est. No.**

NET CONTENTS: ____

FIRST AID

IF SWALLOWED:	- 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 ON SKIN OR CLOTHING:	- 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:	- 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 treatment advice
IF INHALED:	- Move person to fresh air. - If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible. - Call a poison control center or doctor for treatment advice.

Note to Physician: No specific antidote. Treat symptomatically.

Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact 1-877-250-9291 for emergency medical treatment information.

In case of spills, fire, leaks or accident call 1-800-535-5053

Optional Text for Label Booklet: [For additional precautionary, handling and use statements, see inside of this booklet.]

PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS
CAUTION

Harmful if swallowed. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco, or using the toilet.

Causes moderate eye irritation. Avoid contact with eyes or clothing. Wear (specify appropriate protective eyewear, if applicable). Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco, or using the toilet.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Applicators and other handlers must wear:

- Long-sleeve shirt and long pants
- Socks
- Shoes
- Waterproof or chemical-resistant gloves.

ENGINEERING CONTROLS STATEMENTS

When handlers use enclosed cabs 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 immediately if they become saturated and the pesticide contacts the body and if pesticide gets inside. Then bathe 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 chemical has properties and characteristics associated with chemicals detected in groundwater. This chemical may leach into groundwater if used in areas where soils are permeable, particularly where the water table is shallow.

DIRECTIONS FOR USE

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

IMPORTANT: READ BEFORE USE

Read the entire Directions for Use, Conditions, Disclaimer of Warranties and Limitations of Liability before using this product. If terms are not acceptable, return the unopened product container at once.
By using this product, user or buyer accepts the following Conditions, Disclaimer of Warranties and Limitations of Liability.

USE RESTRICTIONS

- Apply this product only as specified the EPA approved label.
- **DO NOT** apply this ADA 46701 SC through any type of irrigation system.
- **DO NOT** apply by aircraft.
- **DO NOT** make ground applications during temperature inversions
- **DO NOT** cultivate within 10 feet of an aquatic area to allow growth of a vegetative filter strip.
- **DO NOT** apply to blooming crops; It is recommended that the understory of the orchard be mowed to further limit the likelihood of bees foraging during application.
- **DO NOT** add other thinning agents to tank (e.g., NAA, NAD, 6-BA, etc.)
- **DO NOT** spray on wet leaves (e.g., early morning after a dew or shortly after a rain).
- **DO NOT** apply this product when soil is saturated or at field capacity, or when a storm even likely to produce runoff from the treated area is forecast (by NOAA/National Weather Service, or other similar forecasting service) to occur within 24 hours following application.
- **DO NOT** apply herbicides that are very volatile in the 7 days before and after ADA 46701 SC application.
- **DO NOT** apply within 5 days of a frost or when frost is expected.
- **DO NOT** apply to trees that are under stress or have poor tree health.
- **DO NOT** apply ADA 46701 SC to trees less than 4 years old.

AGRICULTURE 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), notification to workers, and restricted-entry interval. The requirements in this box 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 **4 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:

- Long-sleeve shirt and long pants
- Socks
- Shoes
- Waterproof or chemical-resistant gloves.

Notify workers of the application by warning them orally and by posting warning signs at entrances to treated areas.

PRODUCT INFORMATION

ADA 46701, a photosystem II inhibitor, reduces photosynthesis and may put the tree into carbon stress, causing excess fruit to fall, thus contributing to an increase in the quality of fruit production.

ADA 46701 is for use on apple and pear trees.
ADA 46701 is applied to apple and pear trees, post-bloom, to thin fruit when fruit set is higher than optimal.

ADA 46701 is applied to apple and pear to fruit with a diameter from late petal-fall (5-7 mm fruit) until 16-20 mm.

APPLICATION PROCEDURES

Spray Volume:

- Apply ADA 46701 at a carrier volume of 50-150 gallons per acre by ground sprayer.
- Check equipment calibration frequently.
- Complete coverage and uniform application are essential for the most effective results, especially when lower spray volumes are applied. If necessary, increase the spray volume per acre for complete crop coverage.

SPRAY DRIFT MANAGEMENT

- Avoiding spray drift at the application site is the responsibility of the applicator and the grower. The interaction of many equipment-and weather-related factors determine the potential for spray drift. The applicator and the grower are responsible for considering all these factors when making decisions regarding spraying.
- Apply only as a medium or coarser spray (ASABE standard 572.1) or a volume mean diameter of 150 microns or greater.
- Apply only when the wind speed is 3 – 10 mph at the application site. If applying at wind speeds less than 3 mph, the applicator must determine if:
    a) conditions of temperature inversion exist, or
    b) stable atmospheric conditions exist at or below nozzle height.
- Avoid drift on to non-target crops, especially plums and cherries as drift may cause leaf injury.
- Where states have more stringent regulations, they should be observed.
- The applicator should be familiar with and consider the information covered in the **Spray Drift Management** section.

Spray Drift Management:

- Use the largest droplet size consistent with good leaf coverage. Formation of very small droplets may be minimized by appropriate nozzle selection.
- Make air-blast applications when wind velocity favors on-target product deposition (approximately 3 to 10 mph). Do not apply when wind velocity exceeds 15 mph. Avoid applications when wind gusts approach 15 mph.
- Risk of exposure to sensitive aquatic areas can be reduced by avoiding applications when wind direction is toward the aquatic area.
- Low humidity and high temperatures increase the evaporation rate of spray droplets and therefore the likelihood of spray drift to aquatic areas. Avoid spraying during conditions of low humidity and/or high temperature.
- Do not make aerial or ground applications during temperature inversions. Inversions are characterized by stable air and increasing temperatures with height above the ground. Mist or fog may indicate the presence of an inversion in humid areas. The applicator may detect the presence of an inversion by producing smoke and observing a smoke layer near the ground surface.

Information on Droplet Size

The most effective way to reduce drift potential is to apply large droplets. The best drift management strategy is to apply the largest droplets that provide enough coverage and control. Applying larger droplets reduces drift potential but will not prevent drift if applications are made improperly or under unfavorable environmental conditions (*see* ***Wind, Temperature and Humidity and Temperature Inversions*** sections).

Controlling Droplet Size

- **Volume -** Use high flow rate nozzles to apply the highest practical spray volume. Nozzles with higher rated flows produce larger droplets. Volume should be adjusted to leaf canopy density so minimal spray exits the other side of the row.
- **Pressure** - Do not exceed the nozzle manufacturer's recommended pressures. For many nozzle types, lower pressure produces larger droplets. When higher flow rates are needed, use higher flow rate nozzles instead of increasing pressure.
- **Number of nozzles** - Use the minimum number of nozzles that provide uniform coverage.
- **Nozzle Orientation** -Aim nozzles at orchard canopy. For nozzles pointed to the top of the canopy, consider using nozzles that produce coarse droplets.
- **Nozzle Type** - Use a nozzle-type that is designed for the intended application. Consider the use of air induction nozzles as they create coarse droplets that are less likely to drift.

Wind

Drift potential is lowest between wind speeds of 3-10 mph. However, many factors including droplet size and equipment type determine drift potential at any given speed. Application should be avoided below 3 mph due to variable wind direction and high inversion potential. **Note:** Local terrain can influence wind patterns. Every applicator should be familiar with local wind patterns and how they affect spray drift.

Temperature and Humidity

When making applications in low relative humidity, set up equipment to produce larger droplets to compensate for evaporation. Droplet evaporation is most severe when conditions are both hot and dry.

Temperature Inversions

Applications should not occur during a temperature inversion because drift potential is high. Temperature inversions restrict vertical air mixing, which causes small, suspended droplets to remain in a concentrated cloud. This cloud can move in unpredictable directions due to the light variable winds common during inversions. Temperature inversions are characterized by increasing temperatures with altitude and are common on nights with limited cloud cover and light to no wind. They begin to form as the sun sets and often continue into the morning. Their presence can be indicated by ground fog; however, if fog is not present, inversions can also be identified by the movement of smoke from a ground source or an aircraft smoke generator. Smoke that layers and moves laterally in a concentrated cloud (under low wind conditions) indicates an inversion while smoke that moves upward and rapidly dissipates indicates good vertical air mixing.

Sensitive Areas

The pesticide should only be applied when the potential for drift to adjacent sensitive areas (e.g. residential areas, bodies of water, known habitat for threatened or endangered species, non-target crops) is minimal (e.g. when wind is blowing away from the sensitive areas).

Airblast sprayers

- Adjust fan settings to produce the minimal effective air speed throughout the season.
- Direct sprays into the canopy.
- Outward pointing nozzles should be turned-off at row ends and when spraying outer rows.
- Air induction nozzles in the highest operable nozzle positions allows spray to fall back into canopy.

- Deflectors can channel air into, not over or under, the canopy.
- Tower sprayers reduce the distance-to-target and direct air into the target. Target should be at least 20 inches from the nozzles.
- Foliage sensors can turn boom sections on and off to match the size and shape of the canopy.
- Consider tangential, recycling, tower or multi-duct sprayers.

MIXING PROCEDURES

1. Be sure sprayer is clean and not contaminated with any other materials or crop injury or sprayer clogging may result.
2. Fill tank ½ full with clean water.
3. Start agitation.
4. Be certain that the agitation system is working properly and creates a rippling or rolling action on the liquid surface.
5. Pour product directly from container into partially filled spray tank.
6. Continue filing tank until 90% full. Increase agitation if necessary, to maintain surface action.
7. Add a non-ionic surfactant when required by the label (western US).
8. Do no leave sprayer standing with spray for prolonged periods.

When a non-ionic surfactant is to be used with this product, use a Chemical Producers and Distributors Association (CPDA) certified adjuvant.

COMPATIBILITY

It is recommended that ADA 46701 not be applied with other crop protection and foliar nutrient products.

Compatibility: To determine the compatibility of ADA 46701 with other products, the following procedure should be followed:

1. Pour the recommended proportions of the products into a suitable container of water.
2. Mix thoroughly.
3. Allow to stand at least five (5) minutes.

If the combination remains mixed or can be re-mixed readily, the mixture is considered physically compatible. For further information contact your local ADAMA representative.

CLEANING SPRAY EQUIPMENT

After using ADA 46701, empty the spray tank completely and drain the entire system clear of waterways and susceptible vegetation. Thoroughly rinse the spray tank using a minimum of 3 rinse cycles. Drain the tank and clean any tank, pump, line and nozzle filters.

APPLICATION INSTRUCTIONS

Crop Group	Rate (fluid oz/acre)	Application Information
Apple – West of Rocky Mountains Washington, Oregon, California, Idaho and Utah	16 – 48	• West of the Rocky Mountains: include a 90% a.i., non-ionic surfactant (NIS) at rate of 16 fl oz/100 gallons (0.125 %v/v). • East of the Rocky Mountains: If conditions favor slow droplet drying, do not add NIS. However, if weather conditions on the day of application are favorable for fast droplet drying (i.e., low humidity, higher temperatures, mostly sunny and wind) users may add an NIS at 1 pint per 100 gallons (0.125% v/v). • Do not use a crop oil concentrate [COC], or summer horticultural oil and tank-mix with any oil-based formulation. • Apply with carrier volumes between 50 and 150 gallons per acre (see Spray Coverage section below) on ensure complete coverage of the targeted part of the tree. • Apply ADA 46701 to apple and pear fruit with a diameter from 5-20 mm • To determine application rates, see the *Application Rate*s section below • A second application may be required on difficult to thin varieties with high fruit set or in situations the carbon status of the tree is high. There should be a minimum interval of 8 days between applications. • If an early timing for the first application is missed, ADA 46701 may be applied as a single application when fruit diameter is less than or equal to 20 mm, not to exceed the single maximum application rate. • Apply ADA 46701 when air temperatures are between 50°F and 84°F. • If temperatures are expected to exceed 84°F, 1-5 days after an application, delay application until temperature decreases or decrease rate. • In orchards with mixed varieties (use of varieties as pollinators), pay attention to the different varietal sensitivity. • Higher parts of the tree that receive more direct sunlight can be targeted if lower part of the tree is at desired fruit set.
Apple – East of Rocky Mountains Massachusetts, Michigan, Minnesota, Missouri, New Jersey, New York, North Carolina, Pennsylvania, Virginia, and Wisconsin.	16 – 40	
Pears California, Michigan, New Jersey, New York, North Carolina, Oregon, Pennsylvania, and Washington	16 – 48	

Use Restrictions and precautions:

- PHI = 72 days.
- **DO NOT** apply more than 96 fl oz; (0.94 lbs a.i.) of ADA 46701 per acre per year.
- **DO NOT** add other thinning agents to tank (e.g., NAA, NAD, 6-BA, etc.).
- Avoid drift to non-target crops, especially plums and cherries as drift may cause leaf injury.
- **DO NOT** spray on wet leaves (e.g., early morning after a dew or shortly after a rain).

- Summer oils, oil containing adjuvants (e.g., crop oil concentrates, methylated seed oil, etc.) and some oil-based crop protection products (e.g., emulsifiable concentrate formulations), SDHI fungicides and other products in the spray program (e.g., amino acids) may increase thinning effect of ADA 46701. Keep an interval of at least 7 days before or after application of ADA 46701.
- **DO NOT** apply herbicides that are very volatile in the 7 days before and after ADA 46701 application since they can increase the negative effect of chlorosis on the leaves.
- **DO NOT** apply within 5 days of a frost or when frost is expected.
- Varieties and clones respond differently to fruit thinning agents. Not all varieties and clones have been individually tested for efficacy and crop safety under all environmental conditions and growing circumstances.
- Rootstocks respond differently to fruit thinning agents. Not all rootstocks have been individually tested for efficacy and crop safety under all environmental conditions and growing circumstances.
- ADA 46701 is generally well tolerated by common apple and pear varieties. Under unfavorable conditions, the product may cause chlorotic and necrotic spots on leaves. These have no impact on the development of the crop and ADA 46701 will not translocate into new growth. A dose rate above the label recommend rate may cause strong necrosis followed by the drop of affected leaves.
- **DO NOT** apply to trees that are under stress or have poor tree health.
- **DO NOT** apply higher rates to orchards with a history of poor fruit retention or over-thinning responses to other thinning products.
- Avoid applying ADA 46701 to trees less than 4 years old.
- ADA 46701 is rainfast in 2 hours for up to 0.4 inches of rain or irrigation. Rainfall or irrigation that exceeds 0.4 inches may reduce ADA 46701 efficacy. If more than 0.4 inches of rain is forecasted or irrigation is scheduled, do not apply unless there is an 24-hour rain or irrigation free period.

Determining Application Rates

- Base rates should be determined based on an orchards history of thinning propensity. Use higher application rates in hard to thin orchards. Use mid-range rates in medium to thin orchards.
- Use lower rates in easy to thin orchards or use a tree carbon status model like *BreviSmart* or *The Cornell Apple Carbohydrate thinning model* to adjust base rates based on weather conditions. Weather conditions can cause a tree to be in a positive or negative carbon state. Adjust the base rate higher for trees that have a positive carbon status. Adjust to lower rate if the tree has a large, negative carbon status. When the tree has an extremely low carbon status, delay the application until weather conditions are better.
- If temperatures are forecasted to exceed 84°F 1-5 days after application, wait to apply until temperature decreases or use a lower rate.
- Other factors to consider for determining rate include: variety, tree age (i.e., lower the rate for new orchards), rootstock, training systems, tree stress, orchard cropping history/orchard management practices, or other thinning sprays/plant growth regulators applied to trees.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE:

Store in a cool, dry place and in such a manner as to prevent cross contamination with other pesticides, fertilizers, food and feed. Store in original container and out of reach of children, preferably in a locked storage area.

PESTICIDE DISPOSAL:

Open dumping is prohibited. Pesticide wastes are toxic. Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility. 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 at the nearest EPA Regional Office for guidance.

CONTAINER HANDLING:

NONREFILLABLE CONTAINERS:

Rigid, Nonrefillable containers small enough to shake (i.e. with capacities equal to less than 5 gallons or 50 pounds). Nonrefillable container. Do not reuse or refill this container. Triple rinse or pressure 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 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 or reconditioning if available, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities**.** Pressure rinse as follows: Empty the remaining contents into application equipment or a mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or a mix tank or collect rinsate at about 40 PSI for at least 30 seconds. Drain for 10 seconds after the flow begins to drip. Once container is rinsed, offer for recycling if available, or puncture and dispose of in a sanitary landfill.

Rigid, Nonrefillable containers that are too large to shake (i.e. with capacities greater than 5 gallons or 50 pounds).

Nonrefillable container. Do not reuse or refill this container. Triple rinse or pressure 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 one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times. Offer for recycling or reconditioning if available, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities**.**

Pressure rinse as follows: Empty the remaining contents into application equipment or a mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or a mix tank or collect rinsate at about 40 PSI for at least 30 seconds. Drain for 10 seconds after the flow begins to drip. Once container is rinsed, offer for recycling if available, or puncture and dispose of in a sanitary landfill.

REFILLABLE CONTAINERS:
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.

REFILLING OR RETURNING CONTAINERS:
If refilling or returning container is planned, end users are not authorized to remove tamper evident cables, one-way values or clean container.

RECYCLE OR DISPOSAL OF CONTAINERS:
End users are authorized to remove tamper evident cable as required to remove the product from the container unless the container is equipped with one-way valves and refilling or returning is planned. Instructions for container rinsing and either recycling or disposal are as follows:

Bottom Discharge IBC (e.g. Schuetz Caged IBC or Snyder Square Stackable).
Pressure rinsing the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To pressure rinse the container before final disposal, empty the remaining contents from the IBC into application equipment or mix tank. Raise the bottom of the IBC by 1.5 inches on the side which is opposite of the bottom discharge valve to promote more complete product removal. Completely pump or drain rinsate into application equipment or rinsate collection system while pressure rinsing. Continue pressure rinsing for 2 minutes or until rinsate becomes clear. Replace the lid and close bottom valve.

Top Discharge IBC, Drums, Kegs (e.g. Snyder 120 Next Gen, Bonar B120, Drums and Kegs).
Triple rinsing the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To triple rinse the container before final disposal, empty the remaining contents from this container into application equipment or mix tank. Fill the container about 10 percent full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Rinse all interior surfaces. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times.

LIMITATION OF WARRANTY AND LIABILITY

Read the entire directions for use, conditions of warranties and limitations of liability before using this product. If terms are not acceptable, return the unopened product container at once.

By using this product, user or buyer accepts the following **CONDITIONS**, **DISCLAIMER OF WARRANTIES** and **LIMITATIONS OF LIABILITY**.

CONDITIONS: The directions for use of this product are believed to be adequate and must be followed carefully. However, 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 weather conditions, presence of other materials, or the manner of use or application, all of which are beyond the control of ADAMA. All such risks shall be assumed by the user or buyer.

DISCLAIMER OF WARRANTIES: To the extent consistent with applicable law, ADAMA makes no other warranties, express or implied, of merchantability or of fitness for a particular purpose or otherwise, that extend beyond the statements made on this label. No agent of ADAMA is authorized to make any warranties beyond those contained herein or to modify the warranties contained herein. To the extent consistent with applicable law, ADAMA disclaims any liability whatsoever for special, incidental or consequential damages resulting from the use or handling of this product.

LIMITATIONS OF LIABILITY: To the extent consistent with applicable law, the exclusive remedy of the user or buyer for any and all losses, injuries or damages resulting from the use or handling of this product, whether in contract, warranty, tort, negligence, strict liability or otherwise, shall not exceed the purchase price paid or at ADAMA's election, the replacement of product.

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